

Planning and Licensing Committee

Tuesday, 15 July 2014 at 10:30

County Hall, County Hall, West Bridgford, Nottingham, NG2 7QP

AGENDA

- | | | |
|---|--|-----------|
| 1 | Minutes of the meeting held on 17 June 2014 | 5 - 10 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Declaration of Lobbying | |
| 5 | Land at Langford Quarry Newark Road Collingham Newark | 11 - 72 |
| 6 | Richard Bonnington Primary and Nursery School Calverton Road Arnold | 73 - 112 |
| 7 | Langar North Trading Estate Harby Road Langar- Glen Barry Metals Limited | 113 - 128 |
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NOTES:-

(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 0300 500 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 Dave Forster (Tel. 0115 9773552) 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.

(4) This agenda and its associated reports are available to view online via an online calendar -

<http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Notes

(1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.

(2) 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 0300 500 80 80

(3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact David Forster (Tel. 0115 977 3552) or a colleague in Democratic Services prior to the meeting.

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Meeting **PLANNING AND LICENSING COMMITTEE**

Date **Tuesday 17 June 2014 (commencing at 10.30 am)**

membership

Persons absent are marked with 'A'

COUNCILLORS

John Wilkinson (Chairman)

Sue Saddington (Vice-Chairman)

Roy Allan

Richard Butler

Steve Calvert

Steve Carroll

Sybil Fielding

A

Rachel Madden

A

Andy Sissons

Keith Walker

A

Yvonne Woodhead

OFFICERS IN ATTENDANCE

Nathalie Birkett- Solicitor

David Forster – Democratic Services Officer

Jerry Smith – Team Manager, Development Management

Sally Gill – Group Manager Planning

Sarah Ridley – Team Manager Trading Standards and Community Safety

Sue Bearman – Solicitor

CHANGE IN MEMBERSHIP

The Clerk reported orally that Councillor Steve Carroll had been appointed to the Committee in place of Councillor Jim Creamer for this meeting only

MINUTES OF LAST MEETING HELD ON 20 MAY 2014

The minutes of the meeting held on 20 May 2014 having been circulated to all Members were taken as read and were confirmed and signed by the Chairman.

APOLOGIES FOR ABSENCE

Apologies for absence were received from

Councillors Rachel Madden (personal)

Andy Sissons (personal)

DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

Councillor Sybil Fielding declared a non-pecuniary private interest in agenda item 6 – Dukeries House, Claylands Avenue, Worksop Waste Transfer Station - on the grounds that she is a member of Bassetlaw District Council but had not taken any part in the Districts Councils deliberations on this issue.

DECLARATIONS OF LOBBYING OF MEMBERS

All members had been copied into various e-mails circulated by Mr N Briggs who is in opposition to the proposals set out in agenda item 6.

ANNUAL REPORT TO PLANNING AND LICENSING COMMITTEE OF THE LICENSING WORK CARRIED OUT BY TRADING STANDARDS

It was reported orally that the financial comments which were omitted from the report should read “The Financial comments are contained within the report”

On a motion by the Chairman seconded by the Vice-Chairman it was:-

RESOLVED 2014/025

1. That the report and the levels of activity undertaken by the Trading Standards and Community Safety Team is noted and
2. That the fees for poisons registrations and performing animal licences be maintained at the same levels as 2013/14 as set out in paragraph 22 of the report.

Following a technical problem the order of business was changed to take agenda item 7 next.

JOHN BROOKE SAWMILLS LTD

A) RESUBMISSION OF APPLICATION FOR THE CREATION OF ADDITIONAL YARD AREA FOR WASTE WOOD STORAGE AND ERECTION OF SCREENING BUIND.

B) CREATION OF FLOOD COMPENSATION SCHEME.

Mr Smith introduced the report and following the introductory remarks by Mr Smith.

Mr Marco Muia representing the applicant spoke in favour of the application and highlighted the following:-

- The two applications before the committee complement the already approved application for a wood fuelled biomass plant on the adjacent site.

- This will provide storage for unprocessed waste wood pending processing.
- Issues regarding dust, noise, floodplain and water pollution have been fully considered

There were no questions

Mr Smith informed members that the Advisory note would stipulate that the HGV traffic would operate on a circular route in and out of the site and reported the Financial comments as “There are no specific financial implications arising directly from this report”.

On a motion by the Chairman, seconded by the Vice-Chairman it was:-

RESOLVED 2014/026

That the Corporate Director for Policy, Planning and Corporate Service be authorised to grant planning permission for both applications:-

- a) the creation of the wood storage yard and
- b) for a flood compensation area

these are subject to the respective conditions as set out in appendix 1 attached to the report.

DEVELOPMENT AND OPERATION OF A RECYCLATES BULKING AND WASTE TRANSFER STATION - DUKERIES HOUSE CLAYLANDS AVENUE WORKSOP – VEOLIA ES (NOTTINGHAMSHIRE) LTD

Following the introductory remarks and slide presentation by Mr Smith there were a number of speakers who were given an opportunity to speak and a summary of those speeches are set out below:-

Mr Norman Biggs, local resident, spoke against the application and highlighted the following issues

- Domestic waste can create bio aerosols which can contain viruses and pathogenic bacteria such as e.coli, salmonella and MRSA etc
- The bio aerosols could spread 300 meters and only 20 metres away there are housing and employment areas planned.
- The odours could affect up to 20,000 residents in the area including 4 primary schools
- The possible attraction of vermin could also spread disease and cause an imbalance in the natural biodiversity within the area which also includes Sites of Importance for Nature Conservation

- The proposed site is in the Prospective Sherwood Forest Special Protected Area which exists to protect the Nightjar and Woodlark
- The risk of fire is also a concern especially as recent events in the vicinity bear this out.
- Traffic congestion in the vicinity with the increase in the number of lorries visiting the site daily.

There were no questions

Mr James Cook, representing Veolia, spoke in favour of the application and highlighted the following:-

- This is an essential development for Bassetlaw to deliver more sustainable waste management across the area and for Nottinghamshire as a whole.
- This will be a direct replacement for the undeliverable Shireoaks Road facility
- As with all Nottinghamshire Transfer Stations the core hours of operation reflect the needs of the Waste Collection Authority
- There are no significant highways concerns expressed by the County Council's Highways Team.
- Veolia are contractors to the County Council and as such have strict terms of its contracts on performance and the site will be managed to the highest standards we expect as a Waste Company.
- This will bring a contaminated brownfield site back into productive use.

In response to a question Mr Cooke replied that other waste site do not experience an increase in vermin as the waste products are not left for a long period without being dealt with.

Mr Ivor Jones, representing Shireoaks Parish Council, spoke against the application and highlighted the following:-

- It will have a serious effect on both the Industrial and housing developments which are proposed adjacent to this application
- There will be obnoxious smells and noise emanating from the site
- The proposed distribution site nearby will not attract any significant companies if this application was to be granted.

There were no questions

Following the speakers, members discussed the item and the following comments were responded to

- Permits with regard to environmental licensing are issued by the Environment Agency and do not form part of Planning considerations
- There will be a sprinkler system installed as a precaution against any fires.
- The vast majority of waste received during the day will be moved the same day
- The hours of operation coincide with the needs of the Waste Authority which include recycling centres over the weekend period.

On a motion by the Chairman seconded by Vice Chairman and upon a show of hands it was

RESOLVED 2014/027

That planning permission be granted subject to the conditions as set out in appendix 1 attached to the report

In accordance with Standing Orders Councillor Sybil Fielding's vote against the decision is recorded

PROVISION OF A SINGLE MODULAR BUILDING FOR USE AS A DAY CARE/ PRE SCHOOL NURSERY FACILITY – CROPWELL BISHOP PRIMARY SCHOOL STOCKWELL LANE CROPWELL BISHOP

Following the introductory remarks by Mr Smith there were a number of speakers who were given an opportunity to speak and a summary of those speeches are set out below:-

Mr Phil Palmer, Head Teacher, spoke in favour of the application and highlighted the following:-

- This will ensure there is a higher quality nursery facility and wrap around care facility.
- The new Cedar clad building will be an improvement visually than the previously approved portable building
- The majority of the construction work will take place off site to reduce the impact on site
- There would not be any additional traffic problems created with this application because the School Traffic Plan will take this into account.

In response to a question Mr Palmer replied that the work will be carried out during the summer recess

Councillor Richard Butler, local member, spoke in favour of the application and reiterated the sentiments of the Head Teacher. He also highlighted that the school wish to integrate with the community with this development.

There were no questions

On a motion by the Chairman seconded by the Vice-Chairman it was:-

RESOLVED 2014/028

That planning permission is granted for the purpose of Regulation 3 of the Town and Country Planning General Regulations 1992 and subject to the conditions as set out in Appendix 1 attached to the report.

ADOPTION OF A CHARGING REGIME FOR PRE-APPLICATION ADVICE ON PLANNING APPLICATIONS

RESOLVED 2014/029

1. That the responses received following a period of consultation with relevant stakeholders on the proposal to charge for pre-application advice given to prospective applicants be noted and
2. That the introduction of the charging regime for pre-application advice be approved as set out in the report and that it comes into effect on 1 July 2014.

DEVELOPMENT MANAGEMENT PROGRESS REPORT

RESOLVED 2014/030

That the progress report and appendix be noted.

WORK PROGRAMME

RESOLVED 2014/031

That the Work Programme reported be noted

The meeting closed at 11.40 am.

CHAIRMAN



15th July 2014

Agenda Item:5

**REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND
CORPORATE SERVICES**

NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/14/00040/CMA

**PROPOSAL: PROPOSED EXTENSION TO EXISTING QUARRY WITH RESTORATION
TO WATER AMENITY, TOGETHER WITH REVISED RESTORATION
FOR CREATION OF AN ENLARGED NATURE RESERVE AND
RETENTION OF EXISTING PLANT SITE AND SITE ACCESS**

**LOCATION: LAND AT LANGFORD QUARRY, NEWARK ROAD, NEAR
COLLINGHAM, NEWARK**

APPLICANT: LAFARGE TARMAC LTD

Purpose of Report

1. To consider a planning application for an extension to the Langford Quarry, near Newark. The submission also incorporates alterations to the previously approved restoration proposals for the quarry.
2. The key issues within the determination of the planning application relate to the need for the mineral and the appropriateness of the site in the context of local environmental impacts.
3. The recommendation is to grant planning permission, subject to conditions and the applicant entering into a Section 106 legal agreement to control lorry routing, landscape management and the protection of a local nature reserve.

The Site and Surroundings

4. Langford Quarry is located in the Trent Valley approximately 8km due north of Newark, Nottinghamshire. Locally the site is situated 1.2km north east of the village of Holme, 2.6km south west of the village of Collingham and 1.9km northwest of the village of Langford. The site and its surroundings are illustrated on Plan 1.
5. Langford Quarry has been operational since the late 1980s. The existing quarry workings are divided into three phases, phase 1 and 2 have been worked out, restored and are now managed by the RSPB as a

wildfowl/wetland nature reserve. Extraction is well advanced in Phase 3. The quarry produces around 500,000 tonnes per year of sand and gravel and represents a strategically important producer of mineral for concrete production within the County. It is anticipated that mineral extraction within the consented reserves will be predominantly depleted in Spring 2015.

6. The current planning application seeks to extend the quarry to release additional mineral reserves. The boundaries of the application have been drawn around a total of 127.2 hectares (Ha), incorporating lateral extensions of the quarry onto adjoining farmland as well as parts of the existing consented quarry area as illustrated on Plan 2.
7. The land which would be used as an extension to the extraction area is incorporated within three parcels of land. The main 'southern extension' extraction area to the south of the quarry incorporates approximately 20 Ha of arable agricultural extending between the existing quarry and Slough Dyke. The land consists of two arable fields and part of a third. Hedgerows define the boundaries of these fields. Two smaller parcels of land extending to 3Ha of land to the east of the current extraction area, known as the 'eastern extension', would also be quarried. This land is within the operational quarry area and is currently used for the storage of soils stripped from earlier working phases but does not have the benefit of planning permission for sand and gravel extraction.
8. The geology of the extraction areas has been proven by exploratory boreholes which identifies a number of distinctive layers in the ground formation comprising topsoil (0.2 to 0.4m thick), subsoil (0.2 to 0.4m thick), non-soil overburden (0.5 to 5m thick), sand and gravel (2 to 6m thick comprising 53% gravel, 44% sand and 3% silt). Mercia mudstone underlies the mineral reserve.
9. The boundaries of the planning application site have been drawn to incorporate areas of the existing quarry which would be used as part of the development including the plant site and haul road, the network of silt lagoons, and land within the current working area/recently extracted workings where alterations are proposed to be made to the restoration works.
10. A number of public rights of way are located in the vicinity of the site and identified on Plan 3. The footpaths generally follow the boundaries of the existing and proposed extraction areas.
11. The application site is generally flat at around 7-8m Above Ordnance Datum (AOD) and is located within the River Trent floodplain.

Proposed Development

12. Planning permission is sought to extend the quarry in an easterly and southerly extension, releasing an anticipated 1,438,000 tonnes of mineral of which 136,000 tonnes would be extracted from the eastern extension with the remainder from the southern extension. The planning application also incorporates:

- Construction of a field conveyor and conveyor/vehicle bridge over the Slough Dyke and Public Footpath Langford 3;
 - Revised restoration on part of the existing quarry working area to create an enhanced nature reserve with a more sustainable water management regime, restoration within the proposed extended areas would be to wet, low level meadows and amenity lake.
 - Retention of existing plant site, associated settlement lagoons, site infrastructure and access road;
 - Amendment to the approved phasing of extraction.
13. The quarry phasing scheme anticipates mineral extraction would continue within the existing consented area until early 2015, at which point the quarry would progress into the eastern extension area. The existing soil bunds and soil resources currently stored in this area would be removed and used for restoration purposes within the previous quarry workings prior to the commencement of mineral extraction. Quarry workings would be undertaken below the water table and therefore would require ground dewatering to locally lower the water table. Upon completion of mineral extraction the eastern extraction area would be restored to provide a wet low level meadow habitat.
 14. Mineral extraction would subsequently progress into the southern extension. Progression into the southern extension would be preceded by the extension of the conveyor line and the bridging of the Slough Dyke. Top/sub soil & overburden stripping would begin in 2015, this material being transported by dump trucks for use within the restoration of the main lake in phase 3 (current workings) and the eastern extension. During the later stages of working the southern extension soils would be stored and used to restore the resulting mineral void to provide a lake. Upon completion of extraction and restoration in the southern extension, the Slough Dyke crossing would be removed and the field conveyor would be 'retreated'.
 15. The alterations to the restoration of the current workings (phase 3 area) result in a reduction to the amount of open water originally proposed in this area. The restoration scheme would create additional reed-bed habitats by concentrating the use of soil and overburden material to infill voids. Water levels would be managed by creating a discharge point to the River Trent. A lake would be retained as part of the restoration of the existing workings on their eastern side.
 16. The existing quarry plant site would continue to be used for the processing of mineral together with the existing quarry haul road leading to the A1133. Since there are no changes proposed to the existing output from the site there would be no change to the existing traffic movements which typically total 90 HGVs per day (180 two way movements) and 14 cars. All HGVs are required to turn right when leaving the site and must turn left into the site so that no HGV traffic associated with the operation of the quarry passes through Collingham village.
 17. Effluent water from the processing plant would be pumped to the existing silt settlement ponds where suspended solids would be allowed to fall out. An

additional 17,000 cubic metres of fines would be settled in these ponds as a result of the extended operations. The addition of this material to the settlement ponds would create additional wet woodland habitat as part of the restoration of the silt ponds.

18. The planning application does not seek to alter existing working hours which are 0700-1800hrs Monday to Friday and 0700-1300hrs Saturdays. The quarry would continue to employ nine people plus 24 associated hauliers.

Regulation 22 Submission

19. The application is accompanied by an Environmental Impact Assessment. Following the receipt of planning consultation responses and officer assessment of the planning application it became apparent that further environmental assessments and clarification were necessary to ensure that objections could be resolved and the Environmental Impact Assessment provides a full assessment of the potential environmental impacts resulting from the development. The applicant was therefore served with a formal request to submit supplementary information under Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (Reg. 22 request).
20. The applicant subsequently responded to this Reg. 22 request through the submission of a supplementary report and technical appendices. This report does not alter the overall design concept of the development however it provides the necessary information to satisfy Officers that the Environmental Statement provides a full assessment of the potential environmental impacts resulting from the development. The report is structured to address the items raised within the Reg. 22 request namely:
 - a. A supplementary archaeological assessment
 - b. A built heritage assessment
 - c. Alterations to the design of the proposed footpath tunnel where Langford Footpath 3 passes under the proposed haul road and conveyor to provide additional headroom.
 - d. The provision of additional landscape screen planting.
 - e. Arrangements for public access within the restored site.
 - f. Clarity regarding numbers of HGV movements.
 - g. Records of dust emissions from the site.
 - h. Measures to provide further regulation of lorry routeing controls.
 - i. Clarification regarding floodlighting proposals for the site.
 - j. Supplementary ecological surveys for Great Crested Newts, monitoring of water levels within Langford Marsh Local Wildlife Site (LWS) and proposed mitigation measures.

21. The issues raised within this response are assessed in detail within the planning considerations section of this report.

Consultations

22. Newark & Sherwood District Council: *Raise no objections to the planning application provided that Nottinghamshire County Council is satisfied that the proposed development complies with the relevant Development Plan Policies. Specifically, the Environmental Health Officer has reviewed the information relating to noise and raises no concerns and the Environmental Health Proactive Team has reviewed the Air Quality Assessment and is satisfied that the development would not have significant effects on the local air quality from small particle (PM10) and dust emissions since background levels in this rural area are currently some way below the health based objectives. It is noted that the suggested dust control measures follow industry best practice.*
23. Winthorpe with Langford Parish Council: *No representations received.*
24. Collingham Parish Council: *Request that planting and screening proposals are completed before the extension to the quarry commences. There have been some recent occurrences of HGVs driving through Collingham village, it is requested that CCTV cameras are installed on the access road to the quarry to provide easier identification of potentially offending drivers.*
25. North Muskham Parish Council: *No representations received.*
26. Holme Parish Meeting (incorporating Holme Land Bank Trust): *Raise objections to the development. As a matter of background Holme is a small community, comprising 32 occupied dwellings, located on the east bank of the River Trent, all of it less than half a mile from the riverside, some 4 miles north of Newark-on-Trent. The village is located to the south-west of Langford Lowfields quarry. The village is accessed by a single track entry road from the east linking the village to the A1133; it is physically separated from the surrounding settlement pattern by the River Trent to the west and the Newark to Lincoln Railway Line to the east. The Holme Bank Land Trust is a registered charity serving the interests of the residents of the Parish of Holme. Objections are raised to the development on the following grounds:*
- a. *Dust Pollution: Current quarry operations have generated dust nuisance including an incident of a dust storm in 2010 which severely restricted visibility in the local area and forced residents inside, leaving significant dust deposits on Grade I and II listed buildings. Assurances are sought that any future dust complaints will be properly recorded and investigated, and that Network Rail's views on dust emissions are specifically sought. The applicant's liability for damage to properties and vehicles following a dust storm should be established.*

- b. *Visual Intrusion: The planning application acknowledges that there will be some adverse visual impacts from the quarry to properties in Holme village. It is requested that the applicant consult individual house owners affected and put in place suitable landscape treatment, including tree planting (which is effective across all the seasons) in advance of the proposed April 2015 start date, to help reduce the visual impact.*
- c. *Light Pollution: Residents of Holme already have concerns about lighting on the existing site, notably six recently installed very powerful floodlights within the existing plant site. It is requested that the issue of light pollution should be thoroughly explored and action taken as necessary to avoid any nuisance to residents or dangers to health.*
- d. *Restoration: The development would remove the existing agricultural landscape replacing it with a wetland reserve, giving scant regard to Nottinghamshire County Council's proposed "Preferred Approach" Minerals Local Plan strategic objective SO8 which supports restoration to agriculture. The creep of new wetland restoration has already resulted in permanent and continuous change to the Trent valley landscape for a 10km long stretch. Indeed it is worrying that the RSPB (and others) already assume, even before planning permissions have been given, that there will be more than 600 hectares of wetland across the Langford, Besthorpe and Cromwell complex. Restoration to wetland can increase the perception of isolation to the community and the loss of agricultural land can result in the loss of working farms in Holme. There is nothing in the restoration plan which improves public access to the countryside by allowing access to those walking dogs or opening up rights of ways for either cyclists or horse riders. Funding guarantees to ensure that any approved restoration will still take place in the event that Lafarge Tarmac is not able to fulfil its obligations should be secured.*
- e. *Soil quality: Landowners bordering the proposed site should be assured that the quality of their soil is not degraded by the extraction.*
- f. *Cultural Heritage: The site is only 350m from a Scheduled Ancient Monument - the location of a Roman marching camp. Concern is raised regarding impacts on its setting. Assurances are sought that English Heritage are satisfied there is sufficient distance between the monument and extraction areas.*
- g. *Socio-Economic: Further information is sought regarding the applicant's intentions for contributing to community facilities in future years.*
- h. *Cumulative Impact: Langford Lowfields quarry has now been operational since the late 1980s and the draft Preferred Approach Minerals Local Plan allocates work at this site until 2030 – four decades of extraction in total. This concentration on local communities, the potential adverse effect on property values during the excavation phase together with the cumulative impact and the common law duty of care means that both Nottinghamshire County Council and Lafarge Tarmac should take all*

steps which are reasonably possible to ensure the health and safety of the residents of Holme.

27. Severn Trent Water Limited: *Raise no objections subject to the drainage details of surface water and foul sewage being agreed prior to the commencement of the development.*
28. Western Power Distribution: *Raise no objections but request consideration be given to any vegetation to be planted in proximity to their equipment to ensure that it does not encroach onto live high voltage lines or penetrate underground cables. The company state that they require 24 hour access to their existing distribution substation which is sited within the existing quarry.*
29. National Grid (Gas and Electricity): *Identify that there is gas and electricity apparatus in the vicinity of the development site which may be affected by the development. The applicant should contact National Grid prior to commencing the development.*
30. National Grid Company PLC: *Raise no objections to the development. The company note that a high voltage overhead transmission line crosses the site for which they have provided a standing advice note to ensure safety is maintained.*
31. Nottinghamshire Wildlife Trust: *Raise objections to the development due to a lack of sufficient information/survey data to determine the magnitude of ecological impact to habitats and species. The Wildlife Trust acknowledge that the concerns potentially can be resolved through the provision of additional information. The following specific comments are raised.*
 - *A pond within 200m of the boundary of the site provides a potential habitat for Great Crested Newts. Further surveys should be undertaken of this pond to determine whether newts occupy the pond and if so an assessment should be made as to whether the development site provides a terrestrial habitat for foraging newts.*
 - *No survey for overwintering birds has been undertaken therefore it is unclear whether the fields are important for wintering flocks of birds, such as swans or geese.*
 - *The water vole survey could not be completed due to the inaccessibility of the banks of the Slough Dyke in places and the density of marginal vegetation cover. In the absence of these surveys, it is not currently possible to accurately assess the likely full impacts of this proposed scheme to water vole.*
 - *If external floodlighting is proposed there is potential impacts to foraging bats.*
 - *A retained tree on the site provides habitat for barn owls, a 50m stand-off from quarry workings should be retained around this tree to ensure it is not adversely affected by quarry operations.*

- *Hedgerows should be managed to make them wider and taller and mitigate for potential feeding and breeding habitat resulting from the loss of farmland.*
- *There should be no clearance of vegetation in the bird breeding season, from March to August inclusive.*
- *Further assessments of potential hydrological impacts to Langford Marsh Local Wildlife Site are required as well as any proposed mitigation measures.*
- *Further details regarding restoration planting/species proposals are requested.*

32. Natural England: *Raise no objections. Natural England is satisfied that the development would not result in adverse impacts to the nearby Besthorpe Meadows SSSI and Besthorpe Warren SSSI. With regard to potential impacts to protected species Natural England has not undertaken a detailed assessment of the potential magnitude of impact, referring the Council to its published standing advice. With regard to impacts to soils and land quality, the development would not lead to the loss of over 20 hectares of 'best and most versatile' agricultural land and therefore detailed comments on this matter are not provided. Natural England encourages the incorporation of green infrastructure and creation of habitats through restoration in accordance with the Biodiversity Action Plan for Nottinghamshire. In terms of landscape effects the proposal is not located within, or within the setting of a nationally designated landscape and therefore landscape impacts should be assessed against local landscape character assessments for the area.*

33. Muskham Vale Heritage Group: *Raise objections to the development on the following grounds:*

- A Roman Camp which is a Scheduled Ancient Monument (SAM) is located to the west of the village and south of the proposed quarry extension. The proposed extension is too close to allow the SAM to remain in context. The SAM is an un-investigated feature and work should be undertaken to research links between this Roman Camp and other Roman sites, particularly Crococalane and North Scaffold Lane. Slough Dyke was an old course of the River Trent and there may well have been an ancient crossing point in the area, this evidence would be lost without full investigation.*
- The development would change the landscape of the area, affecting ancient crossing points of the River Trent, both the site of the Newark Torc, and the Muskham.Holme crossing which formed a wool-trade route between Bolton and Boston.*
- The restoration scheme would leave another 'giant puddle in the landscape'. Restoration should return the land to active agricultural use.*
- The Langford Quarry is already over-developed and adversely affects the landscape. Further encroachment should not be allowed. The proposed*

move south would cause disruption to the lives of residents of Holme village with dirt, dust, noise and visual impact.

- e. Lafarge-Tarmac should concentrate efforts on working out other quarries before extending Langford.*

- 34. Network Rail: *Raise no objections*
- 35. NCC (Nature Conservation): *Raise no objections on the basis that the proposals appear likely to give rise to minimal ecological impacts with the imposition of suitable planning conditions. The restoration has potential to deliver significant ecological gain. The results of a great crested newt survey of the pond at Langford Marsh need to be provided prior to the determination of this application, and additional information relating to mitigation for potential hydrological impacts is also requested at this stage.*
- 36. NCC (Countryside Access): *Langford Footpath 3 crosses the site but would not be re-routed by the development. The main issue is the provision of a short tunnel for the path under the haul road and conveyor which is specified to have a maximum height of 2m. This is rather tight on headroom and below the recommended clearance of 2.1m. It is recommended that this height be reviewed.*
- 37. NCC (Planning Policy): *The development site is not allocated for mineral extraction within the adopted Nottinghamshire Minerals Local Plan 2005 and therefore needs to be considered against Policy M6.3: (Sand and Gravel extraction in unallocated land) and M6.2 (Sand and Gravel Landbank). The sand and gravel landbank as of December 2012 (the latest figures available) stood at 6.74 years and therefore now would be well below the minimum 7 years as set out in these policies and those in the NPPF. The new Minerals Local Plan Preferred Approach sets out the draft policies and site specific allocations to meet demand over the plan period to 2030. Policy MP2 'Sand and Gravel Provision' identifies two areas of land that are being proposed as allocations for Langford Quarry, the proposed development site forms part of the larger MP2h sand and gravel allocation.*
- 38. NCC (Archaeology): *The archaeological desk based assessment does not address the potential for the development to impact upon heritage assets in the wider landscape; there is limited reference to the nearest Scheduled Monument, the Roman marching camp, but no mention of the nearby earthwork remains of the medieval village at Langford, which is also scheduled. The report is therefore deficient in these respects, and it is recommended that the applicant be requested to provide additional information to allow detailed consideration of these matters.*
- 39. *The desk based assessment otherwise provides an excellent overview of the site's archaeological potential, pointing out that the lack of information relevant to the site recorded on the County Historic Environment Record (HER) is belied by the previous phases of archaeological fieldwork at the site. A good assessment of particular types of potential is offered, with the eastern extension likely to include Prehistoric, Roman and Early Medieval remains*

found in earlier extraction, and the larger southern extension likely to contain significant palaeoenvironmental material. It is clear that archaeological field evaluation would present some serious challenges, with soil bunds on the two smaller areas, and a significant depth of alluvial overburden over much of the larger area. In these kinds of contexts, normal evaluation techniques can fail to provide a useful level of accurate predictability. The palaeochannel expected in the southern area has the potential to contain a wide range of archaeological deposits; human remains, deposits of metalwork, boats, trackways and riverside structures. These may be well-preserved and very significant, but will tend to be discrete and limited to a fairly restricted area. Their loss through extraction may be mitigated by their excavation and recording to a level appropriate to their significance - this needs to be set out clearly in a fully detailed Written Scheme of Investigation which the applicants should submit in advance of a planning decision.

