

Planning and Licensing Committee

Tuesday, 17 January 2017 at 10:30

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

AGENDA

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|---|--|---------|
| 1 | Minutes of the last Meeting 20 December 2016 | 3 - 8 |
| 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 | Declarations of lobbying | |
| 5 | Oxton Composting Facility Ollerton Road Oxton | 9 - 46 |
| 6 | Government Proposal to extend the Designation Regime for Under Performing Local Authorities | 47 - 52 |
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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.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting **PLANNING AND LICENSING COMMITTEE**

Date **Tuesday 20 December 2016 (commencing at 10.30 am)**

membership

Persons absent are marked with 'A'

COUNCILLORS

John Wilkinson (Chair)
Sue Saddington (Vice-Chairman)

Roy Allan
Andrew Brown
Steve Calvert
Jim Creamer
Stan Heptinstall MBE

A Rachel Madden
Andy Sissons
Keith Walker
Yvonne Woodhead

ALSO IN ATTENDANCE

Councillor Reg Adair

OFFICERS IN ATTENDANCE

David Forster – Resources Department
Rachel Clack – Resources Department
Henna Altaf – Resources Department
Sally Gill – Place Department
Mike Hankin - Place Department
David Marsh – Place Department

APOLOGIES FOR ABSENCE

There were an apology for absence from Councillor Rachel Madden (OCCB).

DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

None

DECLARATIONS OF LOBBYING OF MEMBERS

None

BUNNY MATERIALS RECYCLING FACILITY, LOUGHBOROUGH ROAD, BUNNY

Mr Hankin introduced the report and gave a slide presentation and highlighted the following:-

- That the NCC Noise Engineer and Rushcliffe Borough Council's Environmental Health Officer had no objections as the noise will not significantly be raised on an already busy road (A60).
- The HGVs will be pre-loaded and pre-washed the previous day and parked so that they can leave the site in forward gear between the hours of 6.00am and 7.30am
- A survey had been undertaken on the A60 and during a period between 6 - 7.30 am and 800 vehicle passed at this time 28 of them being HGVs

Following Mr Hankin's opening remarks, Mr Graham Norbury, Chairman of Bunny Parish Council, spoke against the application and highlighted the following:-

- The Parish Council has objected to the application in particular due to the impact on residents of Hillside Care Home and Woodside Farm and along Gotham Lane and Loughborough Road.
- There have been breaches in the current conditions and regulations governing the operation of this facility.
- Residents are dismayed to understand the Bunny site is to continue to process IBA
- The concerns are with regard to the increase in noise and HGV traffic in the Bunny area between 6-7.30 am.

There were no questions

Councillor Reg Adair, local member, spoke against the application and highlighted the following:-

- Noise pollution for residents along the A60 will be increased.
- This is a retrospective application and therefore could send out the wrong message about NCC and its use of enforcement powers.
- Current breaches of planning conditions means that there is no confidence within the community that if this application is approved the applicant will adhere to the conditions.
- Residents are concerned that NCC has not taken enforcement action for subsisting breaches.
- Residents would also ask that if the application is approved can the start time of HGVs leaving the site be amended to 7 am and not 6 am.

In response to a question Councillor Adair responded that as the local Councillor there have been numerous complaints made to him about the lack of regard for the community when HGVs leave the site.

Following the two speakers Mr Hankin responded to questions:-

- The 106 agreement would mean that the HGVs would not be able to travel along Gotham Lane and would only be able to use the A60 which is part of the County's a Strategic Highway Network.
- The use of the A60 will still affect some of Bunny Village as the village is spread along the road and not concentrated in one area.

- It is not for NCC Officers to defend the company if they breach the conditions, but to monitor and enforce the conditions set.

Members made comments and asked questions as follows:-

- This is a retrospective application to seek to formalise what this applicant already does without permission.
- It is alleged to be to maintain or improve the competitiveness of a waste company, could this not open the flood gates to the many waste companies in Nottinghamshire to ask for the same?
- If approved could an assurance be given that the roads will not be left in a dirty state following the Lorries departure from the site?
- Could the recommendation not stipulate that the Lorries should not leave before 7 am rather than 6 am?
- Although the existing planning permissions have been breached already, it is felt that if committee refused permission, the applicant would appeal to the Secretary of State, who would in all likelihood grant planning permission but without any guarantee that it would be subject to the same controls proposed in the draft conditions and s106 obligation.

The Chair asked Mrs Clack, legal representative, to advise on the weight which should be given to the previous and subsisting breaches of planning legislation by the applicant.

Mrs Clack informed members that they must consider the application before them. Planning permissions are not personal and any grant of planning permission could be implemented in theory by another operator. Therefore, little weight can be attached to previous breaches. In any regulatory regime there are those who seek to exploit loopholes and this appeared to be the case here. NCC could not take enforcement action whilst there was a live planning application before them for determination, the approval of which would remedy the breach. The applicant had had the opportunity to amend the application to request a later start time of 7am but had chosen not to do so. If committee was minded to go against officer recommendation and refuse planning permission, it is likely that the applicant would appeal to the Secretary of State and that the Secretary of State would grant planning permission but with no guarantee that he would attach the same level of stringent controls as those proposed. An appeal would also delay any enforcement action and so in determining this application, Members should balance the risks associated with an appeal with their ability to take matters into their own hands and impose stringent conditions to a grant of planning permission, which could then be enforced robustly in case of breach.

Mr Hankin responded to questions and comments as follows:-

- The application is to remedy the breaches already made and ensure the applicant operates within the appropriate parameters.
- There are not a great number of waste operators in Notts and those that do operate in the County have operating conditions of a similar nature to this application

On a motion by the Chair and duly seconded it was:-

RESOLVED 2016/067

1. That the Corporate Director – Place be instructed to enter into a legal agreement under section 106 of the Town and Country Planning Act 1990 to restrict the routeing of those HGVs leaving the site between 6am and 7.30am so that they only travel along the A60 Loughborough Road and not along Gotham Lane.
2. That subject to the completion of the legal agreement before the 20th March 2017 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman and the Vice Chairman, the Corporate Director – Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 attached to the report. In the event that the legal agreement is not signed by the 20th March 2017, or within any subsequent extension of decision time agreed with the Waste Planning Authority, it is RECOMMENDED that the Corporate Director – Place be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time.

ERECTION OF A TWO STOREY REPLACEMENT 210 PLACE PRIMARY AND 26 FULL TIME EQUIVALENT PLACE NURSERY SCHOOL, LAND NORTH OF WALKER STREET, WALKER STREET, EASTWOOD

Mr Marsh introduced the report and gave a slide presentation and highlighted the following:-

- Although this is a departure from the Broxtowe Development Plan 2014, Broxtowe Borough Council has not objected to the proposal.
- The funding will be met from the Education Funding Agency for the new build.

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

RESOLVED 2016/068

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 attached to the report.

EAST LEAKE QUARRY, REMPSTONE ROAD, EAST LEAKE

Mr Hankin introduced the report and gave a slide presentation. He also informed members that the Constitutional comments omitted from the report should say “Planning and Licensing Committee is the appropriate body to consider this report”

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

RESOLVED 2016/069

1. That the Corporate Director for Place be instructed to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a further five years extended aftercare management of the conservation area of the development site, and the HGV route.
2. that subject to the completion of the legal agreement before the 20th February 2017 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman, the Corporate Director for Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 attached to the report. In the event that the legal agreement is not signed by the 20th February 2017, or within any subsequent extension of decision time agreed with the Minerals Planning Authority, it is RECOMMENDED that the Corporate Director for Place be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time.