40. NCC (Built Heritage): *The submitted Environmental Statement does not incorporate an assessment of the potential magnitude of impact to heritage assets in the surrounding areas and is therefore considered to be incomplete. A further assessment of these matters is requested.*
41. NCC (Landscape): *The landscape and visual assessment has been studied and it is concluded that it has been carried out in accordance with the current guidelines and the conclusions reached accurately identify the significance of impact. A planning condition should be imposed to require detailed planting specifications prior to the restoration/aftercare of the site.*
42. NCC (Reclamation): *No representations received.*
43. NCC (Highways) Development Control : *Raise no objection on the basis that the development does not propose any alterations to the existing site access, does not change the existing level of vehicular movements i.e. typically 90 HGVs per day and 14 cars to the site, and controls would be imposed to ensure that all HGVs are required to turn right when leaving the site and any arriving must turn left into the site thereby ensuring that no HGV traffic passes through Collingham village.*
44. NCC (Noise Engineer): *The noise assessment report demonstrates that the development would be acceptable on noise grounds subject to the imposition of planning conditions imposing maximum noise levels at nearby residential properties, limitations on the working hours, lorry movements including numbers and routing and the use of appropriate silencing to mobile plant.*
45. The Ramblers' Association: *No representations received.*
46. Royal Society for Protection of Birds (RSPB): *Raise no objections. The RSPB believe that the cluster of mineral sites around Langford Quarry offers the largest potential reedbed habitat restoration potential for the East Midlands. This habitat is UK priority, essential for the future recovery of specialised wildlife such as bitterns, water voles, bearded tits and many other rare and restricted species. The applicant's restoration proposals are also consistent*

with the principles of 'bigger, better and more connected' places for nature as set out in the Lawton Report.

47. National Planning Casework Unit: *Have been notified of the planning application.*
48. Public Health England: *Public Health England noted that the quarrying operations have potential to lead to dust nuisance and there appears to have been some historical complaints regarding nuisances from the site. The Planning Authority should ensure that sufficient mitigation is in place to prevent off site dust impacts occurring.*
49. Trent Valley Internal Drainage Board: *Raise no objection to the development subject to appropriate consents being obtained for any works which may affect the Board maintained Collingham Fleet Drain, Westfield Drain and Holme Lane drain.*
50. Defence Infrastructure Organisation: *The Ministry of Defence has no safeguarding objections to the proposal.*
51. Environment Agency (EA): *The Agency has no objections in principle subject to the following matters being controlled through planning conditions.*
 - a. *The development shall be carried out in accordance with the Flood Risk Assessment report which forms part of the planning submission.*
 - b. *Unless previously agreed, restoration levels shall not be raised above original pre-quarrying levels.*
 - c. *The Slough Dyke shall be protected and retained during the development, any works to or within the vicinity of the Slough Dyke shall be agreed in writing.*
 - d. *Satisfactory storage arrangements for oils.*
52. Sustrans: *No representation received.*

Regulation 22 Consultation Responses

53. *The following additional responses have been received in connection with the supplementary Reg. 22 submission.*
54. Newark and Sherwood District Council: *Have no further comments to make to those raised in the original consultation response.*
55. Holme Parish Meeting & Holme Bank Land Trust: *Have provided a joint response within which the following comments are made:*
 - *Built Heritage Assessment: English Heritage should provide expert advice to comment on the buffering that is needed between the scheduled ancient monument and areas of working.*

- *Supplementary Landscape Planting: The supplementary landscape planting is welcomed, although no assessment has been made from the first floor of properties in Holme village where negative impacts would occur.*
 - *Public Access within Restored Landscape: The application does not incorporate any specific proposals for public access within the restored site.*
 - *Dust Operational History: Lafarge Tarmac now acknowledge a significant dust incident occurred in 2010, identifying that management measures, including the use of a sealant would prevent any repeat. Can the applicant give assurances that these measures would be effective and accept liability to compensate residents should problems reoccur.*
 - *Floodlighting: If the 'night vision' CCTV is successful will its use in replacement of the existing floodlighting be a requirement of the planning permission.*
56. Natural England: *Raise no further observations in respect of the Reg. 22 information.*
57. Public Health (England): *Have no further comments to make regarding the further information.*
58. Trent Valley Internal Drainage Board: *Have no further comments to make regarding the further information.*
59. Nottinghamshire Wildlife Trust: *Maintain an objection to the development on the basis that overwintering bird and water vole surveys have not been undertaken, potential impacts to bats from floodlighting have not been fully assessed and precise details of species mix used within the restoration of the site should be submitted prior to the determination of the planning application.*
60. *Notwithstanding the above, the Wildlife Trust are now satisfied that the supplementary Reg. 22 information demonstrates that:*
- *Great crested newts are not present in the nearby pond and therefore detrimental impacts to this species are not anticipated.*
 - *The hydrological monitoring and implementation of a mitigation scheme in the event of water drawdown in Langford Marsh LWS is appropriate and should be controlled through the planning consent.*
 - *The hedgerow management scheme will result in improved habitat for nesting bird.*
61. NCC (Nature Conservation): *The supplementary great crested newt survey of the pond 200m from the extraction area identified no great crested newts and therefore this species would not constraint the development. The hydrological monitoring and implementation of a mitigation scheme in the event of water drawdown in Langford Marsh LWS should be controlled through planning condition. The hedgerow protection and enhancement scheme is supported*

subject to minor modifications to the species used which can be controlled through planning condition.

62. NCC Highways: *Raise no further observations in respect of the Reg. 22 information.*
63. NCC (Noise Engineer): *Raise no further observations in respect of the Reg. 22 information.*
64. NCC (Planning Policy): *Raise no further observations in respect of the Reg. 22 information.*
65. NCC (Built Heritage): *Raise no objection on the basis that the supplementary historic environment assessment accurately considers the significance of impacts from the development which are assessed as being of a generally minor in magnitude.*
66. National Grid (Gas and Electricity): *Have responded by restating their previous no objection comment whilst confirming that the development has potential to affect electricity and gas apparatus.*
67. NCC (Archaeology): *The archaeological working scheme of investigation submitted as part of the Reg. 22 response is not appropriate for the level of archaeology anticipated to be contained within the site. In particular concerns are raised regarding the reporting arrangements, clauses within the submitted documents relating to unexpected finds including scope within the scheme to substantially amend the mitigation, further it is not clear who is to undertake this work, nor are any specialist staff identified. For a site of this potential this is a not an acceptable approach and could result in unacceptable damage to the archaeological resource. These matters can be addressed by the imposition of a planning condition requiring the submission of a revised archaeological working scheme of investigation, so as to ensure appropriate archaeological mitigation is in place.*

Publicity

68. The application has been publicised by means of site notices and press notice as affecting the route of a public right of way. Neighbour notification letters have been sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement.
69. Two letters of representation have been received which raise the following objections:
 - a. *Proximity of development to Holme village. It is questioned why the quarry could not expand northwards thus avoiding Holme village onto land which is remote from residential property.*
 - b. *Visual Screening. If the company are allowed to expand additional landscape screening should be provided. Such screening would prevent visual intrusion as well as assist in reducing dust and light pollution. The*

applicant acknowledges that properties will experience adverse visual impacts. Any planting should be undertaken in advance of quarry workings to ensure it has matured before the quarrying commences.

- c. Loss of top quality farming land and wildlife habitat.*
 - d. Flood risk. The extension crosses Slough Dyke. Previously it has been said that the quarry would not cross this dyke because of flood risk. If flood risk is not increased does this mean that Holme village is no longer at risk from flooding? Will the Council accept risk for any flooding in Holme village.*
 - e. Health Risk and Air Quality. The air quality report quotes medical evidence over twenty years old and many of the medical studies have been disproved. The applicant should therefore produce evidence which is up to date. Evidence should be obtained from the local health trust regarding local dust/sand health problems.*
 - f. The proximity of the development to Holme village may be in contravention of Protocol 1, Article 1 and Section 2 of the Human Rights Act.*
 - g. The preferred approach document of the replacement Minerals Local Plan allocates a 'Langford Southern Extension' of which the current planning application site takes about 20%. Concerns are raised that the current proposal has been deliberately submitted since it represents a non-controversial element of this wider allocation, but if granted would form the keystone for a much larger development. The proposal should be postponed until this replacement plan is approved.*
 - h. The proposal skates over legitimate concerns of local people in favour of commercial gain and continuing employment for nine people.*
 - i. The development would result in adverse cumulative impacts due to the amount of quarrying which has previously been undertaken in the area.*
70. The Regulation 22 response has been advertised by means of site notices and press notice. Neighbour notification letters have been sent to the nearest occupiers. One further letter of representation has been received from the local community which acknowledges that the supplementary information is substantial, however the authors of the report have not actually visited the home owners of the most affected properties in Holme village to collaborate the conclusions reached regarding the magnitude of visual impact within the village. The extent that hedges would screen quarry workings, as stated in the report is challenged. The resident feels that the applicant's approach is not good enough and they are trying to 'steam roller' through the development.
71. Councillor Maureen Dobson and Councillor Mrs Sue Saddington have been notified of the application.
72. Councillor Dobson is a member of the Langford Quarry Liaison Meeting which includes residents from Holme, Langford, Winthorpe and Collingham. The

liaison meeting has discussed the development under Cllr Dobson's chairmanship and has guided the preparation of the planning application. Notably Councillor Dobson has influenced the decision of the developer to provide off-site landscaping works to screen visual impacts of the quarry from surrounding communities, Cllr Dobson is particularly keen to see woodland blocks as well as hedgerow enhancements to screen impacts. Cllr Dobson would also like to see additional controls on quarry plant site lighting to ensure any glare to local communities is minimised/avoided as far as practicable.

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

Observations

Introduction

74. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the Development Plan comprises the Nottinghamshire Minerals Local Plan (MLP), the Newark and Sherwood Adopted Core Strategy (N&S CS) and Allocations and Development Plan Document (N&S A&DPD). Since the proposal relates to a minerals development the adopted MLP is the most relevant part of the development plan for assessing the appropriateness of the planning application on the basis that the N&S development plan documents do not deal specifically with minerals development.
75. Whilst not forming part of the development plan, Government planning policy set out with the National Planning Policy Framework (NPPF) must also be taken into account within the decision.
76. In assessing the relative weight that should be attached to the applicable policies of the development plan, Members need to bear in mind that the adopted MLP is comparatively old having been adopted in December 2005. However, the NPPF advises that for the purposes of decision taking the policies in a Local Plan should not be considered out-of-date simply because they were adopted prior to publication of the NPPF. It states that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)".
77. The adopted MLP is currently in the process of being reviewed and replaced by a new Minerals Local Plan (nMLP). This review is currently at a comparatively early stage. The Council has published a 'Preferred Approach' nMLP which underwent public consultation between 23rd October and 18th December 2013. Feedback from this consultation identified a need to make significant changes to the sand and gravel section of the plan to ensure that sufficient mineral resources are allocated to provide continuity of supply throughout the plan period up to 2030. This has resulted in a number of modifications being made to the sand and gravel preferred approach section of the nMLP. These modifications have been subject to an additional six week

period of public consultation running between 14th May and 11th July 2014. The NPPF incorporates advice on the weight that should be attached to emerging policies, indicating that increased weight can be given to emerging development plans as they progress towards adoption, the extent to which there are unresolved objections and the degree of consistency of the emerging policies to the policies in the NPPF. Since the nMLP is presently at a consultation stage, only limited weight should be given to its policies and allocations within the determination of this planning application.

Need for additional sand and gravel within Nottinghamshire

78. The NPPF identifies that minerals are essential to support sustainable growth and quality of life and to support the development of infrastructure, buildings, energy and goods that the country needs. The NPPF therefore attaches significant importance of the need to ensure that sufficient supplies of minerals are maintained. It requires mineral planning authorities to plan for a steady and adequate supply of aggregates so as to ensure that reserves equivalent to at least seven years annual production of sand and gravel are maintained (referred to as a landbank). The framework encourages planning authorities to incorporate within their development plans allocations of specific sites, preferred areas and/or locational criteria to ensure that a landbank is maintained.
79. The adopted MLP is consistent with the NPPF insofar that it seeks to maintain a seven year landbank of sand and gravel reserves. Policy M6.2 is listed below. A requirement to maintain a seven year landbank of sand and gravel reserves is also incorporated within Policy MP1 of the new MLP.

Policy M6.2: Sand and Gravel Landbank

The County Council will endeavor to maintain a landbank of permitted reserves of sand and gravel sufficient for at least 7 years extraction and also an adequate production capacity in order that Nottinghamshire will meet its reasonable share of regional provision of aggregates throughout the plan period.

80. To ensure that this seven year landbank is maintained the adopted MLP incorporates a series of geographical land allocations for sand and gravel extraction. Many of these allocations have now been worked out/exhausted owing to the age of the plan. . The proposed extensions to Langford Quarry sought within this planning application are not allocated sites for sand and gravel extraction within the adopted MLP. This planning application must therefore be assessed as an unallocated site in the context of adopted MLP policy. Policy M6.3 of the adopted MLP sets out the policy for dealing with sand and gravel extraction on unallocated land.

Policy M6.3: Sand and Gravel extraction in unallocated land

Proposals for sand and gravel extraction falling outside allocated areas will

not be permitted unless it is evident that existing permitted reserves and the remaining allocations cannot sustain an adequate landbank and processing capacity as provided for in Policy M6.2.

81. The sand and gravel landbank as of December 2012 (the latest figures available) stood at 6.74 years. No significant additional sand and gravel reserves have been consented since this time and therefore the landbank will be significantly below the minimum 7 years required by the NPPF and adopted Policy M6.2. Paragraph 6.52 of the adopted MLP states that '*only where there is clear evidence that an adequate landbank cannot be sustained would it be acceptable to permit proposals outside allocated areas*'. Having regard to the current position regarding the landbank it is concluded that there is clear evidence of a shortage of sand and gravel mineral reserves within Nottinghamshire and it is therefore appropriate to consider consenting additional sand and gravel extraction on land falling outside allocated areas in accordance with the approach set out within Policy M6.3.
82. The shortfall in the sand and gravel landbank represents one of the most pressing arguments for the need to prepare a new MLP. The recently published new MLP preferred approach seeks to address this shortfall, albeit this document is for consultation purposes and therefore significant weight cannot be attached to the policies or the allocations it incorporates. However, the plan does set out the Council's current preferred options for addressing the shortfall in sand and gravel landbank, and these preferred options have been informed by a sustainability appraisal to ensure that the proposed sites are likely to have the least environmental impact from the options considered. One of the priorities that has been used to identify new extraction areas is a preference to extend existing sites rather than the development of new quarries to meet shortfalls.
83. The new MLP identifies three areas of land at Langford for allocation consisting of a northern, southern and western extension. The proposed southern extension incorporates 70.5 hectares of land. The southern extraction area proposed as part of this planning application incorporates around 20 hectares of this proposed allocation land (see Plan 4). The 3 hectare eastern extension area proposed as part of this planning application is not identified for allocation within the new MLP, however this land is within the consented boundary of the existing quarry site although permission has never been sought for the quarrying of the land. The 3 hectare site of the eastern extension is currently occupied by soil storage mounds associated with the quarry development.
84. The extension of Langford quarry proposed within the current planning application would help address shortfalls in the sand and gravel landbank given the current position regarding sand and gravel reserves within Nottinghamshire and therefore is potentially supported by adopted MLP Policy M6.3, subject to there being no unacceptable environmental and amenity impacts resulting from the development.

85. In reaching a decision Members are reminded of the advice provided within paragraph 144 of the NPPF which requires planning authorities, when making planning decisions, to give great weight to the benefits of mineral extraction including its benefit to the economy. In this instance, Langford Quarry directly employs nine people plus 24 associated hauliers and a similar number of contractors periodically. These jobs would be retained through this development. The quarry contributes to the local economy by utilising local goods and services and through the payment of rates. The quarry is of strategic importance in terms of its contribution to Nottinghamshire's sand and gravel extraction capacity. Permitted mineral reserves are likely to be exhausted prior to the adoption of the new MLP and therefore the applicant has sized the proposed development to ensure continuity of mineral supplies at Langford until such time that decisions are made in respect of proposed larger allocations proposed within the new MLP. The approach taken by the applicant is considered to be appropriate.

Transport Effects

86. The planning application would not significantly alter the existing transport patterns at Langford Quarry on the basis that all vehicular access would continue to utilize the existing purpose-built HGV access onto the main A1133 Newark Road and the output of the site would remain unchanged from existing levels (circa 480,000tpa). This typically equates to 90 HGV loads per day (180 two way movements) and 14 cars (28 two way movements) per day.
87. Adopted MLP Policy M3.12: Highway Safety and Protection seeks to protect the highway from damage and contamination from minerals developments through the use of wheel cleaning facilities, sheeting of lorries and the metalling of haul roads to minimize mud and other debris entering the highway. The existing site benefits from a 600m long private road which is tarmac surfaced along its full length. The quarry also benefits from wheel washing facilities and all vehicles leaving the site are securely sheeted prior to leaving the quarry. Subject to the retention of these arrangements throughout the operational life of the site, which can be secured through planning condition, the requirements of Policy M3.12 are satisfied.
88. Adopted MLP Policy M3.13 seeks to ensure that planning permission is only granted for minerals development where the highway network can satisfactorily accommodate the associated vehicle movements and there are no unacceptable disturbances to local amenity. Adopted MLP Policy M3.14 encourages controls to be imposed on vehicle routing to ensure that appropriate routes are followed and sensitive locations are avoided. The County Council's Highways Development Control Officer has reviewed the planning application and is satisfied that the highways network can continue to satisfactorily accommodate the vehicle movements associated with the quarry. A planning condition to limit the number of vehicles accessing the quarry is suggested to regulate these vehicle numbers. The existing quarry is regulated by a lorry routing agreement which requires all HGVs to turn right when leaving the site and any lorries arriving to turn left into the site, thus ensuring that no HGVs pass through Collingham village. The applicant volunteers to enter into a further Section 106 lorry routing legal agreement to ensure lorry

controls are maintained thus ensuring sensitive communities within Collingham are protected from haulage disturbance.

89. Representations have been received through the planning consultation process seeking assurances that the lorry routeing arrangements are adhered to. Specifically a request has been made for CCTV cameras to be installed at the site entrance to monitor vehicle movements entering and leaving the site. The applicant has responded by advising that they consider the installation of cameras is neither necessary nor practical, noting that there are very few instances of HGVs breaching the established lorry routeing arrangements and there is no electricity supply to power a CCTV camera. The applicant states that all contract hauliers vehicles are now fitted with tracking systems which can be used to regulate lorry routeing and the company operates a strict policy of enforcing the routeing policy including banning drivers who breach the controls.
90. Lorry routeing arrangements are routinely discussed within the quarry community liaison meeting where it is acknowledged that the existing controls successfully control lorry movements. Further controls over and above those imposed through the Section 106 agreement are therefore considered unnecessary in this instance.
91. It is noted that the developer has financially contributed to interactive traffic signs within Langford Village to assist with controlling vehicle speeds in the local area. This contribution has been provided on a 'good will' community basis by the company, and has not been required to address over-riding highway concerns.
92. Adopted MLP Policy M3.15 encourages the use of rail, barge, pipeline or conveyor where their use would provide an overall environmental benefit. Existing quarry operations utilize field conveyors to transport mineral between the quarry face and plant site thereby assisting with reducing dump truck movements in the quarry and associated noise, dust and fume emissions. The imposition of a planning condition to regulate the continued use of conveyors to transport mineral between the quarry face and plant site is recommended. With regard to haulage of processed mineral the applicant states that mineral product is transported to a wide range of sand and gravel consumers over a diverse market area and therefore environmental and economic benefits would not be derived by the use of non-road haulage (rail or barge) which are reliant on longer distance supply of large quantities of product to a single fixed outlet to make then viable and beneficial. It is therefore concluded that no significant environmental benefit would be derived by the use of non-road haulage in this instance.

Ecology

93. The proposed extraction areas do not incorporate any designated ecological site. The nearest SSSI, Besthorpe Meadow, lies approximately 4km to the north. No impacts on this site are expected. The nearest Local Wildlife Site (LWS, formerly known as Sites of Importance for Nature Conservation), Langford Marsh LWS 5/366, lies approximately 200m to the east of the

development, whilst Langford Lowfields LWS 5/2233 is 400m to the north of the extraction area and is partially affected by amendments to the restoration scheme.

94. Ecological surveys of the site have been undertaken which indicate that no rare or notable habitats are present within the proposed extension areas. The surveys identify that the southern extension comprises predominantly arable farmland bisected by species-poor hedgerows containing occasional hedgerow trees, and the small eastern extension area is dominated by species-poor grassland over soil stores.
95. Technical advice has been taken on ecological issues through the planning consultation process from Natural England, Nottinghamshire Wildlife Trust, NCC's Ecological Officer and the RSPB. The responses received are generally supportive of the development, in particular the ecological enhancements from the restoration works, although the Wildlife Trust maintain an objection on the basis that they consider further survey work is necessary. The following specific matters are noted with regard to the ecological effects of the development.
- The site supports a range of generally common and widespread bird species typical of arable farmland, including a small number of red and amber listed species and Species of Principal Importance (including barn owl); the site is assessed as being of 'District Importance' for birds on the basis of 25 breeding species. Nottinghamshire Wildlife Trust raise concerns that an overwintering bird survey has not been undertaken and object on the basis that the magnitude of impact to overwintering birds cannot be quantified. Whilst these concerns are noted, the site has been subject to ecological surveys which identify that the land is predominantly agricultural in character with no particularly vulnerable or rare habitats or species, this habitat is widespread in the Trent valley and therefore NCC's Ecology Officer is satisfied that further winter bird surveys are not required and significant adverse impacts would not occur.
 - No bat roosts were identified and only moderate bat foraging activity was recorded across the site, particularly around the periphery of the proposed extension area, especially along the Slough Dyke on the northern side of the southern extension. The vegetation of the Slough Dyke and therefore the habitat used by these bats for foraging would predominantly be maintained.
 - Whilst noting that the Slough Dyke provides potentially suitable habitat for water voles and otters, no evidence of these species was recorded during the surveys. The dyke would be affected by the installation of a vehicle and conveyor crossing at one point. Vegetation growth along the dyke has hindered access to allow a full survey to be undertaken in this area. To enable a detailed survey to be undertaken would require vegetation clearance which has potential to destroy the habitats of the protected species which are being surveyed. Although the Wildlife Trust raise objections on the grounds of incomplete survey data, in this instance it is noted that some survey work has been undertaken which identifies that potential for protected species is low. Further detailed survey work at the

time of vegetation clearance with appropriate mitigation if protected species are identified can be controlled through planning condition thereby ensuring that any impacts to protected species in the vicinity of the Slough Dyke crossing can be appropriately mitigated.

- No evidence of badgers was found on the site.
- No reptiles were recorded on site.
- Supplementary surveys for great crested newts have been undertaken within the pond at Langford Marsh and surrounding land in response to the Regulation 22 request. These surveys demonstrate that this pond does not provide a habitat for these species.

96. Overall it is assessed that the development proposals would have a minimal ecological impact upon existing features of the site, provided that appropriate mitigation is put in place. The site restoration has potential to deliver significant ecological benefits in terms of creating an additional reedbed habitat that could create the East Midlands' largest habitat of this type. This habitat is a UK priority, essential for the future recovery of specialised wildlife such as bitterns, water voles, bearded tits and many other rare species and therefore has merit. To ensure that appropriate mitigation is in place during quarrying operations the following planning conditions are suggested:

- The hydrology chapter in the Environmental Statement identifies that quarry dewatering will affect groundwater levels outside of the development site including within the vicinity of Langford Marsh LWS. As part of the supplementary information provided in the Regulation 22 response the applicant has provided further information to identify the significance of potential impact and a scheme to mitigate any adverse impacts. The report identifies that the water within Langford Marsh LWS is thought to be perched on clay and fed by surface water run-off, thus the marsh is not considered to be in continuity with the underlying groundwater. A lowering of the groundwater therefore is unlikely to change water levels in the LWS. Boreholes to monitor water levels are already in place in the vicinity of the LWS. The mitigation strategy identifies that these boreholes would be used to monitor groundwater levels and changes to water levels in the LWS. If a sustained period of lowering of water levels in the LWS is confirmed then the impact would be mitigated either by pumping water into the LWS to surcharge water levels or through the restoration of the eastern face of the quarry at the earliest opportunity using overburden to create a temporary seal during excavations thereby reducing drawdown. Since Langford Marsh LWS is not within the application site or on land under the ownership of the applicant, it would be necessary to regulate the monitoring and potential mitigation works through a Section 106 legal agreement.
- Vegetation clearance should take place outside the bird nesting season (March to August inclusive) unless otherwise approved.
- To minimise disturbance to nesting barn owls, an appropriate buffer area should be put in place around the nest site during the breeding season. The survey reports recommend that as this species is most sensitive to

disturbance early in the breeding season, a no working buffer zone covering the upper limit of disturbance distance (at least 50m) should be clearly marked and fenced off during March to May (inclusive) to minimise disturbance at this time of year. Following this, the buffer zone can be dropped to 30m over June to September (inclusive) when the species is less sensitive but still nesting and/or has dependent young. No buffer zones are required outside of the breeding season.

- In addition, a barn owl box should be provided as an alternative nesting location.
- Controls to ensure that no artificial lighting is used within the extraction area so as to minimise any potential impacts to foraging bats.
- Retained vegetation should be protected during extraction, with measures to include the retention of a 10m buffer along the Slough Dyke.
- Any trenches left open overnight should have a sloping end or ramp to allow any animals that may fall in to escape, and that pipes over 200mm in diameter should be capped off overnight to prevent animals from entering.
- Prior to the construction of the crossing over the Slough Dyke, an inspection for water vole activity should be carried out in the vicinity of the works (30m either side), with mitigation measures proposed in the event that evidence of water voles is found.
- A detailed landscaping scheme should be produced, providing details of species mixes, establishment methods and maintenance regimes. Species should be appropriate to the local area and stock/seed material is of native genetic origin, and ideally of local provenance. Provision should be made for natural regeneration to take place, where appropriate.
- A habitat management plan should be produced outlining how created and retained habitats will be managed during and after site restoration.
- A walk-over survey of the site should be carried out shortly before development commences, to ensure that no badger setts have become established within the working areas since surveys were previously undertaken.

97. Subject to the above controls, the development would satisfy adopted MLP Policy M3.17 which seeks to protect the integrity and continuity of habitats or ecological features of UK or county importance, Policy M3.19 which seeks to protect Sites of Special Scientific Interest and Policy M3.20 which seeks to protect regional and local designated sites.

Landscape and Visual Impact

98. Policy M3.3 of the MLP seeks to reduce the visual impact of minerals developments to acceptable levels by controlling the location, colour and height of any plant, buildings and structures on site. Policy M3.4 seeks to reduce visual impact through the screening and landscaping of minerals developments. Policy M3.22 requires landscape character and local

distinctiveness to be fully taken into consideration as part of development proposals and does not allow for development which adversely impacts the character and distinctiveness of the landscape unless there are reasons of overriding public interest and where ameliorative measures can reduce the impact to acceptable levels.

99. The landscape and visual impact of the development has been assessed as part of the Environmental Impact Assessment process. This assessment references national landscape character mapping which identifies the site as being located within the Trent and Belvoir Vales Landscape Character Area, and County level landscape appraisal which identifies the site within the Trent Washlands sub-area. These landscape character areas have been used to determine the magnitude of landscape impact. The visual impact of the development utilises surrounding viewpoints within Holme village, residential properties on Holme Lane, near Holme, users of the Trent Valley Way footpath, St Bartholmew's Church in Langford and Footpath L3/the Sustrans route to inform the assessment of visual impact. These appraisals have been undertaken to consider impacts during the operational phase of the quarry, to reflect the quarry immediately following its restoration and 15 years after the completion of the quarry when landscape treatment of the restored site has matured.
100. The assessment identifies that the development would result in a change to the landscape character of the area from arable agricultural to operational quarry and subsequently restored water bodies/wetland areas. The magnitude of landscape impact resulting from this change has been assessed as moderate adverse during the operational life of the quarry, changing to low beneficial immediately following restoration to moderate/major beneficial 15 years after landscape treatment.
101. Some adverse visual impacts would result from the development of the quarry including views from the upper floors of properties close to Langford Lane, from the east side of Main Street, Holme, and St Bartholomew's Church in Langford. Residents have expressed concerns that the applicant has not visited these affected properties to assess the magnitude of impact from first floor windows. Whilst these comments are not unreasonable, the visual assessment has been undertaken by a qualified landscape architect who is suitably qualified to judge the impact without actually viewing the proposed development site from these first floor windows. Walkers and cyclists would experience major adverse visual impacts on Footpath L3/Sustrans route due to the construction of the conveyor extension and proximity of these works to the extended quarry. As the site is progressively restored visual impacts from all the local receptors are predicted to reduce to moderate/major beneficial as the wetland conservation area becomes a valuable nature conservation and amenity resource within the local landscape.
102. The applicant has designed the development to minimise landscape and visual impacts and ensure the objectives of adopted MLP Policies M3.3, M3.4 and M3.22 are met. Notably the development is remote from residential receptors thus ensuring that visual impacts to these most sensitive receptors are reduced by distance. All works are undertaken at or below ground level thus ensuring

the works are kept as low as practicable. The development does not incorporate any additional new buildings. The phased programme of working assists with minimising the annual land-take of the quarry. Hedgerows would be retained around the perimeter of the site to provide screening and soil bunds are not proposed to minimise storage activities in a flood risk area, these materials being directly placed into previous workings to provide restoration benefit. It is recommended these mitigation measures be regulated through the planning conditions.

103. As part of the Regulation 22 submission the applicant has provided a supplementary report to document the key hedgerows surrounding the development site and identify opportunities to enhance these hedgerows and provide supplementary planting to further mitigate the visual effects from the proposed quarrying operations. The report classifies the existing hedgerows surrounding the site as priority, secondary and to be maintained as existing based on the level of screening they provide for the development. The survey informs a series of recommendations to manage the hedgerows throughout the life of the development including proposals to gap up missing sections of hedgerow, undertake incremental trimming to allow hedgerows to thicken and grow and also ensure hedgerows are retained. In addition it is proposed to plant two linear woodland blocks beyond the western boundary of the proposed southern extraction area so as to provide a more substantial screen of quarrying operations. The management of the hedgerows as proposed would further assist in reducing the visual impact of the development and is therefore welcomed. Since the hedgerow management and planting scheme would predominantly be undertaken on land outside the planning application site it could not be regulated by planning condition and therefore would require control through the proposed Section 106 agreement.
104. The operator has confirmed that fixed floodlighting would not be installed in the extraction area, nor would any additional floodlighting be installed in the plant area, the existing floodlighting in this area has recently been redirected/titled down to reduce glare. The company are currently trialling night vision CCTV which if successful could be used to replace much of the existing floodlighting in the plant site. To ensure that the company keep the plant site floodlighting under review, particularly in terms of a potential switch over to night vision CCTV, a planning condition is suggested requiring an audit of security to be undertaken within six months of the commencement of planning permission with the objective of reducing the number of floodlights used within the plant site at night. Controls can also be imposed to ensure that no fixed floodlighting is installed in the extraction area.
105. In conclusion, the development would result in some comparatively minor landscape and visual impacts during its operational phases. The impacts are comparatively short term in duration and the hedgerow management scheme would assist in minimising these effects. The proposed restoration of the site ensures that any negative impacts are mitigated and in the longer term following the aftercare planting becoming mature, the development of the quarry is considered to have a beneficial effect on the landscape and visual character of the area.

Public Rights of Way

106. Adopted MLP Policy M3.26 seeks to ensure that the quality of the existing public rights of way network is maintained. Where mineral development affects a public right of way the policy requires appropriate alternative arrangements that maintain the quality of the public right of way network to be agreed through the planning process.
107. Langford Footpath 3 crosses the site. Although it is not necessary to re-route the line of the footpath, the development proposes to bridge over the footpath to enable access to the proposed southern extension for haulage vehicles and the conveyor. This necessitates the construction of a short pedestrian tunnel to ensure continuity of access on the footpath. The head height within this tunnel was originally specified to be 2m, however this has been increased to 2.1m as part of the alterations made to the development through the Regulation 22 response. The amended tunnel height ensures that the footpath complies with the clearances recommended by the DfT.
108. The quarry operations would have some negative visual impacts to users of the footpath, although these would be filtered by the existing hedgerows. These hedgerows are not continuous and therefore would not fully screen the workings. The visual impacts are comparatively short term in duration and limited to the working life of the quarry. In the longer term the restoration of the site is considered to provide additional interest and therefore enhance the views from the public right of way.
109. It is therefore concluded that the requirements of Policy M3.26 are satisfied.

Agriculture/Conservation of Soils

110. Adopted MLP Policy M3.16 seeks to protect the best and most versatile agricultural land (grades 1, 2 and 3a) from development. Where development of best and most versatile land is unavoidable, planning conditions provide scope to grant planning permission where it can be demonstrated that the proposals do not affect the long term agricultural potential of the land, where there are no alternatives and the need for the development outweighs the agricultural interest or where available land of a lower agricultural standard is less sustainable for development. The approach is consistent with Government Policy in paragraphs 109 and 143 of the NPPF which seeks to protect and safeguard the long term potential of best and most versatile agricultural land and conserve valuable soil resources.
111. The soils within the proposed eastern extension have already been stripped and put into storage bunds around the site perimeter prior to the area being used as soil storage area in accordance with the existing planning permission. The previously underlying soils in this area comprised Grade 3a with some Grade 2 making them best and most versatile.
112. The soils within the proposed southern extension are predominantly Grade 3b (18.8ha) with a small area of sub-grade 3a land (1.1ha) running parallel to the Slough Dyke on slightly raised land.

113. The planning application incorporates a soil handling strategy which ensures that all soils are stripped prior to quarrying in accordance with good practice guidance issued by MAFF and DEFRA and subsequently used beneficially for site restoration within the wider quarry. Specifically, the 'best and most versatile' soils that originally underlay the eastern extension would be used to return the plant site area to best and most versatile agricultural land, therefore ensuring that this soil resource is protected and beneficially used. The 1.1ha of Grade 3a soils within the southern extension would not be directly replaced as part of the restoration and therefore lost. However, this represents a small amount of land which is required incidental to a much larger quarrying development that ensures the underlying mineral resource is used sustainably to meet a clearly identified need. It is noted within the consultation response from Natural England that they raise no objection to the loss of this best and most versatile land on the basis that it relates to a comparatively small amount of land being lost.
114. Quarry dewatering has potential to affect groundwater levels on surrounding agricultural land, potentially resulting in a drying out of surrounding agricultural soils during the operation of the quarry. Any impacts would be of a comparatively short duration over a two to three year period with no permanent impacts to surrounding agricultural land likely to occur.
115. Overall, it is concluded that the planning application incorporates a satisfactory strategy to ensure that soil resources are preserved and used beneficially in general compliance with policy set out within the NPPF and the adopted MLP. Planning conditions are recommended to appropriately regulate these matters.

Noise

116. The Environmental Statement incorporates a noise assessment which calculates the change in noise at four local residential properties surrounding the quarry. This assessment references national policy and guidance and enables the following conclusions to be reached:
- The NPPF recommends maximum noise levels during permitted hours for mineral extraction of 10dB over existing background levels up to a maximum level of 55dB (LAeq, 1hr). Noise levels due to extraction operations at the closest properties are predicted to be less than this at all four locations.
 - The NPPF recommends noise levels from temporary operations (soil stripping / forming earth bunds) shall not exceed 70dB(A) LAeq, 1hr for more than 8 weeks in any calendar year. Noise levels due to temporary operations are expected to be well below this level at all receptors.
 - BS8233 recommends a desirable limit of 50dB(A) LAeq, 1hr ('Good' design range) for external areas such as gardens and balconies. The predicted noise levels at all locations are below this level.
 - The volume of HGV traffic travelling to and from the site is not expected to increase from existing; therefore there is not expected to be any increase in traffic noise levels.

117. It is therefore concluded that the noise emissions from the development would not be unacceptably intrusive. In accordance with adopted MLP Policy M3.5 planning conditions are recommended to regulate the noise emissions from the development including the setting of maximum noise levels at surrounding properties, restrictions on working areas and controls relating to silencing and use of reversing alarms on mobile plant. Furthermore, the re-imposition of the Section 106 legal agreement which prohibits lorries trafficking through Collingham village would minimise traffic noise disturbance in this village.

Dust

118. The operation of the quarry has potential to generate dust. The magnitude and significance of impact from dust emissions has been assessed within an air quality assessment. This assessment references technical guidance incorporated within the NPPF.
119. Existing dust conditions have been surveyed to identify existing dust levels (27-45mg/m²/day) as being substantially lower than the threshold of nuisance (200mg/m²/day) and therefore no air quality management areas has been designated by Newark and Sherwood District Council. The dust assessment identifies those activities within the development site that could lead to dust emissions and incorporates a series of mitigation measures to reduce dust impacts.
120. Adopted MLP Policy M3.7 and the NPPF encourages careful siting of potential dust creating activities and the implementation of dust mitigation measures to minimise the impact from dust emissions, encouraging the use of controls through planning conditions to appropriately regulate activities.
121. The proposed quarry extension would be comparatively remote from surrounding residential properties and therefore much of the dust generated by the operation of the quarry would fall out from the air by suspension prior to it reaching surrounding residential properties. A series of measures are proposed to reduce dust emissions at source, these include the use of conveyors to transport mineral from quarry face to the plant site to reduce haulage movements, use of water bowsters and sprays to control dust, reducing any drop heights and limiting site vehicle speeds. A specific assessment has been undertaken of PM₁₀ dust particles (very small dust particles), this assessment demonstrates that the level of PM₁₀ dust particle emissions would not exceed air quality objectives.
122. Specific advice has been taken from the District Council's Environmental Health Officer regarding the significance of dust emissions. Within the consultation response the officer considers the development would not significantly affect local air quality, in particular dust emissions would be some way below health based thresholds and the various dust control measures that are proposed follow best practice guidance for this type of industry and anything further than this could not be reasonably expected. Potential risks to human health from dust emissions are therefore not predicted.

123. Concerns have been raised through the planning consultation process that there was a dust incident in October 2010 which allegedly generated significant nuisance. The operator's records confirm that a dust incident did occur at this time as a result of dry windy weather and a larger than usual area of topsoil having been stripped to allow archaeological work. Dust generated from the wider agricultural landscape adjoining the quarry apparently also contributed to the problem, although there are no records that the dust resulted in the closure of the nearby East Coast railway line. Dust control measures were taken by the operator to ensure that the dust incident was controlled, these measures included the damping down of exposed areas and the use of a sealant to create a crust over sandy areas, thereby avoiding them getting picked up in the wind. Subsequently, the sealant has been successfully applied on two separate occasions to ensure there has not been a repeat of the incident. The continued use of the sealant during periods of excessively dry and windy as part of the dust action plan is recommended on the basis of its previous successful deployment.

Flood Risk and Hydrology

124. The development site is located within the River Trent floodplain and therefore has a high probability of flooding during its working life. Adopted MLP Policy M3.9 acknowledges that minerals developments are often undertaken in flood risk areas subject to them not resulting in unacceptable flood flows, ensuring that there are no reductions of flood storage capacity, and no negative effects on the integrity or function of flood defences/ local land drainage systems. This approach is consistent with the NPPF and, in particular, its supporting technical guidance which identifies that sand and gravel quarries are 'water compatible' uses which are appropriate in flood risk areas subject to it being demonstrated through a flood risk assessment that there would not be any significant adverse flooding impacts to the surrounding area.
125. A flood risk assessment has been prepared to support this planning application which concludes that the proposed quarry would satisfy the flood risk requirements of the NPPF and associated technical guidance and adverse impacts would not occur. The flood risk assessment has been reviewed by the Environment Agency who raise no objection to the development subject to ground levels not being raised within the quarry above the pre-excavated topographical level and the preparation of an emergency flood management/safe access plan in the event of flooding occurring. Subject to these controls, the development would be compliant with adopted MLP Policy M3.9.
126. The working of the mineral would require the 'dewatering' of the site (lowering of the natural water table by pumping water from the ground) so that the underlying mineral can be worked dry. Since the geology of the area is highly permeable, the lowering of the water table within the quarry would have an influence on water levels within surrounding land, resulting in an anticipated 3m lowering of the water table at a distance of 200m from the excavation area, 2m at a distance of 400m and 1m at a distance of 1km. Due to the remoteness of the site and distance from sensitive receptors the magnitude of impact from these changes to groundwater levels are assessed as negligible with the

exception of a potential effect at Langford Marsh Local Wildlife Site (300m to the south east) where a lowering of the water table has potential to affect water levels in this wetland area which could impact upon the ecology. A mitigation strategy is proposed which incorporates monitoring of water levels within this pond and pumping of water in the event that water levels drop (as discussed in the ecology section) to address these impacts.

127. Impacts to groundwater quality are not anticipated since groundwater flows are assessed as being towards the quarry void (the lowest point of the water table) and therefore any release of potentially contaminated material within the quarry void (such as a fuel or oil spill) would be contained within the quarry where it can be appropriately managed.

Archaeology

128. Adopted MLP Policy M3.24 states that:

Policy M3.24 Archaeology

Planning permission will not be granted for minerals development which would destroy or degrade nationally important archaeological remains and their settings, whether scheduled or not. Planning permission will only be granted for development which would affect archaeological remains of less than national importance where it can be demonstrated that the importance of the development outweighs the regional or local significance of the remains and where appropriate provision is made for the excavation and recording of the remains.

129. The environment statement incorporates a cultural heritage assessment which includes an assessment of the archaeological resource of the site. Advice has been taken from the County Council's Archaeology Officer who is satisfied that the submitted archaeological desk-based assessment provides an excellent overview of the site's archaeological potential, pointing out that the lack of information relevant to the site recorded on the County's Historic Environment Record is belied by the previous phases of archaeological fieldwork at the site which have identified features of archaeological interest, some of considerable significance.
130. Within the development site the smaller eastern extensions are likely to include Prehistoric, Roman and Early Medieval remains. The larger southern extension is likely to contain significant palaeoenvironmental material with potential to contain a wide range of archaeological deposits; human remains, deposits of metalwork, boats, trackways and riverside structures. These may be well-preserved and very significant, but will tend to be discrete and limited to a fairly restricted area. Their loss through extraction may be mitigated by their excavation and recording to a level appropriate to their significance in accordance with an appropriate written scheme of archaeological investigation.
131. The originally submitted Environmental Statement did not incorporate a written scheme of archaeological investigation. Normal archaeological field evaluation

could present some serious challenges, with soil bunds on the eastern extension, and a significant depth of alluvial overburden over much of the southern extension, potentially failing to provide a useful level of accurate archaeological recording.

132. To address this issue the Reg. 22 response incorporated a site specific written scheme of investigation incorporating a methodology to investigate and record any archaeological features within the site. The scheme proposes a generally appropriate approach of stripping topsoils and subsoils under archaeological monitoring excavation of archaeological remains and recording. However, elements of the scheme are considered to be not appropriate and have been rejected by the County Council's Archaeological Officer. The officer's concerns relate to reporting arrangements, not only for the current extraction proposal, but to the reporting arrangements of archaeological work undertaken on extraction under a previous permission. Further concerns relate to clauses within the submitted documents relating to unexpected finds. Although the cultural heritage assessment and the submitted written schemes of investigation make clear the high potential of parts of the site to contain archaeological remains of considerable significance and of a wide range of periods, the written scheme of investigation is not clear on how these would be dealt with. Further, it is not clear who is to undertake this work, nor are any specialist staff identified. For a site of this potential this approach is not acceptable and may result in unacceptable damage to the archaeological resource.
133. There are two Scheduled monuments in relatively close proximity to the site. The application would have no direct impacts upon these. In terms of setting the monument to the west of the development site lies on the other side of the River Trent, and no compromise of the setting of this monument is anticipated. Views to and from the monument to the South of the development area are shielded by the topography of the site, and only minimal impacts, if any, are anticipated.
134. The archaeological resource of the site is anticipated to be of variable significance, as previous phases of excavation have demonstrated. In this instance the need for the mineral reserves outweighs the overall importance of the archaeology within the site, subject to any archaeological remains being appropriately excavated and recorded.. The imposition of a planning condition to ensure that appropriate archaeological mitigation is followed ensures that the development complies with adopted MLP Policy M3.24.

Heritage

135. Adopted MLP Policy M3.25 seeks to ensure that minerals development does not result in unacceptable impacts to conservation areas, listed buildings, historic battlefields and historic parks and gardens. This policy pre-dates the NPPF. The NPPF strengthens the level of protection to the historic environment insofar that it requires prospective developers to undertake heritage appraisals as part of planning submissions so that the significance of impact to 'heritage assets' (both designated and non-designated heritage assets) including their settings can be quantified. Planning authorities are

required to give consideration to the scale of any harm or loss and value of the heritage asset affected in reaching their planning decisions.

136. A heritage assessment has been provided as part of the applicant's Reg. 22 response. The report identifies designated and non-designated heritage assets within the local area and makes an assessment as to the magnitude of potential impacts resulting from the development. The assessment concludes that no direct impacts would occur due to distance from receptor to quarry (350m – 900m). Furthermore, since many of the heritage assets have limited or no direct views into the quarry due to screening and distance, the development would have a neutral impact on the immediate setting of heritage assets although some potentially minor distant visual and environmental (dust, noise etc) impacts on the wider setting of heritage assets may occur during the operational phase of the quarry.
137. The heritage impact assessment has been reviewed by NCC's Conservation Officer, and the conclusions reached within the assessment are considered to be accurate. Since significant impacts to heritage assets are not predicted there is not a requirement to consult English Heritage in connection with this planning application.
138. The impacts to heritage assets would occur for a temporary duration and are less than substantial in magnitude. It is concluded in this instance the need for the mineral and the economic benefits that would be derived outweigh any harm to the heritage assets in the surrounding area. The development therefore is compliant with MLP Policy M3.25.

Restoration

139. The planning submission incorporates a phased sequence of extraction, reclamation and implementation of planned after-use. The main southern extraction area would be restored to an amenity lake. Changes/enhancements would be made to the approved restoration scheme for the existing quarry utilising soils and overburden materials originating from the proposed extraction to provide additional reed bed habitat. The restoration of the silt lagoon would be amended from the previously approved agricultural scheme to create a wet woodland habitat to complement the adjacent reed bed habitat. The processing plant site would be restored to best and most versatile agricultural land using Grade 2 and Grade 3a soils that have already been stripped and stored in bunds.
140. The restoration proposals would result in an overall ecological benefit to the site, a fact acknowledged by the RSPB in their consultation response in which they express their support for the enlargement of the reed bed habitat, noting that it is UK priority habitat and would potentially create the East Midlands largest reedbed habitat restoration project. The concept landscaping planting scheme would re-establish the restored site into the surrounding landscape thus ensuring compliance with adopted MLP Policy M4.4, and the alterations to the restoration of the existing site have been designed in accordance with adopted MLP Policy M4.8 which supports reclamation proposals coming forward on existing sites that result in improved environmental conditions.

141. The applicant has undertaken material balance calculations to ensure that the proposed restoration scheme is achievable and materials would be beneficially re-used in accordance with adopted MLP Policy M4.3: 'Soil Conservation and use of soil making materials'. Since the restoration proposals would be undertaken progressively as part of the working of the site, the amount of unrestored workings at any time is likely to be minimised both in terms of site area and duration. Therefore, in this instance a restoration bond payment is not considered necessary.
142. At the present time the applicant is not in a position to come forward with specific development proposals for public access across the restored site on the basis that this is likely to be influenced by future mineral extraction schemes which may come forward from the new MLP. Notwithstanding this, the applicant confirms that the conservation habitat created following the sites restoration would ultimately be managed by the RSPB as an extension to the Langford Lowfields wildlife reserve they currently run at Langford. This existing site has recently become publicly accessible, has a dedicated visitor parking area, information boards and accessible paths to facilitate public access and the RSPB is committed to extending this access into the current planning application site area.

Cumulative Impact

143. The River Trent area north of Newark has extensively been quarried for its sand and gravel reserves and the resulting restoration has resulted in large sections of land being taken out of agricultural use and being restored to wetland uses.
144. The current development would cumulatively add to the amount of quarry workings in the area and upon restoration an increased wetland habitat. Adopted MLP Policy M3.27 seeks to restrict cumulative quarry extensions that would result in significant adverse impact on the environment or amenity of local residents. Since the current development would not result in significant adverse environmental or amenity impacts it is not considered to be contrary to requirements of the policy.

Other Options Considered

145. Schedule 4 Part II(4) of the EIA Regulations require an Environmental Statement to provide an outline of the main alternatives studied by the applicant and an indication of the main reasons for choosing a development having taken account of the environmental effects.
146. Consideration was given by the applicant to developing a much larger extension than that currently applied for. This was not progressed on the basis that the applicant concluded it more appropriate to test the robustness of a larger development through the Minerals Local Plan sustainability appraisal process.

147. The applicant has given consideration to re-opening Girtton Quarry which is currently mothballed or alternatively utilising Besthorpe Quarry to make up for mineral shortfalls at Langford Quarry. Both these quarries have lorry routing controls imposed on them which restrict the passage of HGVs through Collingham village effectively prohibiting access to many of the markets that Langford Quarry currently serves. These quarries therefore could not viably operate as replacement alternative sites. Other alternative options include the use of undeveloped sites at Sturton le Steeple, Cromwell and Gunthorpe but these have been discounted due to long lead times/technical constraints to development. Reserves in the Idle Valley are largely exhausted.

Statutory and Policy Implications

148. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, 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.
- (a) Implications for Service Users: The proposed extensions to Langford Quarry would assist in ensuring a continuity of local sand and gravel supplies to the construction industry.
 - (b) Crime and Disorder Implications: The development would extend an existing quarry, making use of existing security features within the site including the use of the established plant site which benefits from security lighting and night vision CCTV surveillance is being trialled.
 - (c) Human Rights Implications: 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 and Article 6 may be affected. The proposals have the potential to introduce impacts of noise, dust, visual impact and a continuation of haulage within the local area where the magnitude of impacts are generally assessed as minor. These potential impacts need to be balanced against the wider benefits the proposals would provide in terms of providing a continuity of mineral resources. Members will need to consider whether these benefits would outweigh the potential impacts.
 - (d) Safeguarding of Children Implications: The quarry would continue to comply with health and safety guidelines in terms of suitable boundary treatment to ensure the general public, and in particular young children, are safeguarded. Appropriate safeguarding would also apply in relation to footpath users and ultimately to visitors of the restored site .

- (e) Financial Implications, Equalities Implications, Human Resources Implications: No implications.
- (f) Implications for Sustainability and the Environment: The development would contribute towards the sustainable use of mineral resources which would contribute to the country's economic growth and quality of life. The extraction scheme has been designed on a phased basis to minimise the size of the active quarry and ensure that land is restored to beneficial purposes at the earliest practical opportunity. The issues have been considered in the Observations section above.

Statement of Positive and Proactive Engagement

149. In determining this application the Mineral Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions; encouraging pre-application community engagement which the applicant acceded to by holding a pre-application exhibition and the scoping of the application. The proposals and the content of the Environmental Statement have been assessed against relevant Development Plan policies, the National Planning Policy Framework, including the accompanying technical guidance. The Mineral Planning Authority has identified all material considerations; forwarded consultation responses that may have been received in a timely manner; considered any valid representations received; liaised with consultees to resolve issues and progressed towards a timely determination of the application. Issues of concern have been raised with the applicant, such as archaeology, built heritage, public access, landscaping and ecology and have been addressed through negotiation and acceptable amendments to the proposals requested through a Regulation 22 submission. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

Conclusions

150. Policy M6.2 of the adopted Nottinghamshire Minerals Local Plan seeks to maintain a seven year landbank of sand and gravel reserves by making a series of geographical land allocations for mineral extraction. The Minerals Plan, however is now a number of years old and many of the mineral reserves originally allocated have been depleted resulting in a shortfall of permitted reserves within the County. In such circumstances Policy M6.3 makes provision for permitting additional sand and gravel extraction on unallocated sites to address shortfalls and ensure that a seven year landbank is maintained.
151. The extended areas of quarrying proposed within this planning application are not allocated for mineral extraction. However, if permitted they would make a significant contribution towards re-establishing the required landbank and

therefore potentially have merit under the terms of Policy M6.3 subject to there not being any unacceptable environmental impacts.

152. The Environmental Statement and accompanying Regulation 22 submission incorporate a comprehensive assessment of the potential environmental effects of the development. These assessments have been comprehensively reviewed by the Council and relevant consultees where it is concluded that significantly harmful environmental impacts would not result from the development, subject to the imposition of appropriate planning conditions and legal controls.
153. The planning application is supported by a comprehensive restoration scheme that would make a positive contribution to the ecologically important wildlife reserve currently being developed by the RSPB.
154. Overall the balance of evidence in this case supports a grant of conditional planning permission.

RECOMMENDATIONS

155. It is **RECOMMENDED** 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:
 - a. Regulate lorry routeing to and from the site and ensure that delivery vehicles do not traffic through Collingham Village.
 - b. Secure off-site structural landscape works with the aim of minimising visual impacts from surrounding locations.
 - c. Secure water monitoring and mitigation of potential negative impacts resulting from quarry dewatering within the Langford Marsh LWS.
156. It is **FURTHER RECOMMENDED** that subject to the completion of the legal agreement before the 28th August 2014 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman, 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 of this report. In the event that the legal agreement is not signed by the 28th August 2014, or within any subsequent extension of decision time agreed with the Minerals Planning Authority, it is **RECOMMENDED** that the Corporate Director for Policy, Planning and Corporate Services 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.
157. Members need to consider the issues, including the Human Rights Act issues set out in the report and resolve accordingly.

JAYNE FRANCIS-WARD

Corporate Director Policy, Planning and Corporate Services

Constitutional Comments

The recommendation falls within the remit of the Planning and Licensing Committee by virtue of its terms of reference SG 04/07/2014

Comments of the Service Director - Finance (SEM 04/07/14)

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

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 Dobson Collingham Division.

Report Author / Case Officer

Mike Hankin

0115 9696511

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

W001223.doc – DLGS REFERENCE

PSP.JS/RH/ep5185 – COMMITTEE REPORT FOLDER REFERENCE

17 June 2014 – Date Report Completed by WP Operators

APPENDIX 1

RECOMMENDED PLANNING CONDITIONS

Commencement

1. The development hereby permitted shall be begun within 3 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 operator shall provide written notification of commencement of the development hereby permitted to the Mineral Planning Authority (MPA) at least seven days but no more than fourteen days prior to the commencement of the development.

Reason: To assist with the monitoring of the planning permission.

Development Granted Planning Permission

3. This permission relates to the extension of the existing sand and gravel quarry with a southern and eastern extension, restoration to water amenity together with revised restoration within the existing site to create an enlarged nature reserve and to retain the existing plant site and site access. Unless otherwise agreed in writing by the MPA, or where amendments are made pursuant to the other conditions attached to the permission, the development hereby permitted shall be carried out in accordance with the details contained within the Langford Quarry Eastern and Southern Extension Planning Application and Supporting Environmental Statement received by the MPA on 19th December 2013, and detailed on the following drawings.

- i. Drawing no. L020/222: Location Plan dated November 2013.
- ii. Drawing no. L020/220: Site Context Plan dated September 2013.
- iii. Drawing no. L20SG113.PDF: Proposed Phasing of Sand and Gravel Extraction dated December 2013.
- iv. Drawing no. L20PH201313.PDF: Proposed Development Phasing Position at End of 2013 dated December 2013.
- v. Drawing no. L20PH201413.PDF: Proposed Development Phasing Position at End of 2014 dated December 2013.
- vi. Drawing no. L20PH201513.PDF: Proposed Development Phasing Position at End of 2015 dated December 2013.
- vii. Drawing no. L20PH201613.PDF: Proposed Development Phasing Position at End of 2016 dated December 2016.
- viii. Drawing no. L20PH201713.PDF: Proposed Development Phasing Position at End of 2017 dated December 2013.
- ix. Drawing no. L20PH201813.PDF: Proposed Development Phasing Position at End of 2018 dated December 2013.
- x. Drawing no. L20RE9E12: Restoration Scheme dated November 2013.
- xi. Drawing no. 2819/01: Proposed Bailey Bridge Crossing at Langford Quarry dated 19/11/2013.
- xii. Response To Request Under Regulation 22 'EIA' Regulations 2011

Reason: For the avoidance of doubt and to assist with the monitoring of the planning permission.

Duration of Planning Permission

4. All sand and gravel extraction operations shall be completed by 31st December 2018.

Reason To secure proper restoration of the site within an acceptable timescale and in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

5. All restoration operations in accordance with conditions 52-63 shall be completed by the 31st December 2019, or within one year after the cessation of the mineral extraction, whichever is sooner.

Reason To secure proper restoration of the site within an acceptable timescale and in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

Access

6. The existing access road and railway overbridge detailed on Drawing no. L020/220: Site Context Plan shall be maintained to the satisfaction of the MPA. Any gates shall be set back a minimum of 18 metres away from the edges of the carriageway of the A1133 and shall open inwards. Visibility splays of 4.5m x 225 metres shall be maintained and the area within that splay shall be kept clear of any obstruction over 1 metre in height. Carriageway markings and give way signs in accordance with the attached Figure 5.2 shall be maintained to the satisfaction of the MPA at all times.

Reason: In the interests of highway safety and in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.

7. There shall be a maximum of 180 two way HGV movements each day (90 loads into the site and 90 loads out of the site). Written records shall be maintained of all HGV movements into and out of the site during operational hours. Copies of the HGV vehicle movement records shall be made available to the MPA within 7 days of a written request being made by the MPA.

Reason To limit vehicle movements at the proposed quarry in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.