LAND RECLAMATION OF FORMER MINERAL WORKINGS THROUGH THE IMPORTATION OF INERT WASTE WITH RESTORATION TO NOTABLE NATIVE AND ALIEN PLANT SPECIES HABITAT, CHARACTERISTIC OF THE CROPWELL BISHOP GYPSUM SPOIL WILDLIFE SITE CANALSIDE INDUSTRIAL PARK, KINOULTON ROAD, CROPWELL BISHOP

Mr Hankin introduced the report and it was:-

RESOLVED 2016/70

That the outcome of the Planning Appeal be noted.

WORK PROGRAMME

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

RESOLVED 2016/071

That the Work Programme be noted

The meeting closed at 12.20pm

CHAIR

17th January 2017

Agenda Item:5

REPORT OF CORPORATE DIRECTOR – PLACE**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/16/01855/CMA**

PROPOSAL: APPLICATION TO CONSTRUCT A NEW ACCESS ROAD WITH NEW WEIGHBRIDGE, VARY CONDITIONS 3, 5, 6, 9, 11, 15, 17, 21 AND 22 OF PLANNING PERMISSION REFERENCE 3/15/00630/CMA INCLUDING THE EXPANSION OF THE PERMITTED COMPOSTING TREATMENT AREA WITH DEVELOPMENT OF AN AERATED COMPOSTING PAD ON PART OF THE CURRENTLY PERMITTED COMPOST FACILITY AREA, INCREASE THE MAXIMUM ANNUAL PROCESSING CAPACITY TO 75,000 TONNES PER ANNUM, EXTENSION OF THE WESTERN LANDSCAPING BUND AND OTHER ANCILLARY DEVELOPMENTS.

LOCATION: OXTON COMPOSTING FACILITY, OLLERTON ROAD, OXTON.

APPLICANT: VEOLIA ES (UK) LTD

Purpose of Report

1. To consider a planning application which seeks to make alterations to the Oxtan Composting Facility including the development of an aerated compost pad, the construction of a new access road, an increase to the maximum processing capacity of the site from 55,000 tonnes per annum (tpa) to 75,000tpa and associated ancillary works.
2. The main planning issues relate to Green Belt Policy and the environmental effects of the development, particularly concerning odour emissions and traffic effects.
3. With regard to Green Belt policy, the development is by National Planning Policy Framework (NPPF) definition a departure from Green Belt policy. The report sets out that very special circumstances have been demonstrated in the context of Green Belt Policy which justify the proposed development.
4. Local concerns regarding odour emissions from the process have been examined in detail wherein it is concluded that the overall balance of effect is that there would be a reduction in odour emissions as a result of the development.
5. The development would increase the number of HGV and tractor movements associated with the delivery of green waste and the collection of processed compost. It is concluded that these vehicle movements can satisfactorily be accommodated on the local highway network and the new access road.

6. The recommendation is to grant planning permission, subject to recommended planning conditions at Appendix 1.

The Site and Surroundings

7. The Oxton Grange composting site is located approximately 2km north of Oxton village off the A6097 and approximately 1km south of the junction with the A614 at Northgate Island (see Plan 1).
8. The site currently utilises a shared access from the A6097 with the Oxton Grange Farm complex incorporating three residential properties (Oxton Grange Farm and two tenanted houses) and a number of existing large agricultural buildings, including storage buildings and a crop dryer (see Plan 2). Oxton Grange Farm comprises part of a larger well established arable and livestock farming business across 2,200 acres situated in the Oxton and surrounding areas.
9. The application site is sited within the Green Belt. The surrounding area is predominantly agricultural and sparsely populated. The nearest residential property that is not connected to the farm holding is a residential property at Combs Farm, approximately 850m north east of the composting facility. A caravan retailer (Select Caravans) is a similar distance directly north of the site.
10. The existing compost facility was originally established in 2002 but has been expanded on a number of occasions since this time (see Planning history below). The current activities on the site are undertaken from a hard surfaced area measuring around 350m in length by 60m in width (at the widest dimensions). Green Waste is currently delivered via the shared farm access to at the southern end of the site and then transferred to the main composting area on concrete surfaced parts of the site. This part of the site has an earth bund on its western boundary to screen views into the site. The more northern parts of the site are partially stone surfaced and partially unsurfaced and are used for final product storage.

Relevant Planning History

11. Planning permission was originally granted for the development of the composting facility in May 2002. The consented facility incorporated an open-air green waste composting facility from an area of land measuring 75m x 120m, consisting of a 60m x 67m vehicle off-loading and feedstock processing area surfaced with hardcore and a 60m x 36m concrete hardstanding for laying out of 'windrows' (rows of piled compost material). A soil bund measuring 4m high by 120m long was constructed along the western side of the processing area, to screen the operations from the A6097.
12. Planning permission was subsequently granted in July 2006 to provide a northern extension to the composting facility measuring 60m by 90m. The extension created a larger waste processing/handling capacity area at the site.
13. These original planning permissions required all the processed compost to be applied to the farm's own land. A network of 'field stores' were established around the farm holding to store the compost prior to its application to land once any standing crop was harvested. Most of the field stores are accessed via the public highway using tractors and trailers for transport.

14. In June 2011 planning permission was granted to vary the operational controls of the site to enable the finished compost product to be used within a wider network of farms including farmland which is not owned/operated by Sherbrooke Farms. This wider network of farms and generally locally based within a 5-10 mile radius of the Oxtan site. Controls were imposed through the planning conditions to prohibit the movement of potentially slow moving tractors and trailers on the A614 during morning and evening peak periods to ensure that haulage of compost does not compromise the free flow of vehicles on this busy road.
15. An extended operational area incorporating land measuring 120m by 50m to the north of the site was granted planning permission in May 2014 to provide additional storage capacity for compost produced at the site prior to its distribution to the wider complex of farms served by the facility. The throughput of the site was restricted to 30,000tpa by planning condition.
16. Planning permission was most recently granted in April 2015 to increase the processing capacity of the site to 55,000tpa.

Proposed Development

17. Planning permission is sought to construct a new access road, make alterations to the composting process including the installation an aerated pad, increase the throughput of the site and install a weighbridge and associated temporary buildings (see plan 3). These developments are described in greater detail below:

Construction of new access road

18. Access to the existing composting facility is currently obtained along the shared private road which serves Oxtan Grange Farm and the two tied agricultural dwellings. The new access would separate the composting traffic from other vehicles in the interest of health and safety as well as to provide greater separation to the nearest residential properties from disturbance caused by delivery traffic.
19. Planning permission is therefore sought for a new access from the A6097 to the north of the existing access. The new road would be constructed with a 160m by 2.5m visibility splay and would be sufficiently wide to allow two delivery vehicles to pass. The existing access would be retained for use by the farm and residential properties.

Alterations to the compost process including the installation of an aerated pad.

20. Alterations are sought to the composting pad resulting in the re-orientation of the process in a north to south direction. Waste would be delivered via the new access road and moved south as it matures (currently the compost travels in a south to north direction). The revised composting treatment process does not alter the overall size/extent and incorporates the following features:
 - A new waste reception/shredding area would be constructed in the northern part of the site measuring approximately 70m by 49m. Within this area waste delivery vehicles would deposit their loads and it would be shredded to reduce its size and make the waste suitable for composting.