8. There shall be no vehicular or pedestrian access for the purpose of extraction or restoration or any activities ancillary to those operations from Cottage Lane or from any other point on the boundary of the site other than the access point to the A1133 as shown on Drawing No. L020/220.

Reason: In the interests of highway safety and in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.

9. Wheel-cleaning facilities, details of which were submitted to the MPA on 21 June 1989 and approved in writing by the MPA on 7 August 1989, shall be provided for and used by all outbound HGVs. In the event that the approved

wheel-cleaning facilities prove inadequate, then within one month of a written request from the MPA, a scheme including revised and additional steps or measures to be taken in order to prevent the deposit of materials upon the public highway shall be submitted to the MPA for its approval in writing. The approved steps for the protection of the surrounding roads shall be implemented in accordance with the approved details and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.

Phasing

10. Extraction operations shall progress sequentially in accordance with Drawing no. L20SG113.PDF: Proposed Phasing of Sand and Gravel Extraction dated December 2013.

Reason To ensure the phased extraction and restoration of the site in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

11. A topographical survey of the site shall be submitted to the MPA by 31 December each year, following the commencement of the planning permission as notified under condition 2 above. The survey shall identify areas of the site which are unworked, those restored, those undergoing mineral extraction and those to be restored.

Reason To monitor the phased restoration of the site in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

Working Hours

12. Extraction or processing of sand and gravel shall only take place between the hours of 7.00 am and 6.00 pm on weekdays, between the hours of 7.00 am and 1.00 pm on Saturdays and not at all on Sundays, Public or Bank Holidays, except in cases of emergency which shall be notified to the MPA in writing within 48 hours of their occurrence.

Reason: In the interests of amenity and in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

Flood Protection and Watercourses

13. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) report reference 1689/FRA-01 compiled by Hafren Water in November 2013. The following mitigation measures detailed within the FRA shall be undertaken by the operator:

- a. The Dam Wall separating the Phase 3 Reed Cell from the main lake shall not be constructed above the pre-excavated topographical level.
- b. It is not permitted to raise ground levels above the pre-excavated topographical level at any location across the site.
- c. The pre-constructed Bailey Bridge crossing Slough Dyke is to be constructed above the bank level and the supports for this bridge are to be located entirely on the landward side of the embankment next to the dyke so not to impede flood water during the 100 year plus climate change flood event. Upon completion of the quarry operations, the Bailey Bridge is to be removed.

Reason: To prevent unacceptable impacts to water and flood flows and flood water storage capacity and to ensure compliance with Policy M3.9 of the Nottinghamshire Minerals Local Plan.

- 14. A minimum distance of 30m shall be maintained from the top of the Slough Dyke embankment and the quarry excavation.

Reason: To minimise risks of a potential breach of the Slough Dyke watercourse and to ensure compliance with Policy M3.9 of the Nottinghamshire Minerals Local Plan.

- 15. No development shall take place until a working method statement to cover all channel and bank works alongside the Slough Dyke has been submitted to and agreed in writing by the MPA. The method statement should incorporate details of the timing of the works, methods used for all channel, bankside and water margin works and machinery (location and storage of plant, materials and fuel, access routes, access to banks etc.). Thereafter the development shall be carried out in accordance with the approved scheme.

Reason: To avoid damage to the Slough Dyke bank in compliance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

- 16. All conveyor systems must be mounted at least 1 metre above ground level with the centres of supports at least 3 metres apart. The applicant must undertake regular inspection of the conveyor systems and remove all obstructions from beneath the belts. All flood debris to be removed by the applicant as soon as possible.

Reason: To not impede flows in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

- 17. All haul and access roads must be at or below original ground level within the washland area.

Reason: To not impede flood flows in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

18. No vehicles or plant shall be permitted to run within 10 metres of the bank of Slough Dyke, except on properly constructed roadways and with adequate measures to avoid spillage of material into the Dyke.

Reason: In the interests of land drainage and so as not to impede flow or cause pollution, in accordance with Policies M3.8 and M3.9 of the Nottinghamshire Minerals Local Plan.

19. The development hereby permitted shall not commence until drainage plans for the dispersal of surface water and foul sewage have been submitted to and approved in writing by the MPA. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution thereby ensuring compliance with Policies M3.8 and M3.9 of the Nottinghamshire Minerals Local Plan.

Archaeological Investigation

20. The development shall be carried out in accordance with a written scheme of archaeological investigation to be submitted to, and agreed in writing by the MPA prior to the commencement of the development. Should any archaeological remains of national significance be discovered they must be reported immediately to the MPA and operations in the vicinity of the discovery shall cease and shall not recommence until appropriate contingency arrangements have been agreed between the applicants, their archaeological consultants and the MPA in writing. All work is to be implemented in full accordance with the agreed written scheme of treatment and the condition will not be discharged until the final report on the archaeological work has been approved by the MPA.

Reason To ensure that that adequate archaeological investigation and recording is undertaken prior to mineral extraction taking place, in accordance with Policy M3.24 of the Nottinghamshire Minerals Local Plan.

21. Any archaeologist nominated by the MPA shall be afforded access to the site at all reasonable times and be allowed to observe operations on site and record items of interest and finds.

Reason: In the interests of archaeology and in accordance with Policy M3.24 of the Nottinghamshire Minerals Local Plan.

Floodlighting

22. No permanent floodlighting shall be used within the southern and eastern extension of the quarry hereby approved.

Reason To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

23. Within six months of the commencement of the planning permission, as notified under the requirements of Condition 2, the operator shall audit the security lighting currently installed within the plant site and identify potential opportunities to switch to night vision CCTV. The results of this audit shall be submitted as part of a report to the MPA for its approval in writing. The report shall incorporate targeted recommendations which shall be implemented within 28 days of receiving the MPA's written approval of the scheme.

Reason To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.

Pollution Control

24. Processed water used in the sand and gravel washing system shall be discharged into the approved settlement ponds prior to being discharged into any controlled waters. From the commencement of the development until restoration of the site the operator shall maintain the settlement ponds on a regular basis to ensure the lagoons remain operational.

Reason To prevent pollution of the water environment in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

25. Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

Reason: In the interest of pollution control in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.

Storage Heights

26. Stockpiles of excavated (as dug) materials and processed mineral shall not be permitted to exceed 10m in height.

Reason In the interest of visual amenity and to ensure compliance Policy M3.3 of Nottinghamshire Minerals Local Plan.

Noise

27. All plant, machinery and vehicles (excluding delivery vehicles which are not owned or under the direct control of the operator) used on the site shall incorporate white noise reversing warning devices and be fitted with silencers maintained in accordance with the manufacturers recommendations and specifications to minimise noise disturbance to the satisfaction of the MPA.

Reason To ensure that noise impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy M3.5 of the Nottinghamshire Minerals Local Plan. All plant, machinery and vehicles permanently used on the site shall incorporate such noise abatement measures as, from time to time, may be required by the MPA.

28. The free field noise levels associated with the development, when measured at any of the noise-sensitive properties listed below, shall not exceed the following limit measured as Equivalent Continuous Noise Level for a 1 hour LAeq:

- | | |
|-----------------------------|-----------------|
| • 23 Cottage Lane | = 55 dB LAeq,1h |
| • Lowfields Farm | = 55 dB LAeq,1h |
| • Langford Crossing Cottage | = 55 dB LAeq,1h |
| • Kingfisher Grange | = 53 dB LAeq,1h |

Reason To ensure that noise impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy M3.5 of the Nottinghamshire Minerals Local Plan.

29. Notwithstanding the requirements of Condition 28 above, for temporary operations such as soil stripping, replacement and bund formation, the LAeq 1 hour noise level at any noise sensitive properties shall not exceed 70 dB(A). Temporary operations which exceed the normal day to day criterion shall be limited to a total of eight working weeks in any twelve month period at any individual noise sensitive property; the dates of these occurrences shall be notified in writing to the MPA.

Reason To ensure that noise impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy M3.5 of the Nottinghamshire Minerals Local Plan.

Dust

30. Measures shall be taken to minimise the generation of dust from operations at the site. These shall include, but not necessarily be limited to any or all of the following steps as appropriate:
- a. The use of water bowzers to dampen haul roads, stock-piles and other operational areas of the site;
 - b. The use of conveyor belts to transport 'as dug' sand and gravel to the processing plant;
 - c. The sweeping of access and haul roads, where necessary;
 - d. The minimisation of drop heights during loading and unloading of sand and gravel;
 - e. Limiting on-site vehicle speeds;
 - f. The use of sealant as appropriate to create a crust on dusty surfaces.
 - g. Upon request of the MPA, the temporary suspension of mineral processing, mineral extraction or soil movements during periods of unfavourably dry or windy weather conditions.

Reason To ensure that dust impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy M3.7 of the Nottinghamshire Minerals Local Plan.

Landscape Protection

31. All trees, shrubs and hedgerows on the eastern and southern peripheries of the site shall be retained, reinforced with additional planting where appropriate and managed in accordance with the details incorporated in the hedgerow management plan submitted as part of the Regulation 22 response.

Reason: In the interests of amenity and in accordance with Policy M3.4 of the Nottinghamshire Minerals Local Plan.

32. There shall be no working or storage of materials within 5 metres of the eastern, southern and western boundaries of the site as identified on Drawing No. L208G113.PDF: Proposed Phasing of Sand and Gravel Extraction.

Reason: To protect the integrity of the boundaries of the site in accordance with Policy M3.4 of the Nottinghamshire Minerals Local Plan.

Ecology

33. Site clearance works associated with the development of the bailey bridge Slough Dyke crossing shall not commence until a supplementary river bank water vole habitat survey has been undertaken by a qualified ecologist on a 30m section of watercourse either side of the proposed bridge and conveyor structure. The survey shall be carried out no more than fourteen days prior to the commencement date of the development. In the event that water voles are present, the report shall incorporate a working design, method and timetable to mitigate any undue adverse effects on the species involved. The mitigation measures shall be implemented as approved.

Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.

34. A no working buffer zone of at least 50m radius shall be clearly marked and fenced off around the barn owl nesting site identified on Figure 12 Appendix 2 of the Addendum Ecological Report (Page 32) during March to May (inclusive). Between June to September (inclusive) a buffer zone of at least 30m radius shall be maintained. No quarrying activities, use of mobile plant, or other operations shall be undertaken within the buffer zone during this period. No buffer zone is necessary outside of the breeding season. The tree which supports the barn owl nest shall be retained throughout the duration of the development.

Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.

35. A supplementary barn owl nesting box shall be installed prior to the commencement of the development. The location of the nesting box shall be agreed in writing with the MPA.

Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.

36. Site clearance operations that involve the destruction and removal of vegetation, including felling, clearing or removal of trees, shrubs or hedgerows shall not be undertaken during the months of March to August inclusive, except when approved in writing by the MPA and in such circumstances following the carrying out and submission in writing to the MPA for approval in writing of an ecological appraisal undertaken by an appropriately qualified person..

Reason To ensure that breeding birds are not adversely affected by the development in accordance with government policy set out within the National Planning Policy Framework.

37. Prior to any tree removal, a licensed bat worker shall re-survey all trees to be felled. The results of the bat survey shall be submitted in writing to the MPA. If bats are present, a working design, method and timetable to mitigate any undue adverse effects on the species involved shall be submitted to the MPA for approval in writing. The mitigation measures shall be implemented as approved.

Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.

38. Prior to any vegetation clearance within any phase of the development a walk over survey shall be carried out by an appropriately qualified ecologist to ensure that no badger setts have become established within the working area. The results of the walk over survey shall be submitted in writing to the MPA. If badgers are present, a working design, method and timetable to mitigate any undue adverse effects on these species shall be submitted to the MPA for approval in writing. The mitigation measures shall be implemented as approved.

Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.

39. Any trenches left overnight should have a sloping end or ramp to allow any animals that may fall in to escape. Any pipes that are over 200mm in diameter should be capped off overnight to prevent animals from entering.

Reason In the interest of protecting species in accordance with government policy set out within the National Planning Policy Framework.

Controls over Future Development

40. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any future replacement order) no fixed plant or machinery shall be erected on the site until full details have been submitted to and approved by the MPA.

Reason: In the interest of visual amenity and to ensure compliance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.

41. Prior to its construction, full details of the concrete batching plant and ancillary buildings broadly indicated on Drawing No. L20/106 and approved as part of Planning Permission 3/17/88/0417 shall be submitted to and approved by the MPA.

Reason: In the interest of visual amenity and to ensure compliance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.

Soil Stripping, Handling and Storage

42. The MPA shall be notified in writing at least 5 working days before soil stripping is due to commence on any phase, or part phase in the event that a phase is not stripped in its entirety in one stripping campaign.

Reason To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

43. No turf, topsoil, subsoil or overburden shall be removed from the site. No waste materials including soils and mineral working wastes shall be brought onto the site.

Reason To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

44. All soil handling shall be carried out in accordance with the Ministry of Agriculture, Fisheries and Food 'Good Practice Guidance for Handling Soil' (2000) and the DEFRA 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (2009).

Reason: To ensure proper restoration and in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

45. A detailed soil-handling scheme for each phase of the development shall be submitted in writing to the MPA at least one month prior to the stripping of any soil from each phase of the site. Such a scheme shall include the following details:

- The size, location, volume and composition of soil to be stripped;
- Details of where the soils will be placed either for direct placement as part of phased restoration operations, or their storage within mounds;
- The types of machinery to be used;
- The routes to be taken by plant and machinery involved in soil handling operations;
- The depths of subsoil and topsoil to be replaced;
- The spacing and depth of any post-replacement soil ripping and cultivations.

The development of that phase shall thereafter be carried out in accordance with the approved scheme.

Reason To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

46. The topsoil shall be stripped to the full depth of not less than 300mm, and all subsoil shall be stripped to a depth of not less than 1000mm.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

47. No plant or vehicles shall cross any area of unstripped topsoil or subsoil except where such trafficking is essential and unavoidable for purposes of undertaking permitted operations. Essential trafficking routes shall be marked in such a manner as to give effect to this condition. No part of the site shall be excavated or traversed or used for a road, or storage of topsoil, subsoil or overburden or waste or mineral deposits until all available topsoil and subsoil to a minimum depth of 1000mm has been stripped from that part.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

48. Soil stripping shall not commence until any standing crop or vegetation has been cut and removed.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

49. Topsoil, subsoil, and soil making material shall only be stripped when it is in a dry and friable condition and movements of soils shall only occur:

- (a) During the months of April to October inclusive, unless otherwise approved in writing by the MPA; and
- (b) when all soil above a depth of 300mm is in a suitable condition that it is not subject to smearing;
- (c) when topsoil is sufficiently dry that it can be separated from subsoil without difficulty.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

50. All storage mounds that will remain in situ for more than 6 months, or over winter, shall be seeded with a suitable mix to benefit farmland birds within 3 weeks of their construction in accordance with a seed mixture which has been agreed in writing by the MPA. The mounds shall thereafter be maintained free of weeds until used for restoration purposes.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

51. Details of the volumes and location of soils stored on the site shall be submitted to the MPA by 31 December each year.

Reason To monitor the restoration of the site and to ensure all available soil resources are conserved or managed, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

Soil Replacement

52. The MPA shall be notified in writing at least 5 working days before each of the following:

- (a) overburden has been prepared ready for soil replacement to allow inspection of the area before further restoration of this part is carried out, and

- (b) when subsoil has been prepared ready for topsoil replacement to allow inspection of the area before further restoration of this part is carried out, and
- (c) on completion of topsoil replacement to allow an opportunity to inspect the completed works before the commencement of any cultivation and seeding operation.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

53. Subsoils shall only be replaced on those parts of the site which are restored above water level when the ground on which they are to be placed is in a dry and friable condition and no movements, respreading, levelling, ripping or loosening of subsoil or topsoil shall occur in these areas:
- (a) during the months November to March (inclusive), unless otherwise agreed in writing with the MPA;
 - (b) when it is raining; or
 - (c) when there are pools of water on the surface of the storage mound or receiving area.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

54. Plant and vehicles shall not cross any area of replaced and loosened ground, replaced subsoil, or topsoil except where essential and unavoidable for purposes of carrying out ripping and stone picking or beneficially treating such areas. Only low ground pressure machines shall work on prepared ground.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Replacement Minerals Local Plan.

55. Subsoil within areas of the site above the lake water level (dry land) shall be re-laid so that the total thickness of settled subsoil is no less than 0.7 metres.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Replacement Minerals Local Plan.

56. Each subsoil layer placed above lake water level (dry land) shall be cross-ripped:
- (a) to provide loosening to a minimum depth of 450mm with tine spacings no wider than 1.5m, and
 - (b) any rock, boulder or larger stone greater than 200mm in any dimension shall be removed from the loosened surface before further soil is laid. Materials that are removed shall be disposed of off-site or buried at a depth not less than 2 metres below the final contours.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

57. Topsoil shall be evenly re-spread on the land above lake water level (dry land) to achieve at least a minimum of 300mm settled depth.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

58. The re-spread topsoil shall be rendered suitable for agricultural cultivation by loosening and ripping:
- (a) to provide loosening equivalent to a single pass at a tine spacing of 1.5 metres or closer;
 - (b) to full depth of the topsoil plus 100mm;
 - (c) and any non-soil making material or rock or boulder or larger stone lying on the loosened topsoil surface and greater than 100mm in any dimension shall be removed from the site or buried at a depth not less than 2 metres below the final settled contours.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

59. The operator shall take all reasonable precautions to prevent the mixing of topsoil, subsoil and the fill material.

Reason: To ensure proper restoration and in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

60. Any part of the site which is significantly affected by differential settlement that occurs during the restoration and aftercare period, and would interfere with restoration operations, shall be filled. The operator shall fill the depression to the final settlement contours specified with suitable soils to a specification to be agreed in writing with the MPA. Topsoil, subsoil and other overburden moved in the course of the work shall not be mixed and shall be handled and replaced in accordance with the above conditions.

Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.

Restoration

61. The phased restoration plan and landscaping scheme for the total application site shall be carried out in accordance with Drawing Number L20RE9E12: Restoration Scheme dated November 2013. The implementation of the

restoration and landscaping scheme shall be carried out progressively in general compliance with the timetable shown on Drawing nos. L20PH201313/14/14/16/17.PDF Phasing Plans (2013-2017). The backfilled material shall be levelled and graded in accordance with the restoration contours identified on the plan and the level of the site shall not exceed the original ground levels of the site.

Reason: To ensure proper restoration and in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.

62. At the completion of each phase of restoration the operator shall meet on site with representatives of the MPA, and other parties with an interest in the land. The purpose of the meeting shall be to agree that the replacement material conforms generally with the landform and levels as set out in the agreed restoration plan.

Reason: To ensure proper restoration and in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.

63. All processing plant within the plant site area including their foundations shall be removed following the substantial cessation of mineral extraction from this site. The plant site shall thereafter be restored in accordance with the details shown on Drawing Number L20RE9E12 in accordance with the approved timetable of restoration works.

Reason: To ensure proper restoration and in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.

Aftercare

64. Following restoration the site shall undergo aftercare management for a 5 year period.

Reason To provide for aftercare of the restored site, in accordance with Policy M4.9 of the Nottinghamshire Minerals Local Plan.

65. Prior to any area being entered into aftercare the extent of the area and its date of entry into aftercare shall be agreed in writing with the MPA, the 5 year aftercare period shall run from the agreed date.

Reason To provide for aftercare of the restored site, in accordance with Policy M4.9 of the Nottinghamshire Minerals Local Plan.

66. An aftercare scheme and strategy shall be submitted for the written approval of the MPA no later than 3 months before the spreading of subsoil commences within each phase. The strategy shall outline the steps to be taken, the period during which they are taken, and who will be responsible for taking those steps to ensure the land is restored and brought back to a satisfactory condition. The aftercare scheme shall include but not be restricted to details of the following:

- (a) cultivations;

- (b) weed control;
- (c) sowing of seed mixtures;
- (d) soil analysis;
- (e) keeping of records and an annual review of performance and proposed operations for the coming year, to be submitted to the MPA between 31 March and 31 May each year;
- (f) drainage amendments;
- (g) subsoiling and underdrainage proposals;
- (h) management practices such as the cutting of vegetation;
- (i) tree protection;
- (j) remedial treatments;
- (k) irrigation; and
- (l) fencing.

Reason To provide for aftercare of the restored site, in accordance with Policy M4.10 of the Nottinghamshire Minerals Local Plan.

67. Site management meetings shall be held with the MPA each year to assess and review the detailed annual programmes of aftercare operations referred to in Condition 66(e) above, having regard to the condition of the land; progress in its rehabilitation and necessary maintenance.

Reason To provide for aftercare of the restored site, in accordance with Policy M4.10 of the Nottinghamshire Minerals Local Plan.

68. The aftercare programme shall be implemented in accordance with the details approved under Condition 66 above, as amended following the annual site meeting referred to in Condition 67 above.

Reason To provide for aftercare of the restored site, in accordance with Policy M4.10 of the Nottinghamshire Minerals Local Plan.

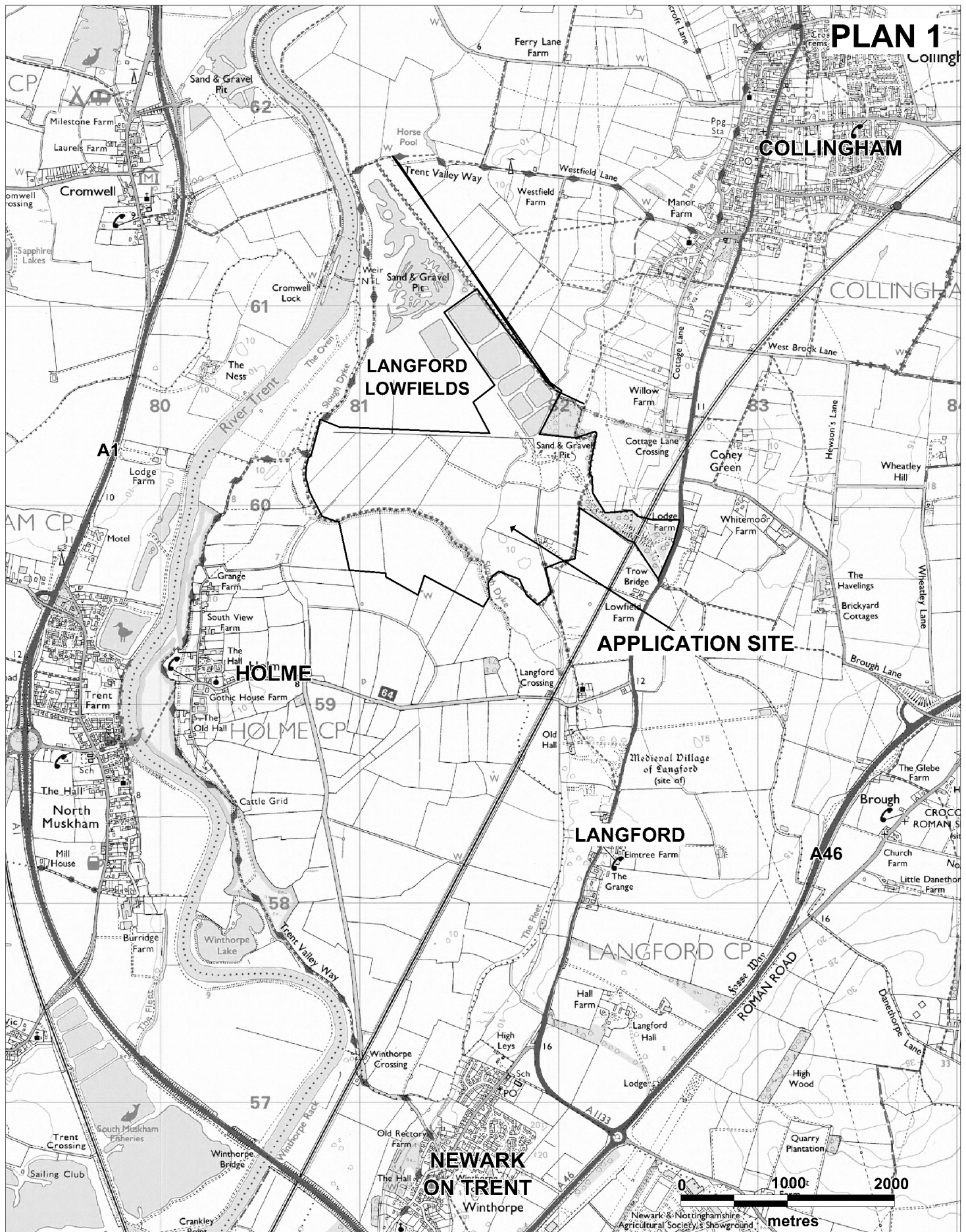
Cessation of Workings

69. Should, for any reason, extraction of sand and gravel cease from this site for a period in excess of 6 months prior to the completion of the agreed phasing, working and restoration, details a revised scheme, indicating new phasing, working and restoration details including removal of plant, machinery and buildings shall be submitted to the MPA within 3 months of written notice from the MPA of the requirement for such a scheme. The revised scheme shall be implemented by the applicants and/or operators within such revised timescale as shall be determined by the MPA.

Reason: To ensure proper restoration and in accordance with Policy M4.7 of the Nottinghamshire Minerals Local Plan.

Note to Applicant

1. The planning permission is issued subject to a Section 106 legal agreement which controls the routeing of lorries prohibiting them accessing and departing the quarry from north necessitating access through Collingham village.
2. The Environment Agency request that an 8 metre wide easement be maintained between the proposed development and any watercourses for access and maintenance purposes. Trent Valley Internal Drainage Board advise that their consent is required for any works over, under or within 9m of a Board maintained watercourse, for any works that would increase the flow of water to any watercourse (other than designated Mani River) and any works for culverting such watercourse.
3. The Slough Dyke is a designated a 'main river'. Please note, under the terms of the Water Resources Act 1991, and the land drainage byelaws prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank.
4. The Environment Agency advise that the current licensing exemption on dewatering is likely to be removed in 2014 after which dewatering activities will be brought into regulation by the EA. Groundwater levels in piezometers should be monitored on an ongoing basis to provide information on the abstraction and dewatering works. Results should be made available to the Environment Agency on request. Any adverse impacts on groundwater or surface water flows may require further investigation.
5. National Grid (Gas & Electricity) Identify that there is gas and electricity apparatus in the vicinity of the development site which may be affected by the development. National Grid request that you contact their company prior to commencing the development.
6. Western Power request *that* vegetation *is not* planted in *close* proximity to their equipment to ensure that it does not encroach onto live high voltage lines or penetrate underground cables. The company state that they require 24 hour access to their existing distribution substation which is sited within the existing quarry.
7. The applicant's attention is drawn to the attached advice note from National Grid PLC regarding works in close proximity to the High voltage overhead transmission line which crosses the development site.



**Nottinghamshire
County Council**

Proposed extension to existing quarry with restoration to water amenity,
together with revised restoration for creation of an enlarged nature
reserve and retention of existing plant site and site access.
Land at Langford Quarry, Newark Road, Near Collingham, Newark,

Nottinghamshire
Planning Application No. 3/14/00040/CMA

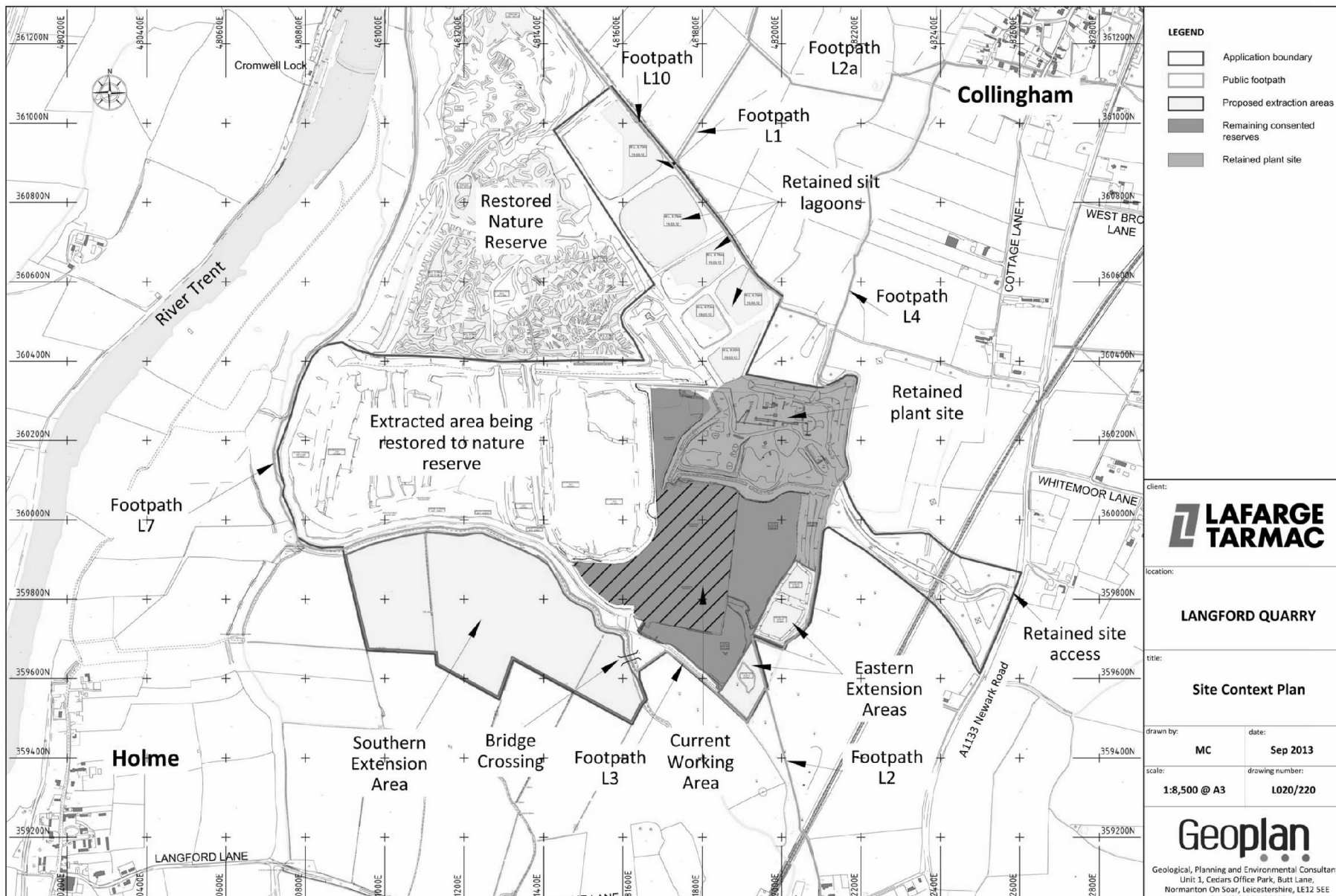
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**Nottinghamshire
County Council**

Proposed extension to existing quarry with restoration to water amenity, together with revised restoration for creation of an enlarged nature reserve and retention of existing plant site and site access. Land at Langford Quarry, Newark Road, Near Collingham, Newark, Nottinghamshire.