The area would incorporate three tipping bays, each bay would be enclosed on three sides by 3m high concrete push walls. The waste receipt/tipping area would be surfaced with concrete.

- A new aerated compost pad would be constructed to the south of the reception/shredding area. The aerated pad would measure approximately 115m by 50m and would be constructed with a concrete base incorporating a series of channels into which air would be blown and leachate would be collected from rows of compost material. A 3m high push wall would be constructed along the length of the aerated pad, behind which (to the west) would be a grassed soil bund of similar height. The aerated pad would incorporate 18 windrow piles of green waste compost, each measuring 35m in length, 6m wide and 4m in height. Shredded green waste would be loaded against the concrete push wall using mobile plant where it would be retained for approximately 4 weeks. During this time air would be blown through the pile via the underground air pipes removing the requirement to regularly turn the windrows. The fans would be attached to the concrete push wall.
 - Further south would be an open windrow composting pad measuring 135m by 80m. The existing landscaped bund on the western boundary would be retained the existing concrete pad would be utilised for maturing compost which would be periodically turned to maintain it in an aerobic condition.
 - A final refinement area for composting product would be provided including screening in the southernmost part of the site.
21. The drainage of the site would be improved to take account of the extended area of hardstanding. Two new water storage tanks would be installed to serve waste reception pad and aerated pad. These tanks would supplement the three existing below ground tanks and ensure the site continues to benefit from effectively the same level of flood protection as currently available. In the event of an extreme flood then the pad itself would also flood thereby reducing the likelihood of water escaping the site. All surface water collected from the process pad area would continue to be used for re-circulation during the composting process or taken off site for disposal to a suitably permitted site.

Increase throughput of the site

22. The throughput of the site is currently restricted to 55,000tpa by virtue of Condition 15 of Planning Permission 3/15/00630CMA. Planning permission is sought to increase this limit to 75,000tpa.
23. The additional throughput would increase the vehicle movements associated with the development. The site has been operating at approximately 45,000 tonnes per annum for at least the past 7 years. Based upon the inputs recorded over 2013 and 2014 the movements during the busiest period of the year (typically March to October) can be broken down as follows:

Throughput	HGV Arrival	HGV Departure	Two-way traffic
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45,000 tonnes	39	39	78
55,000 tonnes	43	43	86
75,000 tonnes	54	54	108

Estimated Average Daily Trip Generation during Busy Months

24. The data shows that, when operating at the proposed 75,000 tonnes per annum the facility would attract up to an average of approximately 54 vehicle inputs per day during peak periods. However, the operator stresses that these are average traffic figures and actual numbers may exceed these levels on the busiest of days. Outside the busiest period (November to February) the inputs drop significantly to a level less than half that recorded during the busiest month.
25. The current development would create additional processing capacity which the applicant states would serve the waste needs of the Nottinghamshire community. The Oxtown composting facility is contracted by the City of Nottingham, Nottinghamshire County Council (through its waste contractor Veolia) and Broxtowe Borough Council and a small number of commercial operators and contributes to sustainable management. The site has steadily increased its throughput in response to increasing demand and is currently operating near its 55,000tpa capacity (48,784t in 2015). Any excess that cannot be managed at Oxtown is exported out the County for treatment.

Weighbridge and Associated Temporary Buildings.

26. As a result of the revisions to the access arrangement it is proposed to also relocate the weighbridge, associated modular buildings (office and welfare) and car parking from the southern area around the farm buildings to the north of the site. The modular office building will be similar in scale and appearance to the current facilities at the site.

Consultations

27. **Newark and Sherwood District Council:** *Raise no objections provided Nottinghamshire County Council is satisfied that the proposed development complies with the relevant development plan policies and that no neighbours are detrimentally impacted upon through noise, nuisance and increased traffic generation.*
28. **Oxtown Parish Council:** *Raise concerns about the effects of the composting facility on local residents. The Parish Council acknowledge that the aeration of the compost may have a positive effect by lessening the odours being released from the material and the fact that the operations would be moved northwards on the site, nevertheless, the Parish continue to have concerns regarding the development which has potential to adversely affect local residents. At the Parish Council meeting it was noted that composting sites in Europe utilise a sheet to cover the material as a means of reducing evaporation and containing the smell, Veolia should be asked to consider this system at their Oxtown site.*

29. *The Parish Council state that they previously raised concerns about the Oxtan compost facility in response to a planning consultation in 2015 wherein concerns were raised about incremental expansions to the site resulting in additional traffic and increased odour and a need for additional landscaping of the site.*
30. **Farnsfield Parish Council:** *No representation received*
31. **Environment Agency:** *Raise no comments other than to confirm the Environment Agency would regulate the changes to the aerated pad and the drainage through the Environment Permit.*
32. *The Environment Agency state that forced aeration in principle can reduce odour emissions by ensuring more even aeration and control over temperatures. Advantages of this composting method include the ability to maintain the proper moisture and oxygen levels for the microbial populations to operate at peak efficiency to reduce pathogens, while preventing excess heat, which can crash the system. However, aerated systems can dry out quickly and must be monitored closely to maintain desired moisture levels.*
33. *The Environment Agency has not received a submission for a permit variation at Oxtan. Within the permit variation the Agency would expect to see procedures detailing the changing operations and how the site intends to manage issues such as odour. Without seeing the site specific procedures the Agency state it is very difficult to assess the impact of the changes on the site and the local residents. In principle there is potential for reduced odour issues, however this is mainly dependant on how well the site is operated. Any change in operations will be assessed to ensure that the procedures are fit for purpose and that the site is following its procedures. Any increase in odour would result in targeted regulation to identify and address the issues.*
34. **NCC (Highways):** *Raise no objection subject to the imposition of planning conditions the access to be constructed with a bound surface and the existing restriction on the movement of compost material by tractor/trailer units on the A614 between the hours of 7am & 9am, between 4pm and 6pm being extended to restrict these movements also on the A6097 between these hours. The highway authority welcome the new access to serve the site on the basis that it would provide adequate turning area to cater for vehicle swept paths and safe-distance visibility. A right turn facility within the highway was not considered necessary because the development would generate a comparatively low number of right turn manoeuvres and there is no record of accidents with the use of the existing junction.*
35. **Via (Noise Engineer):** *Raise no objection in terms of noise impact subject to the inclusion of planning conditions requiring noise abatement measures being fitted to all plant and machinery, the use of broadband reversing alarms, noise levels not exceeding existing background noise levels in the surrounding area, and controls over operating hours on the site.*
36. **Via (Landscape), NCC (Archaeology), Western Power Distribution, National Grid (Gas), National Grid Company PLC PYLON, Severn Trent Water Limited:** *No representations received.*

37. The application has been publicised as a Green Belt departure by means of site notices and press notice. Neighbour notification letters have been sent to 19 properties in the local area in accordance with the County Council's adopted Statement of Community Involvement Review.
38. Two letters of objection have been received from the residents of Combs Farm and the owner of Select Caravans which raise the following observations:
- a. The prevailing wind blows odours towards Combs Farm and Select Caravans carrying odours and noise in the direction of these properties.
 - b. Odour complaints have been raised with the operator of the compost facility over a number of years. Until now these complaints have remained internal in the interests of maintaining a reasonable relationship.
 - c. The odour has been made worse by the management process of the site which recirculates water onto the compost heaps where it evaporates. The resident has calculated that the annual rainfall of 650mm of rain per annum would equate to 13,000 litres of water requiring evaporation or disposal.
 - d. Practice at compost sites in Germany is for the process to be covered by buildings or sheets to create a controlled environment, particularly in terms of moisture, heat and odour control. A covered system should be introduced by Veolia at Oxtun to overcome odour issues.
 - e. The operation of the compost facility is affecting the family's health with increases in asthma.
 - f. The development would result in the weighbridge and unloading area being relocated to the north of the site, closer to Coombs Farm and bring noise and odour in closer proximity.
 - g. The caravan business reports that they experience flies which climb into the crack of the caravans, into the office, canteen and land and generally are off-putting to customers affecting trade.
39. One letter of support has been received from the Trustees of Oxtun Farms Trust who are the landlords of the site. They state the site is an integral part of their business, not only as an income stream but also as a supplier of recycled nutrients to the farm's soils to improve their general condition and overall fertility and reducing the need for chemical and mined fertilizers. The compost also improves other local farming businesses. The Trustees state that they have worked closely with Veolia and are fully supportive of the development and see the introduction of the new airflow technology bringing greater control and efficiency to the system along with a reduction in odour and an improved product by enhancing the control of the composting process. The proposed new access road and weighbridges will also provide a safer and more suitable access to the site and avoid any conflicts with traffic associated with the operation of the farm and residential properties on the existing access.
40. Councillor Roger Jackson has been notified of the application.
41. The issues raised are considered in the Observations Section of this report.

Observations

42. The composting process diverts green waste from landfill disposal, processing, enabling it to be beneficially used within agriculture/horticulture, preventing the need to excavate natural peat and minimise the use of man-made fertilisers. The process therefore is fully compliant with the waste hierarchy and the Nottinghamshire and Nottingham Waste Core Strategy (WCS) Policy WCS3 which promotes the delivery of sustainable waste management by prioritising the development of new or extended recycling, composting and anaerobic digestion facilities. The development of these facilities assists the County in meeting its target of recycling/composting 70% of all waste by the year 2025.
43. The Oxtun composting site manages most of the municipal green waste collected from the Nottinghamshire and the City of Nottingham administrative areas. The facility therefore has a strategically important role in terms of meeting the authorities waste management needs. The applicant's supporting statement identifies that over the last five years the site has consistently operated near its permitted maximum capacity with average inputs of 45,000tpa and therefore near its maximum permitted throughput of 55,000tpa. The operator has subsequently provided data for 2016 calendar year which show that the site has operated at its 55,000tpa limit for this year. There is only one other operational green waste composting site within Nottinghamshire at Stragglethorpe. This is a much smaller site with a throughput of around 4,000tpa.
44. Existing operational facilities therefore have very limited spare capacity to deal with any significant growth in green waste collections in the area, the likelihood being that such growth in waste collection would have to rely on out of county facilities if new capacity is not consented. This would be against the objectives of WCS Policy WCS3 which aims to provide sufficient waste management capacity to manage a broadly equivalent amount of waste to that produced within Nottinghamshire and Nottingham. Looking forward there is potential for a growth in green waste collection as a result of the recent announcement of Bassetlaw District Council to start collecting green waste in their area. The expansion of the processing capacity at the Oxtun facility would assist in meeting any future shortfalls. Also, by ensuring that waste is managed locally to where it is produced the expansion of the Oxtun facility would assist in reducing the distance waste is transported.
45. WCS Policy WCS8 (extensions to existing waste management facilities) identifies that in most cases extending existing facilities is likely to be more economic, and have less environmental impact, than finding and building new ones. These benefits potentially include making better use of existing buildings, processing plant and transport infrastructure. The policy therefore supports the extension of existing waste management facilities where the expansion would improve existing waste management methods, and/or reduce existing environmental impacts. The environmental effects of the development are considered below:

Development in the Green Belt

46. The Newark and Sherwood Allocations & Development Management Development Plan Document identifies that the planning application site is located within a countryside location on land designated as Green Belt. Specific

Green Belt Policy is incorporated within Spatial Policy 4B of the Newark and Sherwood Core Strategy. This policy requires that all developments within the Green Belt should be judged according to national Green Belt policy.

47. National Green Belt policy is incorporated within the National Planning Policy Framework (NPPF). Paragraph 90 of the NPPF incorporates a list of developments that are considered as being appropriate within a Green Belt, subject to them preserving the openness. The operation and expansion of green waste composting facilities are not identified within this list and therefore the development must be considered as inappropriate development in the context of Green Belt policy. NPPF paragraph 87 states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.
48. The National Planning Policy for Waste (NPPW) provides further guidance relating to waste development within the Green Belt within paragraph 6 which identifies that

'Green Belts have special protection in respect to development. In preparing Local Plans, waste planning authorities, including by working collaboratively with other planning authorities, should first look for suitable sites and areas outside the Green Belt for waste management facilities that, if located in the Green Belt, would be inappropriate development. Local planning authorities should recognise the particular locational needs of some types of waste management facilities when preparing their Local Plan.'
49. The County Council's Waste Core Strategy, Policy WCS4 confirms that within the Green Belt proposals for built waste management facilities constitute inappropriate development and will only be permitted where need and other material considerations amount to very special circumstances sufficient to outweigh harm to the Green Belt and any other harm identified. WCS Policy WCS7 (General Site Criteria) provides support for the green waste/composting facilities within Green Belt locations where very special circumstances can be demonstrated. There are a number of considerations which are relevant to the assessment of whether there are 'special circumstances' to justify granting planning permission for this development within the Green Belt. These are considered below:
50. Location Needs: Green Waste composting facilities have potential to generate odour and bio-aerosol emissions. Whilst acknowledging that the magnitude of emissions can be influenced by process controls, it is not possible to achieve zero emissions and therefore sites are normally required to provide a stand-off distance to sensitive receptors (residential and business premises) to allow for dispersal of emissions. With particular reference to bio-aerosol emissions the Environment Agency have adopted a precautionary 250m stand-off distance between composting facilities and human receptors to allow for dispersal of emissions. This stand-off distance means that it is practically impossible to locate open windrow facilities in built up areas due to the higher density of development. Rural locations are therefore favoured to ensure appropriate stand-off distances are provided. Within Nottinghamshire the rural areas surrounding the Nottingham conurbation are designated as Green Belt. This makes it almost inevitable that any green waste composting facility which is in reasonably close proximity to waste arisings in the Nottingham area would be located in the Green Belt. If Green Belt policy was used as a reason to not

permit green waste composting facilities in the Green Belt it would effectively prohibit the development of this preferred waste management practice for green waste within close proximity to the centre of waste arisings. This approach would be contrary to the waste hierarchy and WCS Policies WCS1 and WCS3. It is therefore concluded that open air windrow composting developments do have particular locational needs which lend support to them being located within Green Belt locations.