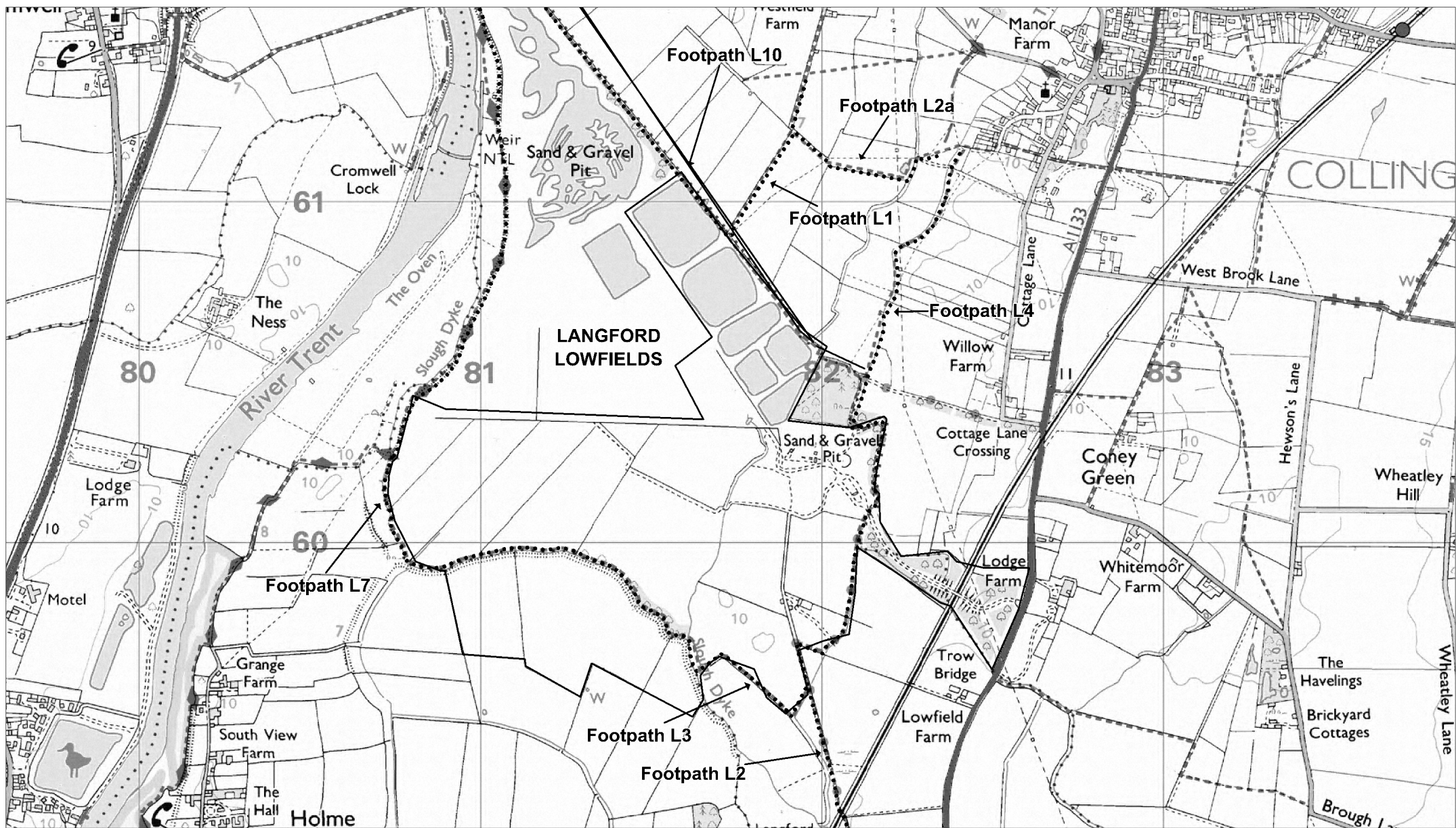
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PLAN 2



**Nottinghamshire
County Council**

Proposed extension to existing quarry with restoration to water amenity, together with revised restoration for creation of an enlarged nature reserve and retention of existing plant site and site access. Land at Langford Quarry, Newark Road, Near Collingham, Newark, Nottinghamshire.

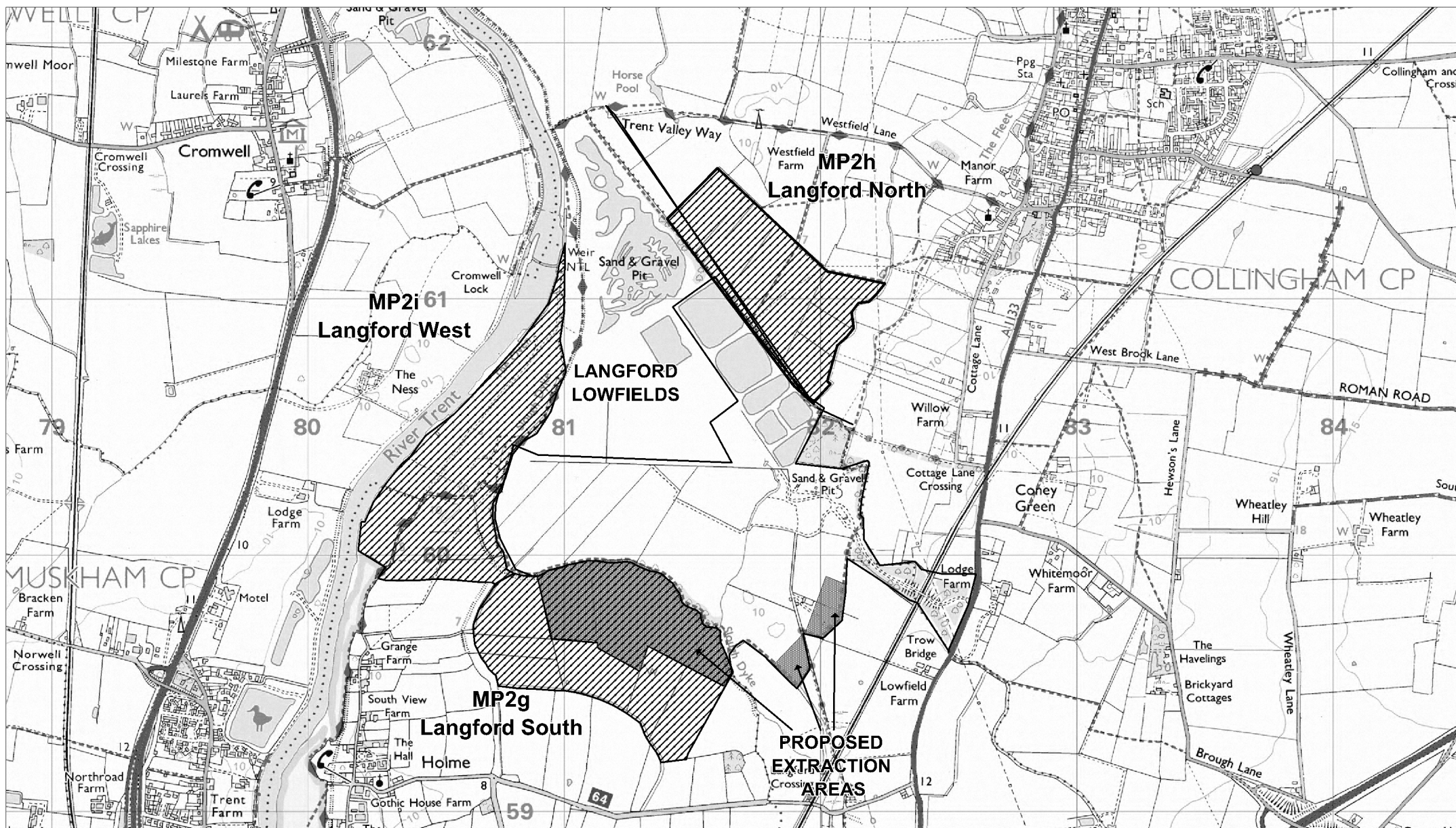
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PLAN 3



**Nottinghamshire
County Council**

Proposed extension to existing quarry with restoration to water amenity, together with revised restoration for creation of an enlarged nature reserve and retention of existing plant site and site access. Land at Langford Quarry, Newark Road, Near Collingham, Newark, Nottinghamshire.

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Date: JULY 2014

PLAN 4

15 July 2014**Agenda Item: 6****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND
CORPORATE SERVICES****GEDLING DISTRICT REF. NO.: 7/2014/0677NCC**

PROPOSAL: ERECTION OF SPLIT LEVEL (IN PART 2 STOREY) FOUNDATION, STUDIO HALL AND FOOD SCIENCE EXTENSION, CANOPY AND ASSOCIATED EXTERNAL WORKS, RAMPED ACCESSES AND 11 SPACE CAR PARK (INCLUDING 2 DISABILITY PARKING SPACES). NEW PEDESTRIAN ACCESS. 2.4M SECURITY FENCING AND GATES.

LOCATION: RICHARD BONINGTON PRIMARY AND NURSERY SCHOOL, CALVERTON ROAD, ARNOLD

APPLICANT: NCC CHILDREN, FAMILIES AND CULTURAL SERVICES

Purpose of Report

1. To consider a planning application for the erection of a two storey split-level extension with associated external works and ramped access, car park, new pedestrian access with security gates and fencing at Richard Bonington Primary and Nursery School, Arnold. The key issues relate to potential highway impact from expansion of the school, the impact of the extension on the streetscene and neighbouring property, and the potential impact of outdoor play on neighbouring amenity. The recommendation is to grant planning permission subject to the conditions set out in Appendix 2.

The Site and Surroundings

2. Richard Bonington Primary and Nursery School is located on the western side of Calverton Road, approximately 700m to the north of Arnold town centre, and has a frontage of approximately 65m to Calverton Road. The area is predominantly residential in character, although a public house with a large car park (The Longbow) is situated on the western side of Calverton Road 120m to the north (Plan 1). 42a Calverton Road, a grade II listed building and good example of an early 19th century framework knitters' cottage, is situated on the eastern side of Calverton Road approximately 60m to the north-east of the school. Rannoch Rise, a cul-de-sac to the south-west of the school, does not have a footway on its north-eastern side.

3. 91 Calverton Road, a bungalow to the south of the school frontage, has a kitchen window in the side elevation facing the school. A mature hedge, which provides an effective visual screen in summer months, is established along the boundary between the highway frontage and the rear of a garage at 91 Calverton Road. A temporary visual screen has recently been erected at 91 Calverton Road to the rear of the garage on the site boundary (Plan 2).
4. Properties opposite the school occupy elevated positions without direct vehicular access onto Calverton Road. There is a pedestrian (zebra) crossing on Calverton Road adjacent to the school pedestrian entrance gate which is protected by guard rail immediately outside the entrance. A drive at the north end of the school frontage to Calverton Road leads to a staff and visitor car park.
5. A playing field lies to the north-west of the school buildings. Churchmoor Lane to the west of the school is not adopted highway. A public footpath (Arnold Footpath No.11) runs along the western boundary of the school site north of the point at which Churchmoor Lane ceases to be adopted highway (Plan 1). Pedestrian entrances to the school are formed in the western and northern corners of the school playing field. Derrymount Special School is located on the west side of Churchmoor Lane approximately 100m to the south of the southern pedestrian entrance to the application site.
6. The mainly single storey school buildings of Richard Bonington Primary and Nursery School are sited approximately 38m from the highway in an elevated position 3.5m above the level of Calverton Road. The school frontage is set to grass with associated landscaping and is approached by pedestrians up a gradient of approximately 9% (1 in 11). The school entrance and classrooms to the north are 3.65m in height, while the school hall, set back behind the school entrance is 4.85m in height. Security gates and 2.0m high fencing erected above a low wall (2.4m in total) are erected along the frontage to Calverton Road. 2.0m high fencing returns along the southern side of the vehicular access drive to abut the school building.
7. Although the principal hard play area is located to the north-west of the school adjacent to the playing field, an area of hard play is located to the south of school buildings to the rear of 81-91 (odds) Calverton Road.
8. The school has a Published Admission Number (PAN) of 50 pupil places, with a formal net capacity of 365 places although there are currently 407 children on the school roll. 20 full-time and 22 part-time staff, (equating to 24 full-time equivalent (FTE)), are employed. There are presently 22 on-site parking spaces, including one disability parking space, for staff and visitors. The majority of the car parking spaces are located to the rear of the school. The car park layout is restricted with some opportunistic car parking taking place which can restrict space for on-site manoeuvring.

Proposed Development

Background

9. Nottinghamshire continues to reflect a national trend which since 2011 has seen a rapid rise in the number of four-year olds requiring school places. Forecasts show that this is likely to continue for the foreseeable future. The pupil population will increase correspondingly as cohorts progress through schools. The increasing impact of parental preference for specific schools creates greater demand for places in some areas.
10. The Arnold area is projected to be subject to increasing pressure for school places. Richard Bonington Primary and Nursery School is projected to be at or over capacity during the next five years, and the ability to absorb demand is restricted by its poor internal classroom structure.
11. Not all schools in the area are physically capable of expansion and in some cases may not be appropriate for expansion to meet individual need. Richard Bonington Primary and Nursery School is proposed to be expanded to provide additional capacity in the area, to meet demand from an increasing birth rate and new housing development. It is considered appropriate by the applicant to expand the school to 420 places, a PAN of 60, and is the next size that would provide effective school organisation

Proposed Development

12. Planning permission is sought to erect a split-level two storey extension at the front of the school to provide a Foundation unit on the ground floor with a food science/teaching group room and studio at first floor level. Curtain partitions would provide flexibility to the use of the internal floor area created. Although the submitted floor plan provides an illustrative layout of how the space could be used, the Foundation unit has been designed to accommodate 99 children comprised of a 60 place intake and 39 nursery places (which could be used by 39 children each session in the morning and afternoon).
13. In addition to accommodating the increase in the PAN, the proposed extension would allow better use of space within the school for other year groups and enable the school to teach in two classes per year group. The extension would be linked to the existing school by a corridor link with an administration office and school reception lobby.
14. The extension would be sited between 9.2m and 13.5m from the Calverton Road frontage and 9.0m from the boundary with 91 Calverton Road (Plan 3). The extension would be off-set from the front of the existing school by a flat roof corridor link 10.5m in length and 3.1m in height.
15. The lower floor, with a footprint of 18.3m x 18.5m, would have a floor level 1.4m below the floor level of the existing school, accessed internally by a flight of stairs or platform lift. By way of comparison, the front elevation of the extension would be 0.2m above the existing ground level.

16. The upper floor of the extension, with a footprint of 18.3m x 9.9m, would have a floor level 1.1m above the floor level of the existing school, also accessed internally by stairs or the platform lift.
17. The eaves of the extension closest to the school would be 5.5m in height (4.2m relative to existing ground level), rising to a ridge height of 6.2m (approximately 5.95m relative to existing ground level). The eaves of the front elevation would be 3.1m in height (approximately 3.9m relative to existing ground level) (Plan 4).
18. The extension would have an asymmetric roof pitch covered with a medium grey coloured single-ply membrane (RAL 7040). The roof slope closest to the school would have a pitch of 3° and incorporate roof lights and photovoltaics (PVs), whilst the elevation facing Calverton Road would have a roof pitch of 20° and incorporate rooflights to the void behind. The building would be finished with a cream coloured render (RAL 9001) above a blue brick plinth. Doors and windows would be coloured white (RAL 9003). A green coloured (RAL 6029) mono-pitch canopy covering an area 18.3m x 2.8m, and up to 2.8m in height would be erected along the front elevation of the extension to provide partial cover to an area of outdoor play (Plan 5).
19. Windows to the ground floor extension would be formed in the front and both side elevations. At first floor level, windows would be formed in the rear (facing the school) and side elevations, including the elevation facing 91 Calverton Road. That window would have a sill level 3.4m above the finished floor level of the building (approximately 3.2m above the existing ground level). The window would at closest be 17m at an angle of 45° from the rear elevation of 91 Calverton Road. The pitch roof garage at 91 Calverton Road lies between the proposed window and the rear elevation of the bungalow.
20. An external play area 5m in depth would be provided outside the south-east and south-west elevations of the Foundation unit, partially shaded by the external canopy to the building (Paragraph 18). At its closest point, the play area would be 4m from the frontage to Calverton Road and 3.5m from the boundary with 91 Calverton Road, 1.2m above the corresponding existing ground level.
21. The existing school pedestrian entrance would be closed and security fencing reinstated on a low brick wall to match the existing. A new pedestrian entrance would be formed on the Calverton Road frontage 14m to the north. A ramped access (1 in 15 or 6.6% gradient) with level rest areas would run from the new pedestrian entrance along the external edge of the outdoor play area of the Foundation unit and would be used by parents and children as the principal access to the school from Calverton Road.
22. The perimeter of the outdoor play area would be enclosed by a 1.5m high log wall retaining structure on the frontage to Calverton Road. Having regard to the change in level relative to the ramp, the external face of the log retaining wall would be approximately 2.2m in height at the bottom of the ramp when viewed from Calverton Road. At the corner, closest to 91 Calverton Road the path would be level with the play area. A semi-circular parent assembly area

enclosed by a log wall 1.1m in height would be formed outside the Foundation entrance gate, 6.0m from the boundary with 91 Calverton Road.

23. The ramped path would turn north-west to run parallel and between 1.5m-2.0m from the boundary with 91 Calverton Road. Evergreen planting would take place between the new path and the boundary between the front of the bungalow and the front of the garage at 91 Calverton Road, reinforcing the established visual screen. A 2.0m high close boarded timber fence would be erected on the school site, to the rear of the garage along the northern boundary of 91 Calverton Road (Plan 6).
24. The internal face of the timber enclosure of the outdoor play area would have a minimum height of 1.5m and would be constructed as a vertical log wall. However, the first 11m from the south-east corner running parallel to 91 Calverton Road would be constructed to an acoustic fencing specification, as recommended by NCC Project Engineer (Noise) (Paragraph 39). In maintaining a minimum height of 1.1m on the external face of the outdoor play area enclosure as the adjacent path rises in level, the log retaining wall would be stepped, achieving a height of 2.4m on its south-east facing elevation within the outdoor play area closest to the school. A flat roof store building with a footprint of 3m x 3m would be erected on the north-western end of the outdoor play area. Details of the external finish of the storage building have not been submitted in support of the application.
25. The number of full-time staff would remain at 20 and although the number of part-time staff would increase by two to 24, this would still equate to a full-time equivalent of 24. Eleven car parking spaces, including two disability parking spaces sited forward of the school towards Calverton Road and accessed from the existing school vehicular access are proposed. The site of the proposed car park would need to be levelled, requiring the ground to be cut and retained (0.35m) closest to the school, and raised by 0.6m closest to Calverton Road. Ground forward of the car park towards Calverton Road would be a graded down towards the highway and grass seeded. 2.4m high Heras security fencing with an access gate at each end would be erected along the north-west edge of the new car park spaces off-set 2.3m from the existing school building providing a secure outdoor area accessible from the adjacent classrooms.
26. Steps from the new pedestrian entrance would lead to the main school entrance/reception area in the new corridor link extension. The path would incorporate a ramped alternative so as to provide suitable access between disability parking spaces and the school building.
27. The Transport Statement supporting the application identifies opportunities for improvement. It is proposed that the existing zebra crossing and associated road markings are repainted and that school *Keep Clear* markings are introduced along the north-west side of the Calverton Road frontage of the school. Ten covered cycle parking spaces would be provided on the site to replace existing informal cycle parking arrangements.

28. The school safety zone on Calverton Road would be reviewed, giving consideration to the relocated school pedestrian entrance and associated footway guardrail, road markings and advance signage.

Construction

29. The building would be of modular construction, partially constructed off-site, allowing quicker delivery of the project. The proposed car park area would be formed first and used as a construction compound for the duration of the build. A crane would be used to unload modular units brought to site by lorry from Calverton Road.

Consultations

30. **Gedling Borough Council** – Although a formal consultation response has not been received, concern is expressed about the level of activity close to the residential property of 91 Calverton Road, as the height of the acoustic fencing is thought unlikely to be effective. Noise conditions may not be necessarily realistic. A large amount of fencing is being proposed.

[Comment: Any additional matters raised a formal consultation response will be reported to the meeting.]

31. **NCC Highways Development Control** – *On visiting the site there was no indiscriminate parking on Calverton Road. Parents were using The Longbow public house and side streets to park. The application indicates that there would be two additional part time staff but no increase in the full-time staff equivalent. However, additional parking is proposed to accommodate additional staff if required.* No objection subject to a condition to require the car park to be surfaced, drained (so as to prevent surface water draining onto the highway) and marked out before being brought into use.
32. **NCC Road Safety Team** – No objection subject to conditions requiring a review of the School Safety Zone and the School Travel Plan. *The proposed new pedestrian access point on the Calverton Road frontage would be beyond the current limit of pedestrian guardrail deterring pedestrians from crossing the road in the zig-zag area of the pedestrian crossing. This will need to be reviewed with a view to extending the guardrail, which will probably require the localised widening of the footway. Although an increase in pupil numbers may increase risk to all users, there is no evidence to suggest that there is a current problem either on the frontage or in the local area.*
33. **NCC Countryside Access Team** - The availability of Arnold Parish Footpath No.11 (Churchmoor Lane) must remain available unless subject to appropriate diversion or closure orders. Potential path users should not be impeded or endangered.
34. **NCC Project Engineer (Noise)** – No objection subject to the implementation of measures to minimise noise impact through acoustic fencing, and a condition limiting external activity noise levels arising exclusively from the new play areas not exceeding 55dB L_{Aeq, 15mins} except during defined break / lunch

times (when the total noise level from the school site shall not exceed 67dB $L_{Aeq, 15mins}$). Construction should be limited to between 07:30 – 18:00hrs Monday – Friday and 08:00 – 13:00hrs on Saturday.

35. *The new extension is expected to cater for pre-school/reception year children. An external hard surfaced play area is included around the eastern and southern perimeter of the building and is expected to be used periodically throughout the day by up to 30 children at any one time between the ages of 3-5years. The boundary of the nearest receptor, 91 Calverton Road, is located south of the development; approximately 3.2m from the perimeter of the external play area at its closest point.*
36. *Noise from children's playtime activities on school sites are generally short duration and occur only on school days during term-time. Reasonable measures should be implemented to minimise the noise impact on neighbouring properties. A baseline noise survey has been undertaken in the rear garden of 91 Calverton Road and produced the following recorded noise levels:*
- During morning break time – 64dB $L_{Aeq, 15mins}$*
Children inside school – 50dB $L_{Aeq, 15mins}$
37. It is recommended that future noise levels should be minimised to pre-existing levels +3dB subject to a minimum of 55dB. An increase of 3dB is considered the minimum perceptible increase by the human ear of a continuous noise source.
38. *The 55dB limit is taken from World Health Organisation (WHO) guidance which states that noise levels exceeding 55dB could lead to serious annoyance. However the duration and type of noise source (children playing) needs to be taken into consideration in the setting of any limits. Also people's attitudes to this type of noise can vary considerably. The external activity noise is currently restricted to certain times of the day (break/lunch/PE) and occurs during term time only. The 55dB threshold stated in the WHO guidance can refer to any type of environmental noise during the day (07:00-23:00hrs) and 365 days a year. Therefore it is not considered unreasonable for noise from the school to exceed this level during defined periods of the school day i.e. during play times and break times. However further development and expansion of the school site should seek to prevent further exceedance of 55dB during other times of day when the neighbouring properties normally enjoys respite from elevated levels of noise from the school.*
39. *An 11m acoustic fence (with an effective minimum height above the playground of 1.5m) should be provided at the edge of the south-east corner of the hard play area, running parallel to the boundary with 91 Calverton Road. Beyond this point the boundary of the playground cuts into the existing ground and a log retaining boundary wall with effective height of 1.5m will continue up to the south western corner of the playground. As the log retaining wall may not be without gaps, noise may still penetrate through, so a further 2.0m solid timber fence (without gaps) should be installed along the property boundary of 91 Calverton Road from the bottom of the garden to a point overlapping the*

garage by 1.0m. This in combination with the acoustic fence adjacent to the playground would provide an effective continuous barrier to noise. (Plan 3)

40. *If the noise mitigation is implemented as described, then noise levels from the new external play area are not expected to exceed recommended noise levels. However, should persistent exceedance occur, which then leads to noise complaint, then further options are possible to provide increased screening from noise. This can take the form of operational controls to limit number and duration of external activities as well as further physical measures such as an increased standard of screening along any impacted boundary.*
41. **NCC Nature Conservation Team** - Although survey has not revealed the presence of roosting bats an Informative should be attached to a grant of planning permission advising that work should cease and the advice of an ecologist should be sought in the event of a bat being encountered during construction. In accordance with good practice, conditions are recommended to require the installation of bat boxes, and the landscaping scheme to include the planting of native or wildlife friendly tree and shrub species in accordance with the Ecological Appraisal supporting the application. A condition is also recommended in relation to the site clearance not being undertaken during the bird nesting season.
42. **NCC Built Heritage Team** - The application complies with National Planning Policy Framework (NPPF) Paragraph 128, which requires the applicant to describe the significance of any heritage assets affected including any contribution made by their setting. NPPF Paragraph 129 requires an assessment of the heritage impact assessment.
43. *The setting of 42a Calverton Road, a grade II listed former framework knitters' cottage was a rural one on the outskirts of Arnold village. The original setting has been subject to considerable change. The green area in front of Richard Bonington School is notable as a small but highly visible green area with mature trees that helps to soften the urban character of 20th century development along Calverton Road, but although it recalls village origins, the space is not itself rural in character.*
44. *The proposals will not be immediately visible within the visual context of 42a Calverton Road so long as the mature trees bordering the site are retained and maintained. There will be an impact on the setting of the listed building by the removal of the green area within the vicinity of the cottage however, this impact is negligible and should be very much less than harmful. No objection is raised so long as existing tree cover around the site is not compromised by the scheme, as stated in section 2.6 of the Design and Access Statement supporting the application.*
45. **Police Force Architectural Liaison Officer** – No response received.
46. **NCC Land Reclamation) Team** – No concern in respect of site contamination. Ground investigation for foundation design should provide verification of the desk study supporting the application. The school was erected in the 1950s giving cause for concern over the historic use of asbestos containing materials, and the extension would adjoin the original school building. A

condition is recommended to require an asbestos survey to be undertaken in accordance with NCC *Code of Practice*.

47. Severn Trent Water Limited – No response received.
48. Western Power Distribution – No objection. Western Power has network in close proximity to the site.

[Comment: The proposed siting of the extension would require a low voltage cable to be diverted.]
49. National Grid (Gas) – National Grid has network on the site that would be affected by the development.

Publicity

50. 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.
51. Five letters have been received from four residents of Calverton Road in proximity to the school raising the following issues:

Location

- a) Locating the extension to the rear of the school would not impact on neighbours/more space (3).

Visual Impact, Privacy and Amenity

- b) Impact of the building on the streetscene. The building will be commercial in appearance.
- c) Loss of privacy from windows overlooking neighbouring property (3).
- d) Windows should be obscure glazed.
- e) The school entrance path will be 2m from the site/adjoining property boundary.
- f) Noise from the external play area (3) and path. Noise from use of the building. The adequacy of the baseline noise reading is questioned as playground noise was recorded during the morning break, but children were on the field to the rear of the school at lunchtime.
- g) The fence on the boundary with 91 Calverton Road (to the rear of the garage) should be 2.0m in height and run the full length of the garage. Evergreen planting should be planted against the new fence (Paragraph 23).

Traffic

- h) Existing parking issues outside the school are already intolerable/dangerous (3). Traffic-calming by narrowing the road has reduced traffic free-flow.
- i) Existing traffic issues will be worsened by expansion of the school (4). Noise from increased traffic.
- j) Inconsiderate parking/obstruction of drives (3).
- k) Parents abusive/threatening when confronted by residents about inconsiderate parking.
- l) Unreported traffic incidents are not referenced. Obstruction of the Calverton Road bus service.
- m) A Traffic Regulation Order (yellow lines or permit parking) should be considered along Calverton Road. Action will only be taken after a serious injury.

Other Matters

- n) Preparation for the extension is already underway through the felling of mature trees and removal of security fencing.
- o) Impact on health from intensification of use of the site and associated traffic/parking impacts.
- p) Loss of view/outlook.
- q) Loss of value (2).

Comment: Loss of value and loss of view are not material considerations in the determination of a planning application.

- 52. Councillor Pauline Allan and Councillor Michael Payne have been notified of the application.
- 53. The issues raised are considered in the Observations Section of this report.

Observations

Strategic Education Provision

- 54. Great importance is attached to ensuring that sufficient choice of school places is available to meet the needs of new and existing communities in National Planning Policy Framework (NPPF) *Promoting Healthy Communities* (Paragraph 72). Great weight should be given to the need to create, expand or alter schools. In a letter to Chief Planning Officers the Secretary of State for Communities and Local Government has stated that there should be a presumption in favour of the development of state-funded schools and the

delivery of development that has a positive impact on the community (Appendix 1). In determining this application, consideration needs to be given to whether the proposed development would give rise to significant harm that could not be mitigated through the imposition of conditions.

55. The applicant has demonstrated a justified need for the provision of additional pupil places in the local area, and the school has been identified as being suitable for expansion. Subject to observations below and consideration of impact on the amenity of adjoining and nearby property, the development would be in compliance with Gedling Borough Replacement Local Plan 2005 (GBRLP) Policy C1 *Community Services General Principles* which will grant planning permission for proposals in easily accessible locations that improve community facilities.
56. Although the school has a current PAN of 50 (which corresponds to a school size of 350 pupils), there are currently 407 children on the school roll. The proposed increase of the PAN to 60 would increase the school size to 420, while the 39 nursery places would replicate existing provision. An additional 13 children would represent an approximate 3% increase in pupil numbers and is considered unlikely to result in significant change to impacts already experienced outside the school.

Traffic

57. The impact of traffic has been raised in representations reported at Paragraph 51 h) - j). As at many schools, on-street car parking can be an issue at school drop-off and pick-up times and can become an inconvenience to local residents. Whilst congestion and parking issues on the highways immediately adjacent to the school are unlikely to worsen, impacts may extend further along the highway network. The behaviour of motorists cannot be controlled through the planning system, and although Traffic Regulation may modify behaviour, it cannot ensure that the issues raised in representations, such as the blocking of drives at neighbouring properties, would not occur. Although parent parking at schools can cause inconvenience to nearby residents, the duration of parent parking at the beginning and end of the school day is relatively short lived. Parent behaviour may be most effectively influenced by the school as a targeted issue in a School Travel Plan. The existing School Travel Plan dates from 2009 (based on 333 pupils at that time) and should be reviewed to reflect the expansion of the school in a grant of planning permission (Condition 21).
58. Weight should be given to current guidance in NPPF *Promoting Sustainable Transport* Paragraph 32 which advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The consultation response from NCC Highways Development Control does not raise concerns about parking on Calverton Road and it is noted that parents use The Longbow public house car park as an informal parent parking area. A review of the school safety zone would be required to reflect the position of the new pedestrian access on the Calverton Road frontage and is the subject of a recommended planning

condition (Condition 20). The applicant has confirmed that proposed off-site highway works would be fully funded by the project.

59. Although two additional part-time staff would be employed there would be no increase in the equivalent number of full-time posts. The existing car park does not allow for easy on-site manoeuvring and the proposed provision of additional car parking spaces at the front of the school would relieve parking difficulties. The proposed additional car parking spaces, including provision for disability parking is considered to be acceptable subject to a condition requiring the car park to be surfaced, drained (so as to prevent surface water draining onto the highway) and marked out before being brought into use, in accordance with the recommendation of NCC Highways Development Control (Condition 19).

Location of Built Development and Impact on Amenity

60. It has been suggested in representations (Paragraph 51a)) that the extension could be located to the rear of the existing school without giving rise to impact on neighbouring property. Consideration needs to be given to how activities and the delivery of education in the school could be effectively managed. Development to the rear of the school could also impact on school playing field and issues that may be raised by Sport England would need to be addressed. The practicality of construction also needs to be considered. Although alternative locations for development could be available it does not mean that more challenging locations for development are not suitable if arising impacts are satisfactorily mitigated.
61. The changes in level at the front of the site between Calverton Road and the existing finished floor level of the school present challenging design issues. The proposed split-level design seeks to reduce the visual impact of the prominent extension when viewed from the highway, requiring cut-and-fill of the existing site topography. The consultation response from NCC Built Heritage Team has drawn attention to the original rural setting of the nearby listed former framework knitters' cottage and the green space to the front of the school is the last remnant in an otherwise urban area. However, the green space lies within an enclosed school frontage. GBRLP Policy ENV21 *Setting of Listed Buildings* will not grant planning permission for development which would adversely affect the setting of a listed building. NPPF Paragraph 134 advises that where development will lead to less than substantial harm, as advised by NCC Built Heritage Team, the harm should be weighed against the public benefits of the proposal. The merits of expanding the school to meet a justified demand for school places is considered to outweigh potential heritage harm which may arise, in compliance with GBRLP Policy ENV21 *Setting of Listed Buildings*.
62. The Foundation unit would be sited on an alignment to the rear of 91 Calverton Road. Although elevated above existing site levels in the southern corner, the scale and visual impact of the proposal in relation to 91 Calverton Road and the streetscene is considered to be acceptable. Gedling Borough Council has raised a concern over the length of proposed fencing included in the proposed development. The fencing is functional, either serving to retain

adjoining land because of the need to cut/fill the site to accommodate the development, or to provide visual screening. The proposed use of vertical logs to retain land is considered to be visually more appealing than an alternative such as brickwork, blockwork or stone filled gabions in the context of this school.

63. The submitted plans and analysis of the relationship to 91 Calverton Road suggests that the height and position of the garage at that property in combination with the proposed boundary fence to be erected on the site boundary to the rear of the garage would obstruct views that would otherwise potentially overlook from the first floor window in the south-west facing side elevation. To be certain that privacy would be adequately protected, it is recommended that the site is inspected during construction once the window opening is in place to determine whether any further measure, such as obscure glazing, is required in order to safeguard privacy (Condition 17).
64. The proposed extension would be of a modern innovative design based on the off-site assembly of modules that are then brought to site, resulting in quicker on-site construction and less disruption to day-to-day school activities. Although a proposed render finish would not match the brick of the original school, the proposed finish in combination with grey roof, guttering and rainwater goods is considered to be acceptable. The scale, siting and design of the proposed extension, including the palette of external materials specified on submitted drawings is considered to be acceptable in compliance with GBRLP Policy ENV1 *Development Criteria* which seeks to ensure that new development meets criteria related to design by means of scale, bulk, form, layout or materials. A specification for the brick has not been provided and is the subject of recommended Condition 13.
65. Particular consideration has been given to potential impact of noise, raised as a concern by Gedling Borough Council. The proposed height of the outdoor play enclosure, including acoustic fencing, has been determined having regard to the age/height of Foundation unit children. The proposed outdoor play area to the Foundation unit has been identified as a potential source of noise nuisance and the application has been modified in accordance with the recommendations of NCC Project Engineer (Noise) (Paragraph 39). Notwithstanding the concern raised by Gedling Borough Council and in consultation with NCC Project Engineer (Noise), it is considered that proposed mitigation would suitably attenuate noise impact affecting 91 Calverton Road, and as a safeguard, operational noise limits are recommended in Condition 22 (Plan 7).
66. The representation reported at Paragraph 51g) suggests that the fence should be extended along the whole length of the garage. However, NCC Project Engineer (Noise) has confirmed that this would not offer substantial benefit and is not considered to be necessary to make the development acceptable.
67. The adequacy of the baseline noise assessment has been questioned at Paragraph 51f), but NCC Project Engineer (Noise) has confirmed that the noise readings taken are representative and adequate for the purpose of establishing existing noise levels.

68. Noise from construction has the potential to impact on the amenity of neighbouring occupiers and a noise limit for construction activities is specified in recommended Condition 7, together with limits on hours of construction activities. The recommended condition includes a restriction on the hours during which earth shifting can take place on the site.
69. Parents and children approaching the school would pass close to the boundary with 91 Calverton Road, and the point at which the path turns would be at a level approximately 1.2m above existing ground level. The existing boundary hedge forms an effective screen to the neighbouring property when in leaf. Although a detailed specification has not been provided it is considered that evergreen planting between the path and the site boundary would mitigate potential loss of privacy to the kitchen window of 91 Calverton Road facing the school site. An appropriate landscape condition is recommended (Condition 15).

Other Options Considered

70. 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.

Statutory and Policy Implications

71. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, 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.

Financial Implications

72. Off-site highway works would be fully funded by the applicant as part of the project. There are no other financial implications arising from the development.

Crime and Disorder Implications

73. The site is located in an established residential area and benefits from perimeter security fencing. Although changes to school fencing are proposed, site security would not be compromised.

Human Rights Implications

74. Relevant issues arising out of consideration of the Human Rights Act have been assessed (including Right to a Fair Trial under Article 6). Rights under Article 8 (Right to Respect for Private and Family Life) and Article 1 of the First Protocol (Protection of Property) may be affected due to expansion of the school. The proposals have the potential to introduce noise and disturbance arising from increased activities close to the site boundary with 91 Calverton

Road. These potential impacts need to be balanced against the wider benefits the proposals would provide in meeting demand for school places set out in the National Planning Policy Framework. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Safeguarding of Children Implications

75. The proposal would impact on the secure line of the existing school, but would be satisfactorily addressed through the proposed alignment of replacement fencing.

Implications for Sustainability and the Environment

76. Sustainable construction design features are proposed, including heating and water efficiency, and the provision of PVs to reduce carbon impact in excess of Building Regulation requirements.
77. There are no implications for Service Users, Equalities, or Human Resources.

Statement of Positive and Proactive Engagement

78. In determining this application the County Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

79. 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 2. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

JAYNE FRANCIS-WARD

Corporate Director Policy, Planning and Corporate Services

Constitutional Comments

Planning & Licensing Committee is the appropriate body to consider the content of the report.

[SLB 03.07.14]

Comments of the Service Director - Finance

The financial implications are set out in the report.

[SEM 04.07.14]

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 and Members Affected

Arnold North

Councillor Pauline Allan

Councillor Michael Payne

Report Author / Case Officer

David Marsh

0115 9696514

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

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7010/CCD F/3064
4 July 2014

RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within 3 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 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. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application (and addendum received by the CPA on 5 June 2014), documents and recommendations of reports, and the following plans:

- a) Location Plan (Drawing AL(0)01 Rev A) received by the CPA on 19 May 2014.
- b) Block Plan (Drawing AL(0)02 Rev A) received by the CPA on 19 May 2014.
- c) Proposed Site Plan (Drawing AL(0)05 Rev D) received by the CPA on 2 July 2014.
- d) Proposed Lower Ground Floor Plan (Drawing AL(0)06 Rev B) received by the CPA on 18 June 2014.
- e) Proposed Upper Ground Floor Plan (Drawing AL(0)07 Rev B) received by the CPA on 18 June 2014.
- f) Proposed Elevations – Sheet 1 (Drawing AL(0)09 Rev C) received by the CPA on 2 July 2014.
- g) Proposed Elevations – Sheet 2 (Drawing AL(0)09 Rev B) received by the CPA on 18 June 2014.
- h) Proposed Roof Plan (Drawing AL(0)08 Rev B) received by the CPA on 18 June 2014.
- i) Existing Elevations with Proposed Building Outline (Drawing AL(0)04 Rev B) received by the CPA on 18 June 2014.
- j) Proposed Site Sections (Drawing AL(0)09 Rev B) received by the CPA on 2 July 2014.

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

4. Notwithstanding details shown on the approved plans, details of any external fixed plant or machinery shall be submitted to and approved in writing by the CPA prior to being erected or installed. Development shall be carried out in accordance with the approved details.

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

5. Unless otherwise agreed by the CPA in writing, no tree, shrub, scrub or other vegetation clearance works shall be carried out between the months of March to August inclusive.

Reason: To avoid disturbance to birds during the breeding season.

6. Prior to the commencement of development, details of the method of working during the construction phase, in the form of an environmental management plan, to include:
 - a. measures for the control of noise, vibration and dust emissions;
 - b. a scheme for the recycling/disposal of surplus soils and waste resulting from construction;
 - c. segregation of school users from construction activities; and
 - d. measures to reasonably safeguard the privacy of the occupiers of 91 Calverton Road

shall be submitted to and approved in writing by the CPA. All construction shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the CPA.

Reason: In the interest of highway safety and to protect the amenities at present enjoyed by the occupiers of nearby residential properties.

7. Unless in the event of an emergency, or as otherwise may be previously agreed in writing with the CPA;
 - a. no construction work shall take place on Sundays, Public or Bank Holidays;
 - b. no construction deliveries to site shall take place on any school day other than between 09:15-14:30 hours and 15:30-18:00 hours;
 - c. no construction deliveries to site shall take place on any non-school day other than between 07:30-18:00 hours;
 - d. no construction work shall be carried out or plant operated except between 07:30 hrs – 18:00 hrs Mondays to Fridays and 07:30 hrs – 13:00 hrs on Saturdays;

- e. no earth moving operations shall be carried out except between 08:00 hrs – 18:00 hrs Mondays to Fridays and 08:00 hrs – 13:00 hrs on Saturdays; and
- f. noise generated by construction activities on the site shall not exceed 65dB (L_{Aeq, 15mins}) measured at position X on Drawing 7/2014/0677NCC/1 attached to this grant of planning permission.

Reason: To safeguard the amenity of nearby residents.

- 8. If during development, contamination not previously identified is found to be present, no further development shall be carried out, unless first agreed in writing by the CPA, until a remediation strategy to deal with the unsuspected contamination has been submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the site is remediated to an appropriate standard.

- 9. Prior to any works of demolition of the existing school building taking place, a destructive asbestos survey at the interface of the existing building and proposed extension shall be undertaken in accordance with Nottinghamshire County Council's *Code of Practice for Carrying Out Work that may Disturb ACMs (Asbestos Containing Materials)* (NCC Code of Practice) in respect of asbestos containing materials, and submitted to the CPA. In the event that the survey indicates the presence of asbestos, details of the steps to be followed in the NCC Code of Practice to manage the risk associated with asbestos shall be submitted to the CPA, and development shall be carried out in accordance with the approved details.

Reason: To ensure that the risk associated with asbestos containing materials is appropriately managed.

- 10. Prior to the commencement of main site works, a scheme of foul and surface water drainage works shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the site is drained in a satisfactory manner and to safeguard against risk of flooding.

- 11. Prior to the commencement of main site works, a 2.0m high close boarded fence shall be erected on the boundary with 91 Calverton Road in the position indicated on approved Drawing AL(0)05 Rev D in accordance with a design specification that shall first be submitted to and approved in writing by the CPA.

Reason: To safeguard the privacy that the occupiers of 91 Calverton Road could reasonably expect to enjoy.

12. Prior to the commencement of main site works, or such other timescale as shall first be agreed in writing by the CPA, details of the appearance and acoustic qualities of permanent acoustic fencing to be erected on at the edge of the outdoor play area in the position shown on approved Drawing AL(0)05 Rev D, shall be submitted to and approved in writing by the CPA. The acoustic fence shall be installed in accordance with the approved specification prior to the outdoor play area first being brought into use.

Reason: To reasonably safeguard against noise breakout from the outdoor play area.

13. Prior to use on site, a sample of the proposed facing brick (brick plinth) shall be submitted to and approved by the CPA in writing. The development shall be constructed using the approved facing materials and finishes specified in the application and as approved pursuant to this condition, other than with the prior written consent of the CPA.

Reason: In the interest of visual amenity in compliance with Gedling Borough Replacement Local Plan Policy ENV1 Development Criteria.

14. Prior to being erected on site, details of the facing materials to be used in the construction of the storage building to be sited on the outdoor play area shall be submitted to and approved by the CPA in writing. The storage building shall be constructed in accordance with the approved details.

Reason: In the interest of visual amenity in compliance with Gedling Borough Replacement Local Plan Policy ENV1 Development Criteria.

15. Within 3 months of the commencement of development, a scheme of landscaping to include:

- a) tree and shrub types, sizes and planting densities which shall be native and/or wildlife friendly ornamental species;
- b) details of tree pits;
- c) a seed mix specification for grassed areas;
- d) a programme and specification for the provision and maintenance of proposed landscaping, including reference to the maintenance of proposed evergreen planting adjacent to 91 Calverton Road (Drawing AL(0)05 Rev D) at a height appropriate to safeguard against overlooking of the neighbouring property; and
- e) temporary screening to reasonably safeguard the privacy of the occupiers of 91 Calverton Road until such time as screen planting becomes established to the satisfaction of the CPA

shall be submitted to and approved by the CPA in writing.

Other than as may be agreed in the programme for the provision of landscaping and planting, the approved landscaping and planting scheme shall be completed not later than the first planting season following the development first being brought into use. Any tree, plant or shrub that fails to become established within 5 years of the completion of the approved planting and landscaping scheme shall be replaced to the satisfaction of the CPA.

Reason: In the interest of visual amenity in compliance with Gedling Borough Replacement Local Plan Policy ENV1 Development Criteria.

16. Within 3 months of the commencement of development, a scheme making provision for bat roosting in accordance with Paragraph 5.4.5 of the Ecological Appraisal supporting the application and a timescale for implementation, shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: In the interest of ecology in compliance with National Planning Policy Framework Section 11 – Conserving and enhancing the natural environment.

17. Notwithstanding details submitted in support of the application, prior to the south-west facing first floor window of the approved development being glazed (Drawing AL(0)09 Rev B – Elevation 2), the site shall be inspected by the CPA to determine whether additional treatment will be required, other than the installation of clear glazing. The form of glazing or other treatment of the window shall be approved in writing by the CPA prior to being installed. Development shall be carried out in accordance with the approved details and shall be so retained throughout the life of the development.

Reason: In order to safeguard the privacy that neighbouring occupiers could reasonably expect to enjoy.

18. Details of external light fittings and columns to be installed on the building and within the grounds of the site shall be submitted to and approved in writing by the CPA. Prior to being installed a lux plot of proposed lighting shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details and shall be installed prior to the development first being brought into use, unless otherwise first agreed in writing with the CPA. All light fittings shall be shielded as appropriate to minimise the level of light spillage outside the application site.

Reason: In the interest of visual amenity.

19. Prior to first being brought into use in conjunction with the school extension approved by this planning permission, the car parking spaces approved by this application shall be constructed, drained so as to prevent surface water running on to the public highway, surfaced and marked out to the satisfaction of the CPA.

Reason: To ensure the provision of satisfactory car parking in accordance with the permission granted.

20. Prior to the development approved by this permission first being brought into use, a review of the School Safety Zone, including a timetable for implementation of measures to be carried out on the public highway, shall be submitted to and approved in writing by the CPA. Recommended measures in the review of the School Safety Zone (to be approved) shall be implemented to the satisfaction of the CPA in accordance with the approved details.

Reason: In the interest of highway and pupil safety.

21. Within three months of the development hereby permitted first being brought into use, a review of the School Travel Plan shall be submitted to and approved in writing by the CPA. The School Travel Plan Review shall set out proposals (including targets, a timetable, monitoring and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the CPA and shall include arrangements for the monitoring of progress of the proposals. The School Travel Plan Review shall be implemented in accordance with the timetable set out in that document unless otherwise agreed in writing by the CPA.

Reason: To promote sustainable modes of travel and in the interest of highway safety.

22. External activity noise levels arising exclusively from the new play areas shall not exceed 55dB $L_{Aeq, 15mins}$ except during defined school break/lunch times when the total noise level from the school site shall not exceed 67dB $L_{Aeq, 15mins}$ when measured at position X on Drawing 7/2014/0677NCC/1 attached to this grant of planning permission. In the event that noise levels exceed those specified in this condition, mitigation measures (which may include a management plan to ensure compliance with the specified noise limits) and a timescale for implementation, shall be submitted to and approved in writing by the CPA.

Reason: To safeguard the amenity which neighbouring occupiers could reasonably expect to enjoy.

Informatives/notes to applicants

1. With reference to Condition 6a), the applicant should submit a construction noise management plan detailing the proposed plant to be used on site, along with an assessment of the predicted noise levels at the nearest receptors proposing where necessary noise mitigation measures to comply with the noise limit of 65dB(A) in BS5228-1:2009 *Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1:Noise*.
2. In the unlikely event that a bat is encountered during construction, the CPA should be advised, the advice of an ecologist should be sought and work should cease until a methodology as to how to proceed has been agreed.

3. NCC Countryside Access Team advises that a public footpath runs adjacent to the site. The availability of Arnold Parish Footpath No.11 (Churchmoor Lane) must remain available unless subject to appropriate diversion or closure orders. Potential path users should not be impeded or endangered.
4. Western Power Distribution has identified low voltage cables crossing the application site that would be impacted by the proposed development. A copy the consultation response dated 28 May 2014 is enclosed.
5. National Grid has identified that apparatus would be impacted by the proposed development. A copy the consultation response dated 30 May 2014 is enclosed.



Policy statement – planning for schools development

The Secretary of State for Communities and Local Government (Mr Eric Pickles) and the Secretary of State for Education (Mr Michael Gove) wish to set out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. This statement supersedes the Statement of 26 July 2010.

The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools - which include Academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards. For instance, creating free schools remains one of the Government's flagship policies, enabling parents, teachers, charities and faith organisations to use their new freedoms to establish state-funded schools and make a real difference in their communities. By increasing both the number of school places and the choice of state-funded schools, we can raise educational standards and so transform children's lives by helping them to reach their full potential.

It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations. We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, "yes".

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- **There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.**
- **Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their**

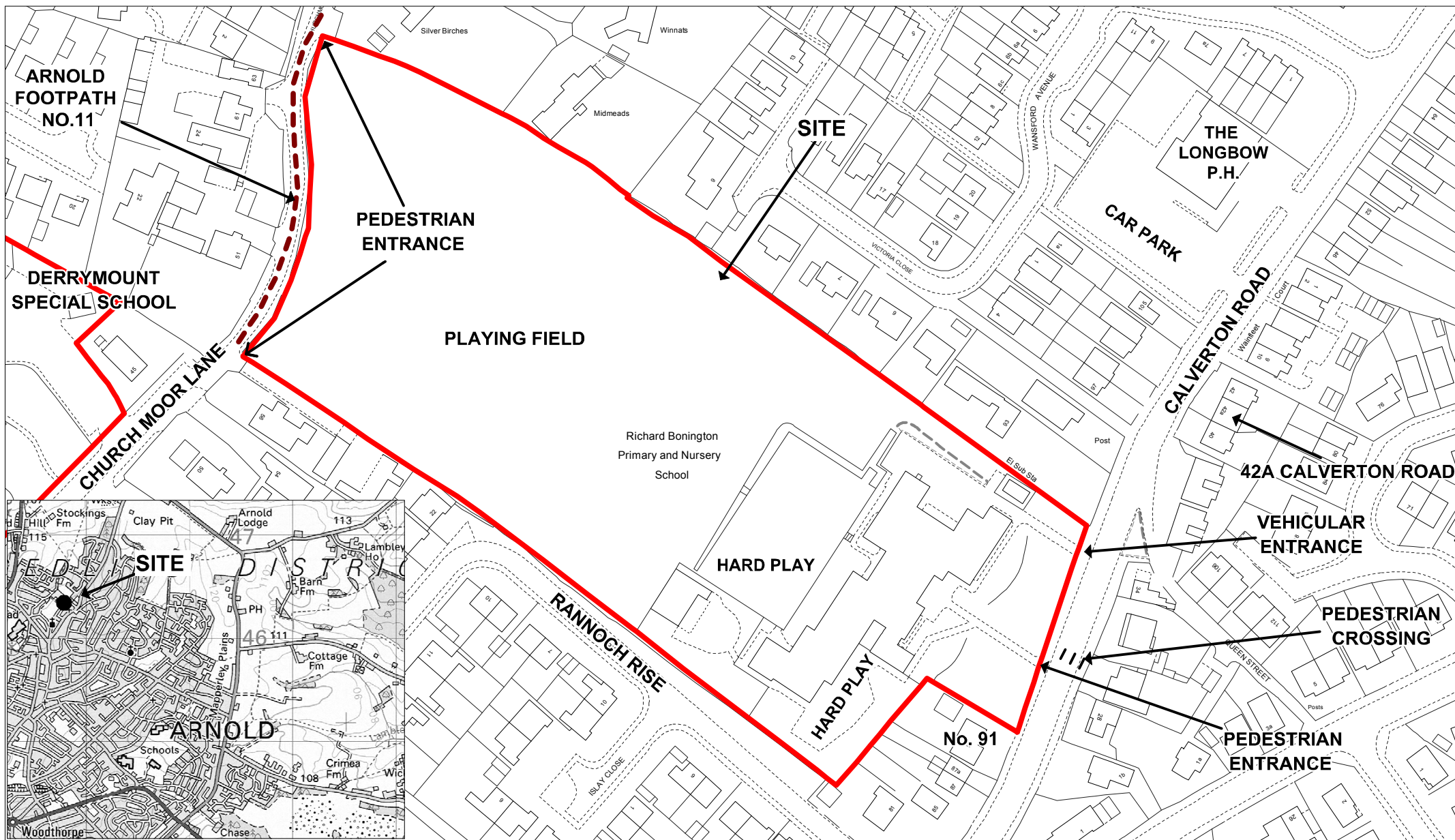
planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.

- **Local authorities should make full use of their planning powers to support state-funded schools applications.** This should include engaging in pre-application discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.
- **Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.** Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
- **Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible,** and in particular be proportionate in the information sought from applicants. For instance, in the case of free schools, authorities may choose to use the information already contained in the free school provider's application to the Department for Education to help limit additional information requirements.
- **A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.** Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.
- **Appeals against any refusals of planning permission for state-funded schools should be treated as a priority.** Where permission is refused and an appeal made, the Secretary of State will prioritise the resolution of such appeals as a matter of urgency in line with the priority the Government places on state education.
- **Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.**

This statement applies to both change of use development and operational development necessary to the operational needs of the school.

The Government is today publishing a summary of the responses to its consultation, *Planning for Schools Development*, and will continue to explore whether there is further scope and need for the planning system to do more to support state-funded schools, and in particular, free schools in the future.

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**Nottinghamshire
County Council**

Erection of Split Level (in Part 2 Storey) Foundation, Studio Hall and Food Science Extension, Canopy and Associated External Works, Ramped Accesses and 11 Space Car Park (Including 2 Disability Parking Spaces). New Pedestrian Access. 2.4m Security Fencing and Gates.

Richard Bonington Primary and Nursery School, Calverton Road, Arnold
Applicant: NCC Children, Families and Cultural Services, District Ref. No.: 7/2014/0677NCC

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PLAN 1





**Nottinghamshire
County Council**

Erection of Split Level (in Part 2 Storey) Foundation, Studio Hall and Food Science Extension, Canopy and Associated External Works, Ramped Accesses and 11 Space Car Park (Including 2 Disability Parking Spaces). New Pedestrian Access. 2.4m Security Fencing and Gates.