51. Need & Alternatives: Nottinghamshire has two operational green waste facilities. The Oxtun site is operating near its consented maximum capacity and has little spare capacity to manage any growth in green waste collection. The alternative facility at Stragglethorpe (which is also in the Green Belt) does not have significant spare capacity without expansion. Since there are no other available management alternatives within Nottinghamshire, any significant growth in green waste collection in the City and County areas could not be managed within these administration areas and would have to be exported out of the County into neighbouring areas for management. This represents a lost resource for the County and would be against the objectives of WCS Policy WCS3 which seeks to ensure that there is sufficient waste management capacity to manage the needs of the area. Transporting waste out of the county would also increase the distance haulage vehicles are required to travel with associated additional emissions.
52. Buildings and structures: The development would not alter the size of the processing area, but would reorganise its existing configuration, creating a new access route to the public highway, introduce new plant and machinery including a 4m high push-wall associated with the aerated pad and a weighbridge and kiosk/welfare building. Notwithstanding the fact that these aspects of the development are inappropriate development in the context of Green Belt policy, the landscape and visual effects of the changes (which are considered in greater detail later in the report) concludes that the alterations would be screened by existing and additional landscaping and therefore would result in a minor visual impact with no significant impact to the openness of the Green Belt.
53. Protecting the wider setting of the Green Belt: By maximising the operating capacity of the Grange Farm site the potential requirement for new or extended facilities in other locations occupying Green Belt or open countryside land is reduced.
54. Benefits to agricultural production: The increased operating capacity of the site would complement the agricultural production of the surrounding farmland by producing an increased volume of composted green waste that would be used as a soil conditioner on nearby agricultural land improving soil quality and agricultural production. The facility therefore represents a quasi-agricultural use which is not out of keeping with the predominant agricultural character of the surrounding area.
55. Paragraph 87 of the NPPF sets out the general presumption against inappropriate development within the Green Belt. It requires that inappropriate development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

56. The proposed development would be inappropriate development and would therefore, by definition, be harmful to the Green Belt. Paragraph 88 of the NPPF states that substantial weight should be given to any harm, including definitional harm. On the other hand, WCS Policy WCS 7 provides a level of support for locating green waste composting facilities within Green Belt locations where very special circumstances are identified.
57. In considering the assessment of very special circumstances, there is a need to bring forward additional green waste composting capacity to meet any growth in green waste production. The applicant has demonstrated that the development has a particular locational need to be sited at Oxton, it has been designed to have a minimal effect on the Green Belt, particularly its open character and has potential to preserve the wider Green Belt and surrounding open countryside from further green waste composting developments.
58. Substantial weight can be given to these benefits and these benefits are considered to clearly outweigh the substantial weight that must be given to the harm in terms of inappropriateness. On this basis it is concluded that very special circumstances have been demonstrated in the context of Green Belt Policy which justify the proposed development.

Consideration of Environmental and Amenity Impacts

59. WCS Policy WCS13 supports new or extended waste treatment facilities where it can be demonstrated that there would be no unacceptable impact on any element of environmental quality or the quality of life of those living or working nearby and where this would not result in unacceptable environmental impacts. It also states that all waste proposals should seek to maximise opportunities to enhance the local environment through the provision of landscape, habitat or community facilities.
60. Appendix B (locational criteria) of the NPPW contains detailed guidance on the potential environmental issues associated with waste development, advising that consideration should be given to protection of groundwater, instability, landscape and visual impacts, nature conservation, conserving the historic environment, traffic and access, air emissions including dust, odours, vermin and birds, noise light and vibration, litter and potential land use conflict.
61. The potential environmental impacts associated with the alterations to the composting facility are material considerations in determining the acceptability of this application.

Odour

62. The Oxton facility has been operational for approximately 12 years expanding its scale and throughput during this time. The site has historically not generated significant local complaint with the County Council receiving just two complaints concerning odour during this period, one in 2005 and one in 2016. This low number of complaints may be attributable to the fact that the site occupies a comparatively isolated rural location with few residential properties and local residents who could be affected in close proximity,
63. The consultations undertaken in connection with this planning application have resulted in two objections being received, one from a residential property approximately 850m north east of the composting facility and one from a

caravan retailer a similar distance directly north of the site. The presence of odour emissions in the Oxtun area has been observed by officers during transient journeys on the highway network surrounding the Oxtun facility with odour emissions being noticeable some distance from the site boundary at a level that is readily capable of reaching these properties.

64. WLP Saved Policy W3.7 seeks to reduce the impact of odour associated with the operation of waste facilities. The policy encourages the use of controls to reduce the potential for odour emissions at waste facilities.
65. The alterations to the process and throughput of the Oxtun composting facility proposed in this planning application have potential to affect the level of odour releases from the site. There is no established methodology to numerically calculate the predicted level of change and therefore the Council is required to make an informed judgement of the likely odour effects of the changes based on a clear understanding of the composting process and the factors that contribute to odour releases. These factors are explored below.
66. The composting process uses bacteria and fungi to break down the raw materials in green waste. When these bacteria and fungi have a ready supply of oxygen the primary product they produce is carbon dioxide which is odourless.
67. When the process is undertaken in an oxygen depleted environment the breakdown (or composting) of the green waste still continues, but anaerobic organisms take on the primary role, supplemented by some of the aerobic composting micro-organisms which adapt their metabolism. Anaerobic metabolism differs from aerobic metabolism since a range of substances are used in the process instead of oxygen and different by products are released. Unfortunately many of these substances and biological processes are odorous. It is therefore important that open air compost systems are undertaken aerobically as this represents the most effective method of minimising odour releases.
68. The current operation at the Oxtun composting facility incorporates a series of compost heaps assembled in triangular shaped linear rows, commonly referred to as windrows. The aeration of these windrows relies primarily on passive internal convection currents to pull cold air from the base of the stack where it is heated by the compost process and rises through the stack exiting from the top (see Figure 1). This creates a flow of air through the stack. In warm weather, as the temperature differential closes between the ambient air and the temperature of the compost stack, the ability of this convection current to work often is dramatically reduced resulting in reduced oxygen flows and greater chance of anaerobic conditions persisting in the compost heap with resultant odour releases.

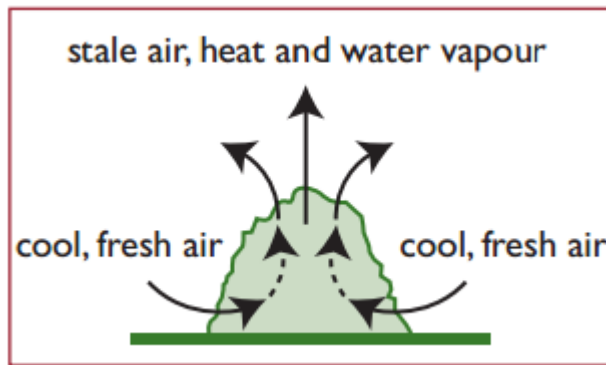


Figure 1: Schematic diagram of 'the chimney effect'

69. To assist with maintaining oxygen in the compost, the operator mechanically turns the piles by using machinery to lift and drop the compost, a process that de-compacts the compost and introduces fresh air, releases trapped heat, moisture and stale air, and homogenises the mix. The turning process is frequent, particularly during the initial stages of the compost windrow when the process is most active, however it does not guarantee the aerobic operation of the windrow throughout the process. The turning process results in the release of high levels of odours, particularly when anaerobic pockets in the windrow are encountered.
70. The main objective of forced aeration process is to promote aerobic conditions within the compost mass so as to reduce the incidence of anaerobic pockets in the windrows and the associated release of odorous compounds. The use of a forced aeration system which in this case would utilise a concrete base with perforated channels through which air is pumped into the overlain compost windrows has a proven record of assisting in reducing odour emissions from compost windrows by reducing the potential for the heap to go anaerobic. It also reduces the need to turn the windrow which is a process in its own right that generates odour releases.
71. The aerated pad at Oxton would be used for the initial sanitation and active stage of the composting process. The compost would be retained on the aerated pad for approximately a four week duration. During this period the compost is most biologically active and oxygen consumption is at its highest. Industry guidance issued by The Composting Association concerning the prevention and control of odours at biowaste processing facilities acknowledges that conventional static pile composting systems as currently utilised at Oxton often become deprived of oxygen during this initial phase leading to the process going anaerobic and resulting in elevated odour releases. This guidance states that aerated systems which force air through the compost windrow assist in increasing the airflow through the windrow, reducing the potential for anaerobic odorous conditions to persist in the compost. The consultation response from the Environment Agency also confirms this fact.
72. Following the initial four week period on the aerated pad, the green waste would be transferred to a static pile to complete its composting process. This more mature compost is less active and its oxygen intake would be significantly lower. A static pile compost system is therefore considered appropriate to manage this material whilst maintaining an acceptable level of odour control.

73. It is therefore concluded that the proposed change in compost process from turned static piles to a forced aeration process would be likely to result in a reduction in malodour emissions and a clear conclusion can be reached that compost managed on an aerated pad has a significantly lower potential to generate odour than an equivalent amount of compost managed in static piles with mechanical turning.
74. The Oxton planning application also seeks consent to increase the throughput from the consented level of 55,000tpa to 75,000tpa. It is logical to conclude that any potential negative odour effects would increase as a result of increasing the green waste throughput, if there were no alterations to the compost process at the site. However, the judgement of the odour effects of development are not straight forward since it requires a balance of the potential benefits from the forced aeration process against any potential negative odour effects which may occur from increasing the green waste throughput and then balancing these against the existing levels of odour release from the current operation.
75. Whilst advice to members in this instance is clear insofar that compost produced on an aerated compost pad would be likely to be less odorous than the same quantity of compost produced on a mechanical turned windrow system, it is not possible to be so certain that any reduction in odour emission from the aerated pad would be negated by the increase of the processing capacity to 75,000tpa.
76. Due to this element of uncertainty the operator was requested to amend their development and remove the request to enlarge the processing capacity of the site. In response the operator states they are unable to financially justify the investment associated with installing an aerated pad without an assurance that the capital cost would be recovered by increased revenue generated from increasing the throughput. The applicant therefore is not willing to remove the proposed enlargement of capacity from their planning application and is also unwilling to accept a temporary planning permission. The applicant wishes to emphasise a number of positives associated with the management of the composting process which the development would provide, these include:
- a. There would be significantly less handling and resulting agitation of organic material reducing potential for emissions such as odour, particularly as there will be no turning of material during the early, most active phase of composting. The current open windrow composting process includes turning every windrow at least 4 times which equates to the agitation of some 220,000 tonnes of material per year (i.e. 55,000t x 4 turns). This includes turning during the most active, oxygen-hungry phase which has the greatest potential to generate odours. Under the proposed solution, turning would be limited to 150,000 tonnes per year (i.e. 75,000t x 2 turns) restricted to the less active phase. Therefore the proposed development would involve the agitation through turning of 70,000 tonnes less material than under the current arrangements;
 - b. The proposed aerated pad would feed the early composting phase with its oxygen demands and maintain optimal conditions without the need for turning and would enable much closer control of the composting process in terms of oxygen, temperature and moisture;
 - c. The Proposed investment in the facility will allow the compost quality to be upgraded to a 30mm and 10mm specification from the current 40mm

(subject to customer demands). This will produce a much higher quality material and potentially attract other customers, such as horticulture and other agricultural users;

- d. The proposed development includes an expansion of the concreted area into the consented compost storage area which is currently unsurfaced and would provide better control from ponding water;
 - e. Part of the investment into the site would be put into new machinery with less potential for breakdown which could adversely affect the process;
77. The operator has revised their odour management plan to take account of the changes in the operation of the site. This odour management plan will form part of the submission to the Environment Agency when the company seek to revise their permit.
78. The Council is therefore required to consider the environmental effects of the development based on a 75,000tpa aerated pad system.
79. The judgement of the likely environmental effect of the development should be informed by the existing baseline conditions and the fact that the existing composting activities at Oxtun generate odour emissions which are noticeable beyond the site boundary and at times are noticeable at surrounding properties with associated potential impacts to amenity. These odour emissions are likely to continue to occur in the future if there is no change to the compost process. The aerated pad system proposed in this planning application offers real potential to reduce the level of odour release by introducing a better process control. Whilst acknowledging there is potential for some negative effects from increasing the processing capacity, on balance it is concluded that the overall balance of effect is likely to be that there would be a reduction in odour emissions as a result of the development.
80. A planning condition is recommended to ensure that the capacity of the site is not enlarged until such time that the aerated pad is operational. It is also recommended that a planning condition is imposed to ensure that the pad is maintained in an operational condition.

Traffic and Transportation

81. WLP Policy W3.14 of WLP states that
- 'Planning permission will not be granted for a waste management facility where the vehicle movements likely to be generated cannot be satisfactorily accommodated by the highway network or would cause unacceptable disturbance to local communities.'*
82. The planning application seeks to increase the maximum permitted throughput of the site from the current consented level of 55,000tpa up to 75,000tpa. This would result in an increase in delivery vehicles.
83. Transport movements associated with the operation of the site fluctuate over the calendar year due to the seasonal character of green waste production with the site being busiest during the summer growing months (typically March to October). Traffic data from 2013 and 2014 when the site had a 45,000 tonne input have been used to calculate the estimated average daily trip generation for

waste inputs to the site operating at a 55,000tpa and 75,000tpa capacity. The traffic data is set out below.

Period	Arrival	Departure	Two-Way
45,000 tonnes	39	39	78
55,000 tonnes	43	43	86
75,000 tonnes	54	54	108

84. In addition to the above the site would export processed compost for spreading onto local agricultural fields. Exports will peak at an average of around 13 during the summer months of which approximately 9 would use a tractor and trailer with the remainder using bulk lorries.
85. Controls are currently in place within the existing planning permission which restrict the movement of tractors and trailers along the Old Rufford Road (A614) at peak periods (between 0700hrs – 0900hrs and 1600hrs – 1800hrs Monday – Friday) so as to ensure tractor movements do not affect the free flow of traffic on this road. The highways consultation recommends that these controls are extended to restrict tractors and trailers departing the site in their entirety during these hours and thus minimise any potential conflict with traffic flows around the site at peak hours from slower moving tractor movements on the highway associated with this development. .
86. The proposed composting facility would be accessed via a new priority controlled access on the A6097, to the north of the existing access. This access would be used for both light and heavy vehicles associated with the facility. The proposed access has been designed to accommodate the tracking of the largest vehicle accessing the site. The County Highway Officer confirms the proposed access is of an appropriate standard to serve the development
87. NCC's Highways Officer is satisfied the level of vehicle trips generated by the proposed development would be safely accommodated by the new access onto the A6097 and would not have a material impact on the safe operation of the local highway network.
88. The site is located comparatively close to the Greater Nottingham conurbation from which a large proportion of the green waste originates from. The additional capacity of the site would assist with minimising the distances that this green waste is transported which is compliant with WCS Policy WCS11: Sustainable Transport. NCC's Highways Officer is satisfied that the local highway network is adequate to serve the additional vehicle movements associated with this development.
89. It is recommended that the existing planning condition which regulates access by tractor and trailer of the site so as to avoid the morning and afternoon peak periods is rolled forward into any new planning permission. However, it is not considered necessary to regulate the maximum daily number of vehicles

accessing the site since there are no capacity issues on the surrounding highway network.