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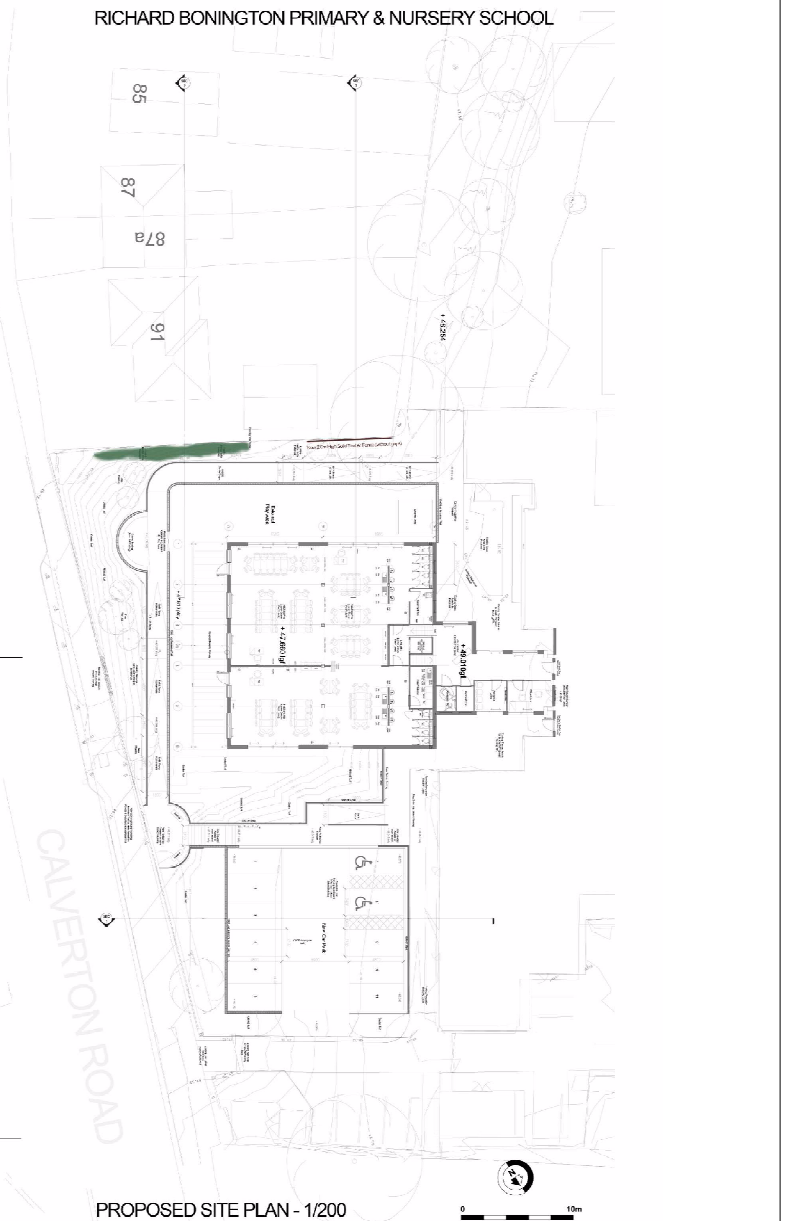
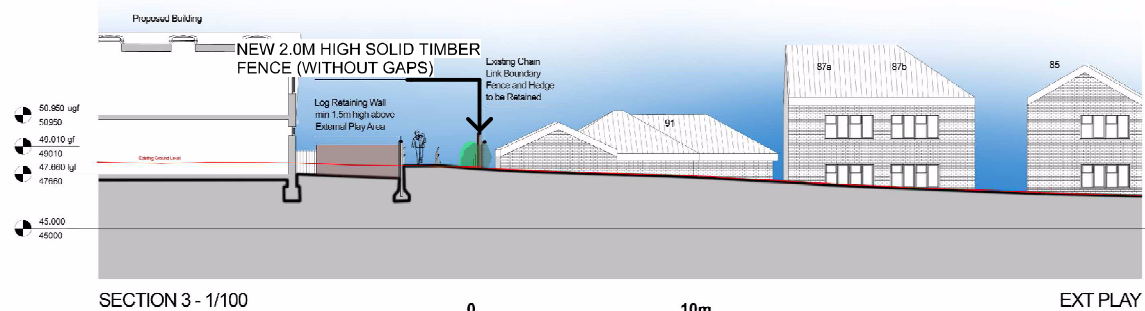
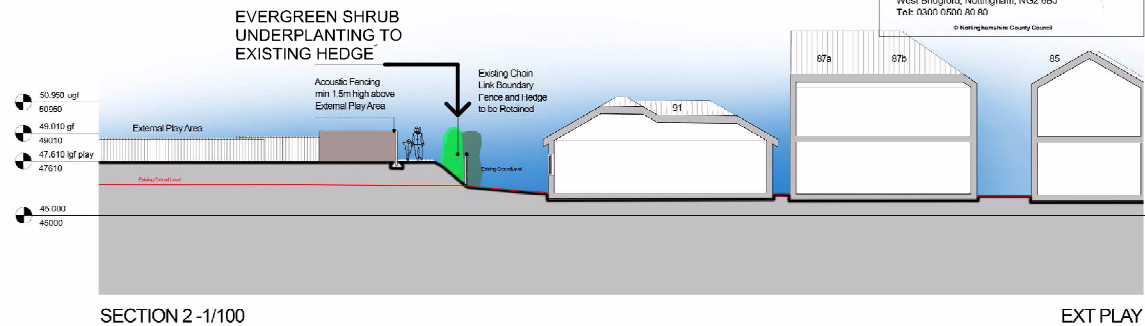
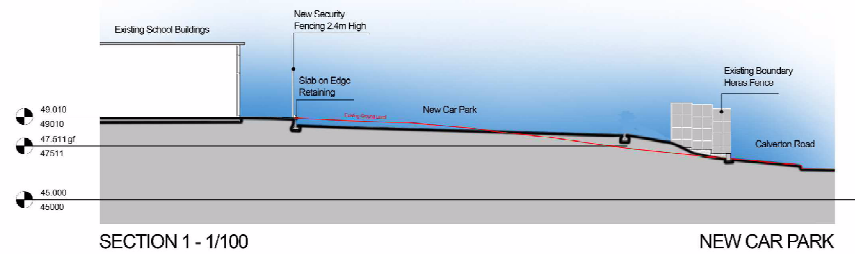
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PLAN 5

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PLANNING ISSUE

B. PLANNING APPLICATION ISSUE		JS	02.07.14	
REVISED PERIMETER HEIGHT 2.0M				
ACOUSTIC FENCING TO EXT PLAY				
RETAINING WALL TO CP OMITTED				
A. PLANNING APPLICATION ISSUE		JS	17.08.14	
Ref:	Description:	Drawn/	Test/	Auth/
Date:				
Project:				
BASIC NEED 2014				
RICHARD BONINGTON PRIMARY SCHOOL				
CALVERTON ROAD, ARNOLD, NOTTINGHAM.				
NG5 8FQ.				
Property No:	Project No:			
01437	P.Y.BE.29011			
Title				
PROPOSED SITE SECTIONS				
Scale for A1 drawing:	Drawn:	JS	Date:	MAR 2014
1:50 @ A1	Checked:		Date:	
	Auth:		Issued:	
Drawing No:	Rev:			
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Nottinghamshire County Council

Erection of Split Level (in Part 2 Storey) Foundation, Studio Hall and Food Science Extension, Canopy and Associated External Works, Ramped Accesses and 11 Space Car Park (Including 2 Disability Parking Spaces). New Pedestrian Access. 2.4m Security Fencing and Gates.

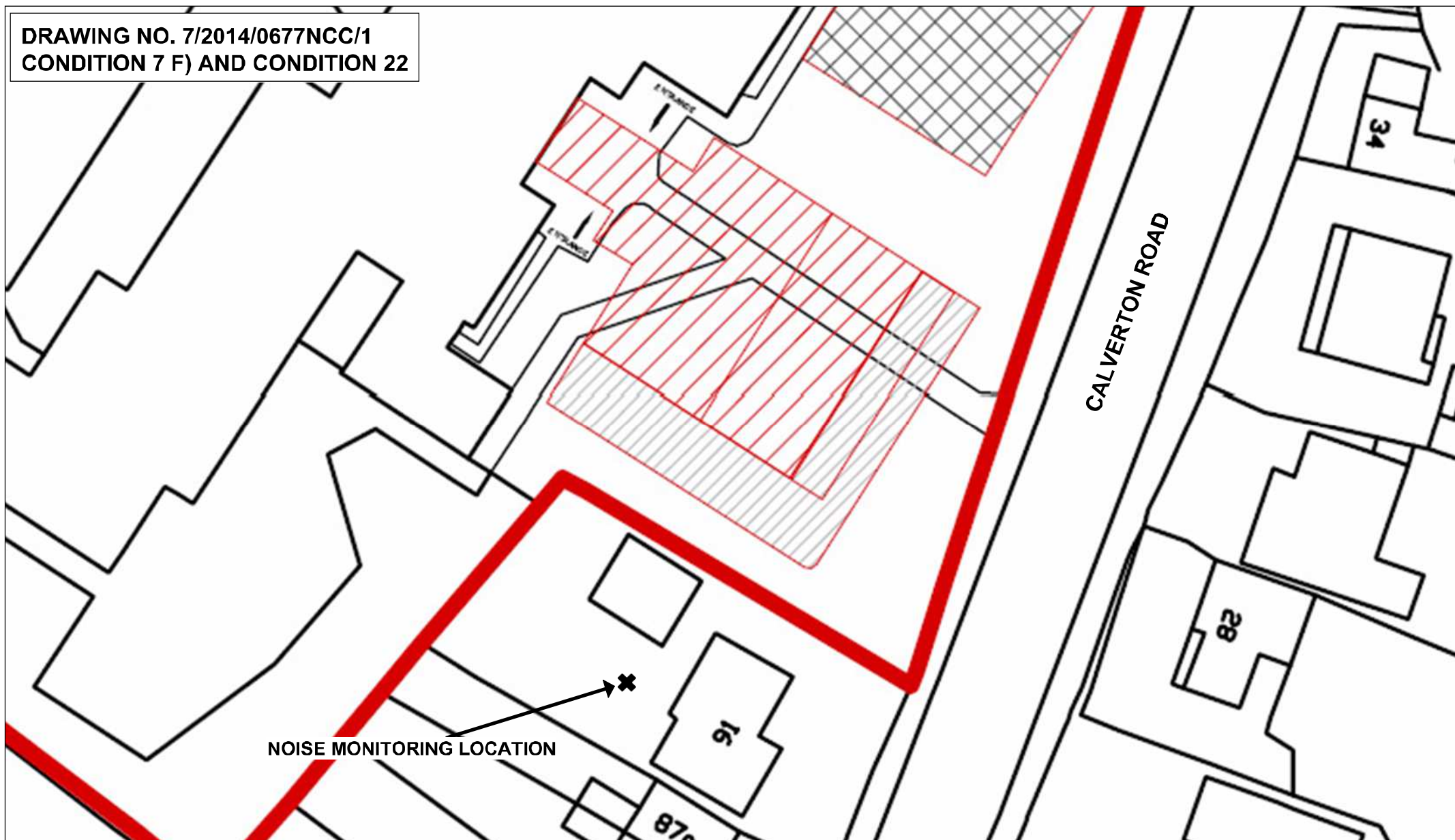
Richard Bonington Primary and Nursery School, Calverton Road, Arnold
 Applicant: NCC Children, Families and Cultural Services, District Ref. No.: 7/2014/0677NCC

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PLAN 6



**Nottinghamshire
County Council**

Erection of Split Level (in Part 2 Storey) Foundation, Studio Hall and Food Science Extension, Canopy and Associated External Works, Ramped Accesses and 11 Space Car Park (Including 2 Disability Parking Spaces). New Pedestrian Access. 2.4m Security Fencing and Gates.

Richard Bonington Primary and Nursery School, Calverton Road, Arnold
Applicant: NCC Children, Families and Cultural Services, District Ref. No.: 7/2014/0677NCC

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PLAN 7

15 July 2014**Agenda Item:7****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND
CORPORATE SERVICES****RUSHCLIFFE DISTRICT REF. NO.: 8/14/00781/CMA**

PROPOSAL: PROPOSED EXTENSION TO THE END OF LIFE VEHICLE
DEPOLLUTION AND DISMANTLING OPERATIONS TO ALLOW THE
DISMANTLING, DEPOLLUTION AND STORAGE OF END OF LIFE
VEHICLES. THE DEVELOPMENT INCLUDES THREE NEW BUILDINGS,
COMPRISING A CABIN, AN OFFICE AND A DEPOLLUTION SHED.

LOCATION: LANGAR NORTH TRADING ESTATE, HARBY ROAD, LANGAR

APPLICANT: GLEN BARRY METALS LTD

Purpose of Report

1. To consider a planning application for an extension to the existing scrap metals business at Glen Barry Metals Ltd to provide an extension to the existing vehicle dismantling, depollution and storage facility. The key issues relate to the impact of additional heavy goods vehicles (HGVs) on the public highway and pollution. The recommendation is to grant planning permission subject to conditions.

The Site and Surroundings

2. Glen Barry Metals Ltd operates a metals recycling business within Langar North Trading Estate approximately 1.3 kilometres south east of Langar village (see Plan 1). The trading estate, which is accessed off Harby Road to the west, is on the northern edge of Langar Airfield, a former RAF airfield used as a base for skydiving and parachuting, and there are a number of other industrial units close by, including John Deere, agricultural engineering premises, to the west. There are other industrial areas to both the north and the south, although the surrounding area is predominately agricultural. Langar Airfield Local Wildlife Site (LWS), designated for its botanical and butterfly interest, is located approximately 15 metres west of the site but much of it lies within the John Deere site and is subject to regular mowing.

3. The nearest residential property is Fairfield which is also a cattery and is located approximately 730 metres north east of the application site with Barnstone Lodge a further 400 metres to the east of this. Little Langar Lodge and Langar Lodge are 650 metres and 750 metres south west of the application site respectively. A residential mobile home park (Langar Woods) is one kilometre to the northwest of the application site whilst Barnstone village is approximately 1.5 kilometres to the north (see Plan 1).
4. The existing operational site covers an area of approximately 1.3 hectares and comprises site offices, parking, a weighbridge, a vehicle depollution building, a building for the storage and processing of waste electrical and electronic equipment and non-ferrous metals, a metal shredder and picking station, and storage areas. A wider area of almost three hectares within the applicant's ownership is enclosed by 2.5 metre high palisade fencing.
5. The metals recycling business at the site is carried out under a planning permission granted in March 2004 (8/03/01676/CMA). Since then, a number of other permissions have been granted for the site for:
 - 8/04/01428/CMA – vehicle depollution building;
 - 8/07/02491/CMA – site offices;
 - 8/09/01839/CMA – waste electrical and electronic equipment building;
 - 8/12/00553/CMA – metal shredding and recycling system;
 - 8/12/00922/CMA – building to house a generator.
6. The application area is to the south west of the existing business but within the area enclosed by the palisade fencing. It is a rectangular shaped piece of hardstanding land extending to approximately 0.3 hectares.

Proposed Development

7. The planning application states that the installation of the metal shredding and recycling system under planning permission reference 8/12/00553/CMA has reduced the amount of space available for the existing end of life depollution operations and so it is proposed to expand this part of the business into the application area. The proposed site configuration is set out on Plan 2.
8. The depollution building would be located on the northern boundary of the site and would measure ten metres by five metres with a shallow mono-pitch roof giving the building a height of between 3.7 metres on the northern elevation and 4.5 metres on the southern. It would be clad in light grey steel cladding and would be predominately open on its eastern elevation. The building would have a sealed drainage area contained by a 15 – 20cm high concrete bund to capture all the vehicle fluids and there would be individual bunded storage tanks within the depollution building for all the various fluids.
9. Two portable buildings would also be located on the northern boundary to provide office and welfare facilities whilst there would be eight parking spaces marked out in the north east corner of the site. The entire application area would be enclosed by another concrete bund and surface water run-off would drain into an interceptor and then to a soakaway.

10. The application states that the site would process no more than 5,000 tonnes of waste per annum to meet the requirements of the Environment Agency's standard rules permit. The operator presently depollutes approximately 500-600 vehicles per annum and the proposed development would allow an additional 200-300 vehicles to be dealt with. The application states that vehicles are usually delivered and then removed from site in bulk but, even if 900 vehicles per annum are delivered and removed in individual journeys by recovery vehicles or similar heavy goods vehicles (HGVs), this would only generate six vehicle movements per day (three in and three out). In addition to this, the application anticipates an additional three jobs being created in addition to the one existing job. These staff would therefore generate eight car movements per day (four in and four out). Finally, visitors to the site would generate an additional four visits to the site and so the total number of vehicles visiting the site per day is anticipated to be 18 (nine in and nine out).
11. The proposed depolluting facility would operate from 8am until 4.30pm Mondays to Fridays and from 8am until 1pm on Saturdays. There would be no working on Sundays, Public and Bank Holidays.

Consultations

12. ***Rushcliffe Borough Council*** has no objection to the application subject to conditions regarding the commencement of the development and the hours of operation.
13. ***Langar-cum-Barnstone Parish Council*** objects to the application due to the increased HGV movements along the sole unrestricted route in the area, a road which is already overused and is not fit for purpose. This is despite the parish council fully supporting the development of new businesses in the parish.
14. ***The Environment Agency*** notes that the proposed development would be classified as a waste management activity and unpolluted end-of-life vehicles and some of their components are classified as hazardous wastes. The development would require an environmental permit from the Environment Agency.
15. ***NCC (Nature Conservation)*** notes that the application site is within 15 metres of part of the Langar Airfield Local Wildlife Site (LWS), designated for its botanical and butterfly interest. Aerial photos indicate that this part of the LWS is subject to regular mowing and, in any event, no direct impact on the site can be expected as a result of the proposals. The site itself is already developed and can be expected to have no or negligible nature conservation interest. The depollution activities do not generate significant levels of noise and pollution of the water environment appears unlikely based on the information submitted. Therefore, the proposed development would appear unlikely to give rise to any significant ecological impacts.
16. ***NCC (Highways)*** notes that the site is located some distance from the public highway and would only generate 18 additional vehicles movements per day. The existing access off the public highway is considered sufficient to deal with

these movements and no alterations are proposed within the public highway. It is considered that the proposals would have a minimal impact on the highway network and therefore no objections are raised.

17. **NCC (Reclamation)** considers that the previous use of the site (storage of plant, equipment and containers) would have presented the potential for localised contamination from leakage and spillage. The presence of the concrete hardstanding would have attenuated any discharges but would not have prevented ultimate seepage into the underlying ground.
18. *There is no detailed drawing of the concrete pad and sealed drainage and no indication as to where and how the drainage system collects and discharges surface waters and spillages. There are also no details regarding the bunding of tanks or bunding at the periphery of the concrete slab, nor details of the oil interceptor. The run-off from the roofs of the proposed buildings on site would appear to discharge to the surface which could perhaps be collected and used for dust suppression. There appears to be conflicting messages in the supporting statement regarding the disposal of surface water.*
19. **Western Power Distribution** has assets in close proximity to the application boundary.
20. **National Grid (Gas)** and **Severn Trent Water Limited** have not responded on the application.

Publicity

21. The application has been advertised by means of a press notice in the Nottingham Post and site notices on the site boundary and close to the point where the access road meets Harby Road, in accordance with the County Council's Adopted Statement of Community Involvement.
22. Councillor Richard Butler has been notified of the application.
23. No issues have been raised.

Observations

Planning policy considerations

24. There are a number of policies in the Nottinghamshire and Nottingham Waste Core Strategy (WCS) against which the application requires assessment although it is somewhat difficult to assess the proposals against Policy WCS4 (Broad Locations for Waste Management Facilities) due to the criteria the policy uses to differentiate between different sized metal recycling facilities, criteria which is detailed in Appendix 2 of the WCS. The appendix details indicative sizes for various types of waste management facilities and considers a small metal recycling facility to be one which operates on a site between 0.5 and one hectare in size with a throughput of less than 20 tonnes per annum; a medium sized facility is between one and two hectares in size

with a throughput of between 21 and 99 tonnes per annum; and a large facility is between two and three hectares in size with a throughput of over 100 tonnes per annum. The application area is 0.3 hectares (less than the size of a small facility) and would increase throughput at the site by an additional 200-300 vehicles. Given that the average car weighs over a tonne, this level of throughput would class the site as a large facility.

25. In addition to setting out these indicative sizes for different types of waste management facilities, Appendix 2 also states that they are “assumptions about the likely size and capacity” of various facilities and the list “is not intended to be absolute as what is regarded as small, medium or large is likely to change over time as technologies advance”. Appendix 2 further states that “these assumptions have been developed from research studies, other waste plans and discussions with the waste management industry”.
26. The supporting text to Policy WCS4 does state that the WCS has “adopted a broadly hierarchical approach based on the population and geography to focus sites where they are most needed. This approach is supported by a more detailed set of site criteria (see Policy WCS7) to establish the types of locations that would be considered suitable for different types of waste management use/facilities”.
27. Policy WCS7 sets out which types of waste management facilities would be supported in a variety of locations, such as community sites, employment land, derelict land/other previously developed land, open countryside/agricultural land, and in the Green Belt. Small, medium and large metal recycling facilities are all considered to be appropriate on employment land (but not in other locations) and the application site is located in an area identified as employment land in the Rushcliffe Non-Statutory Replacement Local Plan. There is therefore clear policy support for the application under Policy WCS7, irrespective of what size the site is categorised as under Policy WCS4, and it is considered that this matter should be given significant weight given the ambiguity surrounding how this particular site should be categorised under Policy WCS4.
28. It is also considered important to take into account the existing waste management facility that this proposal would form part of, a facility which is well established, well run and the subject of little concern to the Waste Planning Authority in terms of complaints from the public. It is a recycling facility and so accords with Policy WCS3 and, according to the applicant, its extension should allow this existing facility to be operated as a whole in a more organised manner in accordance with Policy WCS8, although any potential environmental impacts need to be considered to ensure compliance with Policy WCS13 and various policies in the Waste Local Plan (WLP). These are now considered in turn below.

Traffic impacts

29. An objection has been received from Langar-cum-Barnstone Parish Council regarding the increase in HGVs that would be entering the site, vehicles which would travel from the A52 to the north and along the eastern edge of Langar

village as they head south towards the site. The application anticipates three HGVs entering and leaving the site per day, or six HGV movements, in addition to staff and visitor vehicles.

30. It is accepted that there are significant numbers of HGVs travelling along this road associated with the various businesses operating from the industrial areas to the south of the village but the additional HGVs which would result from the proposed development has not raised any concerns with the Highways Authority, which describes the increase as 'negligible'. The Highways Authority has also confirmed that they are unaware of any significant issues relating to HGV movements on roads surrounding the industrial estate. It is therefore considered that the proposed development does accord with Policy W3.14 (Vehicular Movements) of the WLP as the additional vehicle movements can be accommodated by the highway network and the small increase in vehicle numbers would not result in an unacceptable disturbance to the local community or result in an unacceptable cumulative impact which Policy WCS13 of the WCS seeks to prevent.
31. Even though there are no other HGV limitations on any of the other planning permissions associated with the site (the only limitation is a 20,000 tonne per annum limit on the amount of metal processed under planning permission 8/12/00553/CMA for the metal shredding and recycling system which reflected the details submitted in the application), it is considered appropriate to attach a condition to any planning permission granted for this depollution facility to limit the number of HGVs entering the site to 18 (36 movements) per week which would be the equivalent to the three HGVs (six movements) per day set out in the planning application, albeit with a small amount of flexibility built in. The condition would require the operator to keep records of the number of HGVs associated with the development and would require these details to be submitted to the Waste Planning Authority on request.

Pollution issues

32. Operations within the proposed development have been designed to take place on existing hardstanding and the entire site, apart from the north west corner of the site where the depollution building and two portable buildings would be located, would be retained by a concrete kerb, except at the site entrance where there would be a rolling bund. These features would allow surface waters to be retained within the site and drained to an underground interceptor prior to discharging via a soakaway. The depollution building itself would have a concrete base and retaining kerb with a rolling bund at its entrance, whilst the storage containers for the various fluids would be individually bunded to provide 110% capacity, or double skinned, in case of any leakages. Conditions requiring details of both kerbs and rolling bunds to be submitted and installed as approved, along with confirmation that fluids would be stored in containers which prevent pollution, have been recommended by the County Council's Reclamation Officer and are considered appropriate in order to minimise the risk of pollution.
33. The underground interceptor would need to be agreed with the Environment Agency (EA) as part of the Environmental Permit process and the EA has

highlighted the need for a permit in its consultation response. The application states that this would be a Standard Rules SR2011 No 3 permit for vehicle storage, depollution and dismantling (authorised treatment). A final matter which requires consideration is another surface water drain which drains to the soakaway but without passing through the interceptor. The applicant is proposing to construct a bund around this drain so that no surface waters from the site can drain into it, although any rain falling directly onto it would continue to drain through it. A condition requiring these works to be carried out prior to the site becoming operational is also considered appropriate. With the recommended conditions and the environmental permit in place, it is considered that the proposed development accords with Policy W3.5 (Pollution Issues) of the WLP.

34. It is not considered that the proposed development would give rise to noise complaints given its location in an established industrial area and, with a condition in place to control the hours of operation permitted at the site, it is considered that the proposed development would accord with Policy W3.9 of the WLP. The County Council's Nature Conservation Officer considers that the nearby Local Wildlife Site would not be impacted by the proposed development as the grassland is subject to mowing on a regular basis and the nature of the proposed development would not have an impact in any event.
35. It is recommended that the consultation response from Western Power Distribution, highlighting assets in close proximity to the application site, is attached to any planning permission granted.

Other Options Considered

36. 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.

Statutory and Policy Implications

37. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, 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.
 - Implications for Service Users – the proposed development would provide additional recycling facilities potentially available to all in the county.
 - Crime and Disorder Implications – the application area is within a wider area, including the existing operational area, which is surrounded by security fencing.

- Implications for Sustainability and the Environment – these are considered in the Observations Section above.
38. There are no financial, equalities, safeguarding of children, and human resource implications.

Statement of Positive and Proactive Engagement

39. In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations and consultation responses received. Issues of concern such as potential pollution issues have been raised with the applicant and addressed through negotiation and the imposition of planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

40. It is RECOMMENDED that planning permission be granted 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.

JAYNE FRANCIS-WARD

Corporate Director Policy, Planning and Corporate Services

Constitutional Comments (CEH 27.06.14)

“The recommendation falls within the remit of the Planning and Licencing Committee by virtue of its terms of reference.”

Comments of the Service Director - Finance (SEM 25.06.14)

“There are no specific financial implications arising directly from this report.”

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 and Member Affected

Councillor Richard Butler

Cotgrave

Report Author/Case Officer Jonathan Smith 0115 9696502

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

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RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within 3 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 Waste Planning Authority (WPA) shall be notified in writing of the date of commencement of site preparation works at least 7 days, but not more than 14 days, prior to the commencement of the development.

Reason: To enable the WPA to monitor compliance with the conditions of the planning permission.

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

- (a) Planning application forms and Planning Statement received by the WPA on 8 April 2014;
- (b) Drawing Number GPP/GBM/LA/14/02 Revision 1 – Site Plan received by the WPA on 8 April 2014;
- (c) Drawing Number GPP/GBM/LA/14/03 Revision 1 – Existing Site Layout received by the WPA on 8 April 2014;
- (d) Drawing Number GPP/GBM/LA/14/04 Revision 4 – Proposed Site Layout received by the WPA on 9 May 2014;
- (e) Drawing Number GPP/GBM/LA/14/05 – Office Elevations received by the WPA
- (f) Drawing Number GPP/GBM/LA/14/06 Revision 1 – Cabin Elevations received by the WPA on 8 April 2014;
- (g) Drawing Number GPP/GBM/LA/14/07 v2 – Proposed Elevations – De-Polluting Building received by the WPA on 9 May 2014.

Reason: For the avoidance of doubt.

4. Prior to their use on site, samples of the materials to be used in the construction of the external surfaces of the depollution building, cabin building and office building hereby permitted shall have been submitted to, and been approved in

writing by, the WPA. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policy W3.3 of the Nottinghamshire and Nottingham Waste Local Plan.

5. Except in the case of an emergency when life, limb or property are in danger (with such instances being notified in writing to the WPA within 48 hours of their occurrence), or with the prior written approval of the WPA, the following shall not take place except within the hours specified below:

Monday to Friday	8am – 4.30pm
Saturday	8am – 1pm
Sunday, Public or Bank Holidays	Not at all

Reason: To minimise the impact of the development on the amenity of the local area in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

6. No vehicles shall be depolluted on the site until the concrete kerb and rolling bund, as identified on Drawing Number GPP/GBM/LA/14/04 Revision 4 – Proposed Site Layout received by the WPA on 9 May 2014 has been constructed in accordance with details previously submitted to, and approved in writing by, the WPA. The kerb and bund shall be constructed in accordance with the approved details and shall be maintained thereafter.

Reason: To minimise the risk of pollution in accordance with Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan.

7. All vehicle fluids removed during the depollution process shall only be stored in the depollution building and in containers which are double skinned or which have a capacity at least equivalent to the capacity of the tank plus 10% or, if there is more than one container within the system, of not less than 110% of the largest container's storage capacity or 25% of their aggregate storage capacity, whichever is the greater.