Landscape Effects

90. Effects on the landscape features of the area during construction of the development proposals are considered to be minor adverse due to the small section of hedgerow removal required to allow for construction of the new site access road. An existing mature English oak tree present within the northern part of the development site would be retained and no development proposed within the root protection area of the trees.
91. A scheme of native hedgerow and tree planting and grassed screen bunding is proposed as part of the development works to provide long term integration of the expanded composting facility within the landscape and benefit the local visual amenity. During operation of the expanded facility and as the proposed planting matures the effect of the development on the landscape fabric of the site is expected to be moderate beneficial due to these additional landscaping planting proposals.

Visual Impact

92. The visual appraisal identifies that in general, views of the existing composting facility and adjacent field where the new site access is proposed are very limited due to the low height of the existing and proposed operations at the site and the screening provided by the local topography and hedgerow and trees within the local landscape. Views of the development site are limited to a small number of receptors and viewpoints close to the site with occasional longer views from the higher ground to the east and south east from the route of the Robin Hood Way long distance footpath.
93. The visual assessment has identified that there will be short term, minor adverse visual effect during construction of the proposed expansion works from the limited number of receptors within the study area. This is expected to reduce to a negligible visual effect in the longer term and as the scheme of landscaping matures a negligible change in the view expected as a result of the development proposals.
94. The change to an aerated windrow system would result in a reduction in the height of compost storage on the new aerated pad from 5m to 4m thereby reducing the visual prominence of this part of the site. Storage heights on the remainder of the site would be maintained at 5m. It is recommended that the provision of the screen bunding and associated landscape planting adjacent to the haul road and to the frontage of the aerated pad are regulated by planning condition and storage heights are regulated.

Noise

95. WLP Policy W3.9 seeks to ensure that waste developments do not generate unacceptable levels of noise emissions. The policy enables conditions to be imposed on planning permissions to reduce the potential for noise impact including restrictions over operating hours, sound proofing plant and machinery, alternative reversing alarms, stand-off distances, and the use of noise baffle mounds to help minimise noise impacts.

96. The new vehicular access sought consent in this planning application would ensure that delivery vehicles no longer pass in close proximity to residential properties within Grange Farm as they access the site. Although there would be an increase in delivery vehicle numbers as a result of additional throughput of the site, the benefits of the new access insofar that it moves this noise and activity away from residential properties is considered to outweigh any negative impacts from increased vehicle numbers. Whilst the alterations to the access and waste receipt/shredding area would bring these activities closer to properties north of the application site, a considerable stand-off distance is maintained and therefore adverse impacts are not anticipated.
97. In terms of the changes to the composting operations, the applicant has confirmed that the fans associated with the operation of the aerated pad would not generate significant levels of noise and therefore would not be intrusive at surrounding residential properties. This can be regulated by planning condition and it is recommended that a condition is imposed which requires the fans to be inaudible at surrounding residential properties at all times of the day.
98. In other respects, the plant and machinery used at the composting facility would not change albeit the use of the aerated pad would avoid the need to mechanically turn the compost which is being processed on this pad and result in a reduction in the noise that this process generates.
99. The existing planning permission has a number of controls to regulate noise emissions including controls on operating hours and a requirement for all plant, machinery and vehicles operating within the site to incorporate noise abatement measures and to be fitted with silencers. It is recommended that these controls are brought forward into any new planning permission for the site, albeit with an allowance to operate the fans on the aerated pad 24 hours a day.

Bio aerosols

100. Micro-organisms are fundamental to the composting process and will always be present in large quantities at compost facilities. These micro-organisms get released in the wind during the compost process, particularly at times when the compost is moved or turned. Studies have shown that exposure to compost fungus (particularly *Aspergillus fumigatus*) can trigger asthma, bronchitis and allergic responses. Those most at risk are likely to be workers on site. Residents and surrounding business near the composting facilities will be less exposed because of the dilution and dispersion of bioaerosol emissions, although there is a level of uncertainty over the concentration to which a compost bio-aerosol must be reduced to be considered 'safe'.
101. Because of these uncertainties the Environment Agency has adopted a policy position on composting and the potential human health effects of exposure to bio-aerosols generated from composting. This places limitations on the location of composting facilities enforced through the permitting process and also through the planning consultation responses to prevent where possible the siting of composting activity within 250 metres of a workplace or boundary of a dwelling, unless justified by a site-specific risk assessment that shows the risks to be acceptable.
102. The Oxton composting facility is regulated by the Environment Agency through an Environment Permit. This permit for the existing facility demonstrates that

the Environment Agency is satisfied that the level of bio-aerosol emissions from the existing facility are safe in the surrounding area. The alterations to the process sought consent in this planning application would require a variation to the Environmental Permit. If the alterations increased bio-aerosol emissions to an unacceptable level the Environment Agency would not issue a new permit for the site.

103. The Environment Agency have not raised any objections in response to the planning consultation. Whilst not wishing to pre-judge the permitting process in the assessment of this planning application the alterations to the process would not bring the composting activities closer to residential properties, furthermore the use of the aerated pad would reduce the need to turn or agitate the compost, activities which currently result in spikes in bio-aerosol emissions.
104. Paragraph 122 of the NPPF states that planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. On this basis it is recommended that bio-aerosol emissions are most appropriately considered through the permitting process.

Drainage

105. WLP Policy W3.5 requires waste management facilities to make appropriate provision for surface water drainage. The primary objective of the policy is to avoid potential pollution of the surrounding water environment.
106. The Oxton composting facility currently incorporates areas of impermeable concrete and permeable crushed stone surfacing. The alterations proposed in this planning application would install additional concrete surfacing and ensure the entire process would be undertaken on an impermeable concrete base. The composting pad would be enclosed by kerbing to capture liquid and avoid discharges to adjoining land. Any rainwater and liquid discharges from the compost process would drain to a series of existing and additional underground tanks from where it would be re-applied to the compost process. Since the compost process requires quite high levels of water input to avoid the heaps drying out and therefore it is anticipated the process would use all the rainwater that drains from the pad. Any excess water within the system would be tankered off the site and appropriately disposed.
107. These arrangements are considered to be appropriate and would prevent potential pollution of the surrounding water environment in accordance with the objectives of WLP Policy W3.5.

Flies and Vermin

108. Concerns have been raised by the owner of Select Caravans that his business premises experience large quantities of flies, and these flies have an adverse impact on the business. Whilst acknowledging that the day to day control of flies and other vermin at operational waste sites is primarily the responsibility of the Environment Agency regulated through the Environment Permit, the planning system provides consent for the location of the site and it is therefore a material planning consideration as to whether the development is compatible

with surrounding land uses, having regard to the anticipated environment effects.

109. The experience of Council officers is that when a waste facility is attractive to flies, this becomes immediately obvious during a site inspection insofar that the flies tend to accumulate in large numbers around the point of interest and do not disperse over the wider area.
110. Monitoring of the Oxton site over a number of years indicates that the activities at the site are not particularly attractive to flies with no issues of fly nuisance being recorded throughout the operational life of the site.
111. Whilst the concerns of the local business are noted, there does not appear to be any evidence to indicate these flies are connected with the operation of the Oxton Compost Facility. There is no reason in the current submission to conclude that this position should change. The Environment Agency will continue to monitor for flies as part of ensuring compliance with the permit controls.