Reason: To minimise the risk of pollution in accordance with Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan.

8. The surface water drain in the north west corner of the site shall be suitably bunded in accordance with details previously submitted to, and approved in writing by, the WPA to prevent ingress of surface waters from the site prior to any vehicles being depolluted on the site. The bunded drain shall be constructed in accordance with the approved details and maintained throughout the life of the development.

Reason: To minimise the risk of pollution in accordance with Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan.

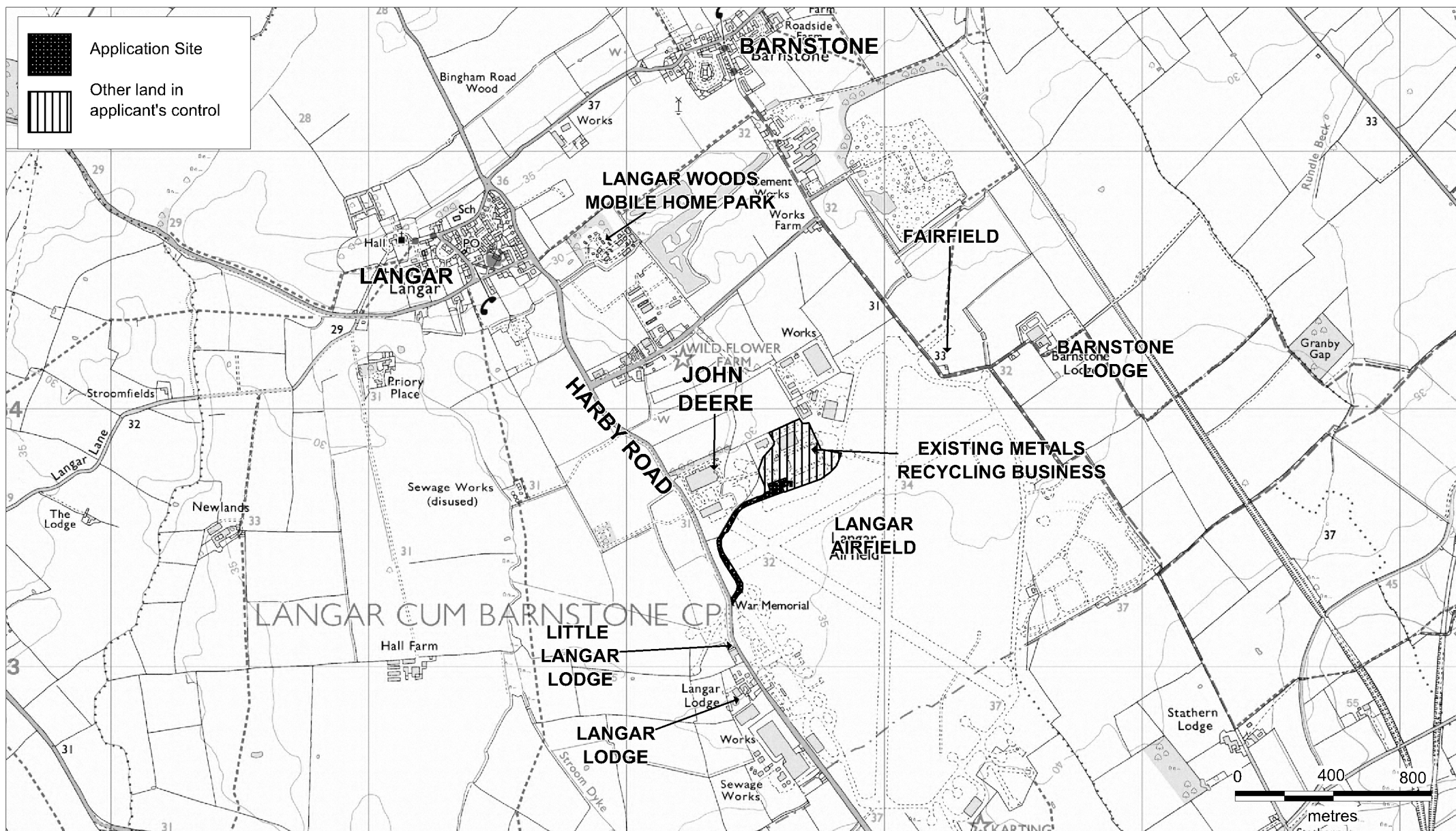
9. The number of heavy goods vehicles (HGVs) entering the site shall not exceed 18 vehicles per week (36 two-way vehicle movements per week). Records shall

be maintained by the operator of the number of HGV movements into/out of the site on a daily basis and shall be made available within seven days upon written request from the WPA. All such records shall be kept for at least 12 months.

Reason: To minimise impacts arising from the operation of the site, and to protect the amenity of nearby residential properties in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

Informatives/notes to applicants

Your attention is drawn to the consultation response from Western Power Distribution dated 16 April 2014, a copy of which is attached to this notice.



**Nottinghamshire
County Council**

Proposed extension to the End of Life , Depollution and Dismantling operations.
Glen Barry Metals Ltd., Langar North Trading Estate, Langar, Nottinghamshire.
Planning Application No. 8/14/00781/CMA

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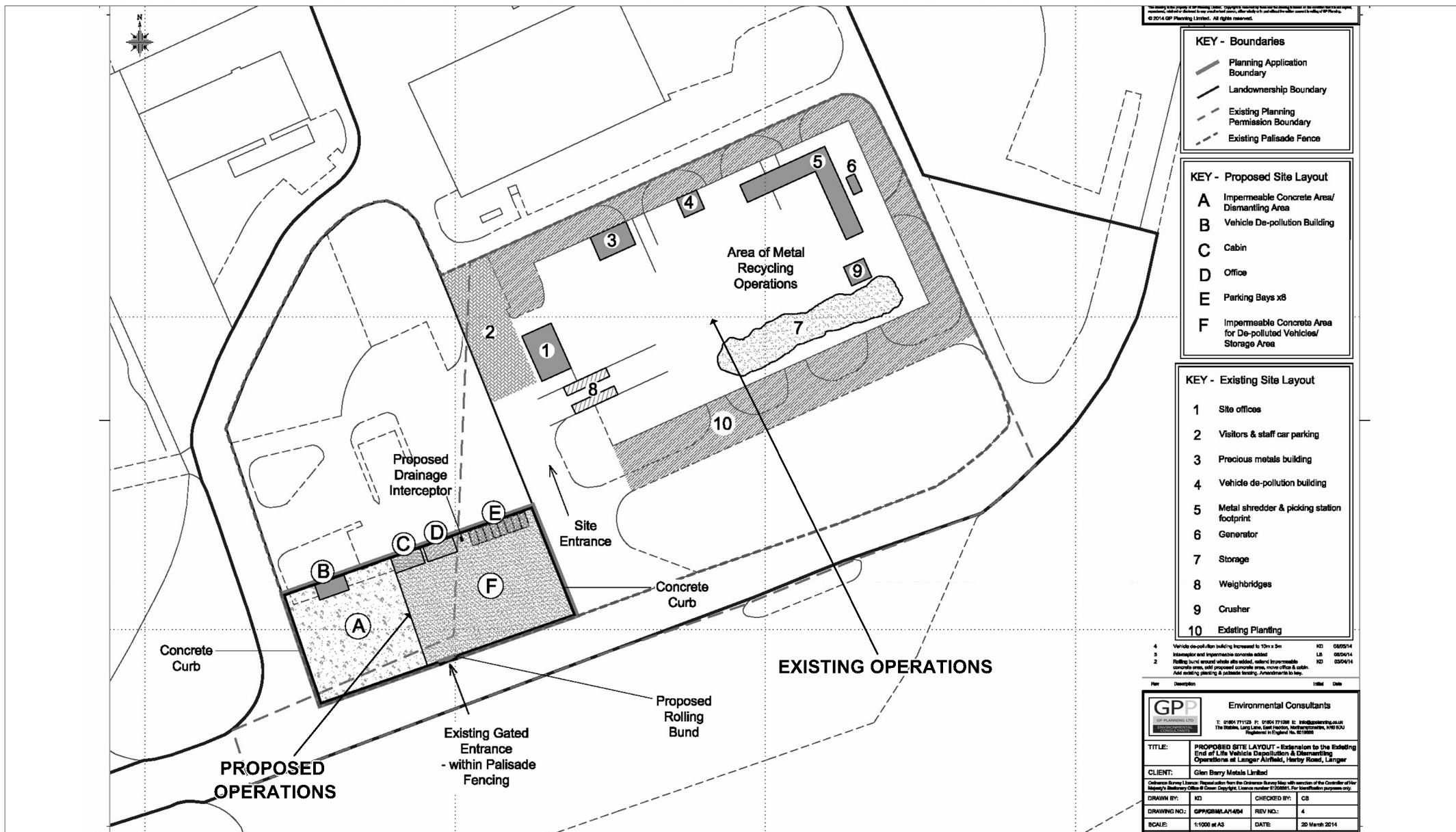


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Date: JULY 2014

PLAN 1



15 July 2014**Agenda Item:8****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING & CORPORATE
SERVICES****DEVELOPMENT MANAGEMENT PROGRESS REPORT****Purpose of this Report**

1. To report on planning applications received in the Department between 1st June 2014 and 30 June 2014 and to confirm the decisions made on planning applications since the last report to Members on 17 June 2014.

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 for the quarter between 01 April 2014 and 30 June 2014.
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.

JAYNE FRANCIS- WARD**Corporate Director Policy, Planning & Corporate Services**

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 – 02/07/2014]

Comments of the Service Director - Finance

The contents of this report are duly noted – there are no direct financial implications. [SEM – 02/07/2014]

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.

Planning Applications Received and Determined
From 1st June to 30th June 2014

Division	Member	Received	Determined
BASSETLAW			
Tuxford	Cllr John Ogle		Proposed Alterations and Extension to School and Car Park, North Wheatley C of E Primary School, Sturton Road, North Wheatley. Granted 06/06/2014
Retford East	Cllr Pam Skelding	Change in land use to a sewage pumping station and the provision of associated above ground structures. Land adjacent to Welham Grove, Retford. Received 10/06/2014	
Misterton	Cllr Liz Yates	Variation of condition 2 of planning permission 1/47/06/00027 to permit the use of motor powered boats for the purpose of providing on "water experience" for school and other appropriate groups. Daneshill Lakes Local Nature Reserve, Daneshill Road, Nr Lound, Retford. Received 16/06/2014	

Division	Member	Received	Determined
Worksop North	Cllr Sybil Fielding		Development and operation of a recyclates bulking and waste transfer station with associated infrastructure including external recyclates bays, weighbridges, internal roads, weighbridge cabin, welfare facilities, parking areas, wash bay, sprinkler tank and associated pump house. Site access improvements, landscaping and ancillary infrastructure including the demolition of the existing building onsite. Dukeries House, Claylands Avenue, Worksop. Granted 18/06/2014 (Committee)
Tuxford	Cllr John Ogle	The operation of an ash processing plant and associated infrastructure, Cottam Power Station, Outgang Lane, Cottam, Retford. Received 23/06/2014	
Blyth & Harworth	Cllr Sheila Place		Variation of conditions 4,15,16,17,18, and 21 of planning permission 1/13/00717/CDM, Lodge Farm Fisheries, Scrooby Top. Granted 27/06/2014
Tuxford	Cllr John Ogle	To Vary Condition 2 of Planning Consent 1/38/11/00002 time extension for the restoration of the site. Rampton Quarry, Torksey Ferry Lane, Rampton. Received 30/06/2014	

Division	Member	Received	Determined
MANSFIELD			
Mansfield West	Cllr Darren Langton Cllr Diana Meale	Replacement of existing oil fired boiler and oil storage tank with new wood pellet boiler, a GRP silo, buffer vessel, and chimney. Intake Farm Primary School & Nursery, Armstrong Road, Mansfield. Received 04/06/2014	
Warsop	Cllr John Allin	Proposed construction of a new boiler house of traditional brick and block. Hetts Lane Infant and Nursery School, Hetts Lane, Warsop. Received 19/06/2014	
Mansfield North	Cllr Joyce Bosnjak Cllr Parry Tsimibiridis	Retention of existing mobiles classrooms known as buildings 4,6 and 7, Yeoman Park Special School, Park Hall Road, Mansfield Woodhouse. Received 30/06/2014	
NEWARK & SHERWOOD			
Blidworth	Cllr Yvonne Woodhead		Erection of 2 conservatories: Conservatory 1 for under 5 facility. Conservatory 2 for additional teaching area for foundation intake. Python Hill Primary School, Kirklington Road, Rainworth. Granted 05/06/2014
Newark West	Cllr Tony Roberts	Installation of artificial grass surfacing, Mount C of E Primary School, Kings Road, Newark. Received 18/06/2014	
Newark West	Cllr Tony Roberts		New multi use games area and floodlights, Mount C of E Primary School, Kings Road, Newark. Withdrawn 20/06/2014

Division	Member	Received	Determined
Ollerton	Cllr Stella Smedley	Erection of new outdoor classroom in existing school playground to support forest school activities, Maun Infant and Nursery School, Walesby Lane, Ollerton. Received 19/06/2014	
Balderton	Cllr Keith Walker	The proposal is for a new 3 storey brick teaching building and adjacent split level single and double storey brick and metal clad sports building. The buildings are to be located on the redundant astroturf and dilapidated running track centrally within the site. The existing teaching buildings to the west are to remain in use until the new school buildings are finished, at which point they will be demolished and the area landscaped. The area surrounding the new buildings is to be landscaped incorporating new MUGA's, new bicycle stores and some new car parking. The Newark Academy, London Road, New Balderton. Received 26/06/2014	
ASHFIELD			
Kirkby in Ashfield South	Cllr Rachel Madden	Use of derelict sandstone cutting for the disposal of inert waste material (including subsequent restoration scheme securing landscape and ecological benefits), Land adjacent to Shenton Lodge, Derby Road, Kirkby in Ashfield. Received 04/06/2014	

Division	Member	Received	Determined
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Wilmot		A new stand alone single storey classroom to the rear of the existing school, Edgewood Drive Primary School, Edgewood Drive, Hucknall. Granted 06/06/2014
BROXTOWE			
Bramcote & Stapleford	Cllr Stan Heptinstall Cllr Jacky Williams		Erection of single storey 30 place freestanding classroom and 30 place single storey classroom extension with canopy addition; associated landscaping works; new 2.4m security fencing; and formation of hardstanding for an additional five car parking bays to access road. Bramcote Hills Primary School, Moor Lane, Bramcote. Granted 04/06/2014
Chilwell & Toton	Cllr Dr John Doddy Cllr Richard Jackson	Development of a small single storey extension to the rear of the main school hall, Meadow Lane Infant School, Meadow Lane, Beeston. Received 10/06/2014	
Eastwood	Cllr Keith Longdon	Install a ball stop fence extension above existing feather edge fencing to stop balls from going over the fence into the neighbours garden. Eastwood Young Peoples Centre, Kelham Way, Eastwood. Received 30/06/2014	

Division	Member	Received	Determined
GEDLING			
Carlton East	Cllr Nicki Brooks Cllr John Clarke	Planning application to regularise the use of a bay for the storage of baled dry mixed recyclate and/or wood waste and to substitute the approved site layout plan for an amended layout plan to regularise minor layout changes. Biffa Waste Services Limited, Private Road 2, Colwick Industrial Estate, Colwick. Received 15/04/2014	
Newstead	Cllr Chris Barnfather		Creation of additional single classroom with toilets, Hawthorne Primary School, School Walk, Bestwood Village. Granted 20/06/2014
Carlton East	Cllr Nicki Brooks Cllr John Clarke		New rear extension for nurture provision, Netherfield Primary School, Chandos Street, Netherfield. Granted 26/06/2014
Arnold North	Cllr Pauline Allan Cllr Michael Payne		Demolition of Single Temporary Classroom. Erection of New 2-Classroom and Offices Modular Extension, and Associated External Works, Including Re-aligned Access Drive. Coppice Farm Primary School, Laver Close, Arnold. Granted 27/06/2014

Division	Member	Received	Determined
RUSHCLIFFE			
Soar Valley	Cllr Andrew Brown	Extension to existing quarry involving the extraction of sand and gravel with restoration to agriculture and conservation wetland. Retention of existing aggregate processing plant, silt lagoons and access haul road. East Leake Quarry, Rempstone Road, East Leake. Received 02/06/2014	
Keyworth	Cllr John Cottee		Resubmission of application for the creation of additional yard area for waste wood storage and erection of screening bund (partly in retrospect) adjacent to existing wood recycling site. John Brooke (Sawmills) Ltd, Broughton Grange, Fosse Way, Widmerpool. Granted 19/06/2014 (Committee)
Keyworth	Cllr John Cottee		Resubmission of flood compensation scheme application due to boundary change , submitted in conjunction with application entitled:"Resubmission of application for the creation of additional yard area for waste wood storage and erection of screening bund (partly in retrospect) adjacent to existing wood recycling site." John Brooke (Sawmills) Ltd, Broughton Grange, Fosse Way, Widmerpool. Granted 19/06/2014 (Committee)

Division	Member	Received	Determined
Cotgrave	Cllr Richard Butler		Provision of a single modular building for use as a day care/pre school nursery facility for the existing Primary and Junior school. The building replaces a previous portakabin type structure with a cedar clad modular facility. Cropwell Bishop Primary School, Stockwell Lane, Cropwell Bishop. Granted 19/06/2014 (Committee)
Bingham	Cllr Martin Suthers	GRP kiosk to house washwater booster pumps, Aslockton Sewage Treatment Works, Moor lane, off New Lane, Aslockton. Received 23/06/2014	
Ruddington	Cllr Reg Adair	Replacement of the existing solid fuel heating boilers with a wood pellet boiler in a pre-fabricated energy cabin with an external GRP Pellet Silo and free standing chimney. James Peacock Infant & Nursery School Victoria Avenue, Manor Park, Ruddington. Received 26/06/2014	
Radcliffe on Trent	Cllr Mrs Kay Cutts	Retention of existing wellsite and drilling of up to two (2) oil and natural gas appraisal boreholes, including drilling rig (max height 37m) and associated plant and equipment. Land adjacent to the A52 (Grantham Road) between Oatfield Lane to the east and Spellow Farm Lane to the south-west, Radcliffe on Trent. Received 26/06/2014	

Division	Member	Received	Determined
West Bridgford Central & South	Cllr Steve Calvert Cllr Liz Plant	Retention of existing temporary double classroom, Edwalton Primary School, Wellin Lane, Edwalton. Received 30/06/2014	

Applications outstanding over 17 weeks at 30th June 2014

Division	Member	Description	Weeks Out Standing	Comments
BASSETLAW				
Blyth & Harworth	Cllr Sheila Place	Planning application to vary conditions 7,12,13,14 and 16 of planning permission 1/66/02/00015. Variation of condition 7 to refer to updated plant and machinery details. Condition 12 to allow for an amended restoration scheme, condition 13 to refer to a surface run-off scheme. Condition 14 to refer to foul and surface water details. Condition 16 to extend the time for deposit of waste to 31 December 2017.Styrrup Quarry, Main Street, Styrrup	63	Resolved to grant permission upon agreeing and signing of a legal agreement at Committee on 12/11/2013. Negotiations on legal agreement ongoing
Blyth & Harworth	Cllr Sheila Place	Variation of condition 5 of planning permission 1/66/96/16 to allow for the continuation of spoil disposal operation at Harworth Colliery No 2 spoil heap, Harworth Colliery Spoil Tip, Blyth Road, Harworth	53	A time extension has been agreed to provide the applicant with time to produce a bird survey over the summer. Consultation will be required

Division	Member	Description	Weeks Out Standing	Comments
Tuxford	Cllr John Ogle	Creation of an additional long term soils storage stockpile area to store soil transported from Bole Ings Ash Disposal Site within the West Burton Power Station, Near Retford	26	Delegated report being prepared
Tuxford	Cllr John Ogle	Minor Material Amendment to the Permission 1/08/11/00004 for Changes Relating to Conditions 11, 12, 13, 14, 31, 37, 44, 54, 56, and 57 at Bole Ings Ash Disposal Site, West Burton Power Station, Retford.	28	Delegated report being prepared
Worksop North East & Carlton	Cllr Alan Rhodes	Variation of conditions 2, 3 and 5 of planning permission 1/59/11/00069/V to extend the timescale for sand extraction and landfill. Carlton Forest Quarry, Blyth Road, Worksop	24	Awaiting for the applicant to confirm wording of planning condition suggested by Environment Agency
MANSFIELD				
Mansfield North	Cllr Joyce Bosnjak Cllr Parry Tsimbiridis	Variation of condition 2 of planning permission 2/2010/0227/WT to allow continuation of crushing and screening plant to recycle building materials for a further 5 years. Cast Quarry, Vale Road, Mansfield Woodhouse.	54	This application is to be decided upon in conjunction with the application to extend the life of the inert landfill.

Division	Member	Description	Weeks Out Standing	Comments
Mansfield North	Cllr Joyce Bosnjak Cllr Parry Tsimbiridis	Continuation of restoration of former limestone quarry by landfilling with inert waste; i) Amendments to the final restoration scheme(so as to increase the overall volume and duration of the landfilling and ii) Retain the mobile plant storage facility until no longer required for the operation and restoration of the site. Cast Quarry, Vale Road, Mansfield Woodhouse	28	Negotiations with applicant to resolve access into Littlewood Quarry
NEWARK				
Newark West	Cllr Tony Roberts	Regularisation of use of additional land in connection with scrapyards, Briggs Metals Limited, Great North Road, Newark	180	Still awaiting response to flood issue from applicant.
Rufford	Cllr John Peck	Proposed development of the Bilsthorpe Energy Centre (BEC) to manage unprocessed and pre-treated waste materials through the construction and operation of a Plasma Gasification Facility, Materials Recovery Facility and Energy Generation Infrastructure together with supporting infrastructure. Bilsthorpe Business Park, Off Eakring Road, Bilsthorpe	31	Awaiting for response to Reg 22 request for further information from applicant

Division	Member	Description	Weeks Out Standing	<i>Comments</i>
Collingham	Cllr Maureen Dobson	Proposed extension to existing quarry with restoration to water amenity, together with revised restoration for creation of an enlarged nature reserve and retention of existing plant site and site access. Land at Langford Quarry, Newark Road, Near Collingham	28	Can be found elsewhere on the agenda

Division	Member	Description	Weeks Out Standing	Comments
Ollerton	Cllr Stella Smedley	Installation of a wood drying plant, storage silo for dried sawdust, green waste picking station and associated fixed trommel screen. Variation of Condition 3b and 3c (site layout) 7 (controls relating to storage), 9 (controls relating to green waste handling), 10 (controls relating to green waste handling), 12 (plant and machinery), removal of condition 18 (parking) and discharge of condition 21 (development within extension land) attached to planning permission 3/10/01533/CMA. Retrospective permission for the retention of timber processing picking station and associated static shredder; water storage tank; plus retention of shredder, conveyor and feed hopper between units 92 and 93. RM Right Wood Recycle, Unit 89B, Boughton Industrial Estate, Boughton,	24	Issues concerning Noise to be resolved

Division	Member	Description	Weeks Out Standing	Comments
ASHFIELD				
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Wilmot	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. Total Reclaims Demolition Ltd Wigwam Lane, Bakerbrook Industrial Estate, Hucknall	98	Awaiting transport assessment from the applicant
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Wilmot	Retrospective use of site for recycling of inert materials and construction of 5m high sound attenuation wall. Plots 10, 11, 12, 13, 14 and 16 off Wigwam Lane, Hucknall	54	Report being prepared for 30/09/2014 committee
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Wilmot	Retention of existing mobile classroom (building 4), Leen Mills Primary School, Leen Mills Lane, Hucknall	44	Still awaiting traffic assessment from applicant, will need to consult with highways

Division	Member	Description	Weeks Out Standing	Comments
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Wilmot	Retention of existing mobile classroom (building 4), Leen Mills Primary School, Leen Mills Lane, Hucknall	44	Still awaiting traffic assessment from applicant, will need to consult with highways
BROXTOWE				
Beeston South & Attenborough	Cllr Kate Foale	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	276	Report written but conditions to be finalised
Kimberley & Trowell	Cllr Ken Rigby	Change of use to waste timber recycling centre including the demolition of existing building and construction of new buildings. Shilo Park, Shilo Way, Cossall	75	Still awaiting further information on ecology, drainage issues, landscaping character assessment and land contamination, amended drawings required, noise report received 30/06/2014

Division	Member	Description	Weeks Out Standing	Comments
GEDLING				
Newstead	Cllr Chris Barnfather	Improvement works to the country park involving the remodelling and partial in-filling of lake 2 for development as a fishery, and wider landscape improvement works and path upgrades, in total requiring the importation of circa 17,000m3 of inert materials and soils. Newstead and Annesley Country Park, Newstead Village	83	Resolved to grant permission upon agreeing and signing of a Legal Agreement at Committee on 25/02/2014
RUSHCLIFFE				
Keyworth	Cllr John Cottee	The Erection of 2 New Industrial Buildings and Installation of 7MW (approximate) Wood Fuelled Renewable Energy Biomass Plant, retaining existing wood recycling and composting operations. John Brooke (Sawmills) Limited, The Sawmill, Fosse Way, Widmerpool	25	Resolved to grant permission at 22/04/2014 Committee upon agreeing and signing of S106 Legal Agreement

15 July 2014**Agenda Item:9****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2014.

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, the public sector equality duty, 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.

Jayne Francis-Ward

Corporate Director- Policy, Planning and Corporate Services

For any enquiries about this report please contact: David Forster, 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>
30 th Sept 2014	4/V/2013/0359	Plots 10, 11, 12, 13, 14 and 16 off Wigwam Lane, Hucknall	Retrospective use of site for recycling of inert materials and construction of 5m high sound attenuation wall.
30 th Sept 2014	3/14/00614/CMA	Trent Skip Hire Limited, Quarry Farm Transfer Station, Bowbridge Lane, New Balderton, Newark	Erection of a steel framed building for the use as a materials recycling facility (MRF)
30 th Sept 2014		Finningley Quarry, Croft Road, Finningley, Doncaster	Planning application for a 56 hectare extension to and re phasing of existing sand and gravel extraction, including use of existing processing plant with restoration to a mixture of agriculture and woodland.
30 th Sept 2014	5/13/00070/CM	Shilo Park, Shilo Way, Cossall	Change of use to waste timber recycling centre including the demolition of existing building and construction of new buildings
30 th Sept 2014		Daneshill Lakes Local Nature Reserve, Nr Lound	Variation of Condition 2 of Planning Permission 1.47.06/00027 to permit motor powered boats for the purpose of providing on water experience for school and other appropriate groups.

Other Key Applications/Submissions in system but not timetabled to be reported to Planning & Licensing Committee before September 2014:-

<u>Reference</u>	<u>Location</u>	<u>Brief Description</u>
3/13/01767/CMW NB This is proposed to be heard as a stand-alone item at a date in October TBC.	Bilthorpe Business Park, Off Eakring Road, Bilthorpe	Proposed development of the Bilthorpe Energy Centre (BEC) to manage unprocessed and pre-treated waste materials through the construction and operation of a Plasma Gasification Facility, Materials Recovery Facility and Energy Generation Infrastructure together with supporting infrastructure
4/V/2013/0499	Leen Mills Primary School, Leen Mills Lane, Hucknall	Retention of existing mobile classroom (building 4)
4/V/2013/0498	Leen Mills Primary School, Leen Mills Lane, Hucknall	Retention of existing mobile classroom (building 5)
2/2014/0013/NT	Cast Quarry, Vale Road, Mansfield Woodhouse	Continuation of restoration of former limestone quarry by landfilling with inert waste and i) Amendments to the final restoration scheme (so as to increase the overall volume and duration of the landfilling and ii) Retain the mobile plant storage facility until no longer required for the operation and restoration of the site.
2/2013/0354/NT	Cast Quarry, Vale Road,	Variation of Condition 2 of planning

	Mansfield Woodhouse	permission 2/2010/0227/WT to allow continuation of crushing and screening plant to recycle building materials for a further 5 years
1/13/00809/CDM	Harworth Colliery Spoil Tip, Blyth Road, Harworth	Variation of condition 5 of planning permission 1/66/96/16 to allow for the continuation of spoil disposal operation at Harworth Colliery No 2 spoil heap
	Former Gunthorpe Gravel Workings, Gunthorpe	Scheme submitted by Severn Trent Water Limited for the restoration of the former Gravel Workings at Gunthorpe
4/V/2012/0383	Total Reclaims Demolition Ltd, Wigwam Lane, Bakerbrook Industrial Estate, Hucknall	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.
	East Leake Quarry, Rempstone Road, East Leake	Extension to existing quarry involving the extraction of sand and gravel with restoration to agriculture and conservation wetland. Retention of existing aggregate processing plant, silt lagoons and access haul road.