Alleged contamination of final product

112. Representations from members of the local community alleged that the compost produced at the Oxton facility is contaminated with litter which makes it unsuitable for use. These concerns have been raised with the operator of the site who states that the compost is required to meet a strict quality assurance standard which is audited by both the Environment Agency and the Association of Organics Recycling through BSI PAS 100.
113. The operator states that on occasions waste arriving at the site can be contaminated with small amounts of materials such as plastics. This contamination is identified by a visual inspection of incoming loads with deliveries containing significant contamination being rejected and those loads with smaller amounts of contamination are picked by site staff. Finally, at the final compost refinement stage a wind sifter is used to remove any remaining small pieces of contamination such as shredded plastic bags.
114. The operator reports that the composted product meets with positive feedback from customers who have beneficially applied this product to their land. Many are repeat customers who recognise the benefits of the compost. Veolia state that if their customers were unsatisfied with the product they would not purchase more.
115. Outputs from the Oxton facility comply with the strict requirements of the British Standard specification PAS100 for composted material. This is a nationally recognised standard defining compost quality and providing buyers with the confidence that the material produced at the Oxton facility meets the highest recognised quality. As part of this accreditation compost is sampled on a routine basis in accordance with PAS100 and Veolia's own sampling procedure. Samples are also submitted to independently audited laboratories for quality assurance and the facility is inspected by an independent sampling auditor.
116. It is therefore concluded that adequate controls measures are in place to ensure that significant contamination of the final product does not occur.

Other Options Considered

117. Consideration has been given to a number of composting techniques in response to representations received from the local community.
118. It has been suggested that the compost piles should be covered in sheeting in an attempt to restrict odour emissions. The applicant states that in their experience sheeting would not reduce odour but instead would block the flow of oxygen and moisture in the compost mass leading to wet anaerobic pockets where oxygen cannot penetrate. In these conditions the compost actually generates additional odour which would still release to the atmosphere, particularly when sheeting is removed. In other countries covers may have been used as a cheap method of enclosing compost that contains food waste. In the UK the processing of food waste requires a fully enclosed system to comply with permit regulations. Industry practice in the UK is for green waste to be composted in open windrow systems.
119. The applicant has not proposed an in-vessel composting system at Oxten because the site is in the Green Belt and the buildings associated with such a development would have a harmful impact on the openness of the Green Belt and therefore would be unlikely to obtain planning permission.

Statutory and Policy Implications

120. 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

121. The compost facility would not be open to members of the public. The facility would act as a processing facility for green waste delivered by Nottingham City and Nottinghamshire district refuse collection vehicles and also for containerised skips from household waste recycling centres. These service users would benefit from having access to a centrally located facility within Nottinghamshire, thus reducing mileage of delivery vehicles. This would be more economical in terms of mileage saved and reduced fuel consumption.

Financial Implications

122. The County Council has a joint PFI contract with Veolia, it is understood that the applicant is responsible for the operation of the compost facility under the terms of the Nottinghamshire Waste PFI contract, as well as having the responsibility for maintaining the facility.

Crime and Disorder Implications

123. The proposed composting facility would be located within a secure compound surrounded by perimeter security fencing, with security gates. The site would be locked outside of operational hours.

Human Rights Implications

124. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6.1 (Right to a Fair Trial) are those to be considered and may be affected due to the development. The proposals have the potential to introduce impacts such as noise, odour, traffic impacts and visual amenity impacts upon the nearest sensitive commercial and residential properties. However, these potential impacts need to be balanced against the wider benefits the proposals would provide such as reducing waste miles and carbon emissions; moving waste up the Waste Hierarchy and away from disposal. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Implications for Sustainability and the Environment

125. These issues are covered in the Observations section of the report.
126. There are no safeguarding of children, equalities and human resources implications.

Conclusion

127. The composting of green waste is fully compliant with the waste hierarchy and the Nottinghamshire and Nottingham Waste Core Strategy (WCS) Policy WCS3 which promotes the delivery of sustainable waste management by prioritising the development of new or extended recycling, composting and anaerobic digestion facilities. The development and use of composting facilities assists the County in meeting its target of recycling/composting 70% of all waste by the year 2025. Since the Oxton composting facility manages most of the municipal green waste collected from the Nottinghamshire and the City of Nottingham administrative areas the facility has a strategically important role in terms of meeting the authorities waste management needs.
128. There is potential for growth in green waste collection rates and the expansion of the Oxton composting facility would assist in ensuring there are not shortfalls in treatment capacity. The expansion would therefore be compliant with WCS Policy WCS3 which aims to provide sufficient waste management capacity of manage a broadly equivalent amount of waste to that produced within Nottinghamshire and Nottingham.
129. In the context of Green Belt Policy the expansion of green waste composting facilities is inappropriate development in the context of national Green Belt policy, although WCS Policy WCS7 provides a level of support for the development in the Green Belt if very special circumstances are identified, on the basis that it recognises that composting facilities have particular locational needs which make them difficult to locate in urban areas. The applicant has demonstrated very special circumstances in this instance to justify the development in the Green Belt.

130. The environmental assessment of the application confirms that the development is compliant with WCS Policy WCS8 which supports the expansion of existing waste management facilities where this improves existing waste management methods and/or reduce existing environmental impacts. Furthermore WCS Policy WCS13 is supportive of the development provided there are no unacceptable impacts on any environmental quality.
131. With particular regard to odour, the aerated pad system offers real potential to reduce the level of odour release by introducing a better process control. Whilst acknowledging there is potential for some negative effects from increasing the processing capacity, on balance it is concluded that the overall balance of effect is likely to be that there would be a reduction in odour emissions as a result of the development.
132. In terms of traffic movements, the level of vehicle trips generated by the development would be safely accommodated by the new access onto the A6097 and would not have a material impact on the safe operation of the highway network.
133. With regard to other potential environmental effects, no significant harmful landscape and visual, noise, bioaerosol, pollution or vermin impacts are identified.
134. The recommendation is therefore to support a grant of planning permission, subject to the conditions set out in Appendix 1.

Statement of Positive and Proactive Engagement

135. In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions; screening of the application; assessing the proposals against relevant Development Plan policies; the National Planning Policy Framework and the National Planning Policy for Waste. The Waste Planning Authority has identified all material considerations; forwarding consultation responses that may have been received in a timely manner; considering any valid representations received; liaising with consultees to resolve issues and progressing towards a timely determination of the application. The applicant has been given advance sight of the draft planning conditions by the Waste Planning Authority. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

136. 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.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments [RHC 6/1/2017]

Planning and Licensing Committee is the appropriate body to consider the contents of this report.”

Comments of the Service Director - Finance [RWK 15/12/2016]

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

Farnsfield and Lowdham. – Cllr Roger Jackson

Report Author/Case Officer

Mike Hankin

0115 9932582

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

F/3591

W001665

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 Waste Planning Authority (WPA) shall be notified in writing of the date of commencement of this planning permission 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.

Approved Plans

3. This planning permission is for alterations to the Grange Farm, Oxton Composting Facility incorporating a new access road with new weighbridge, the expansion of the permitted composting treatment area with development of an aerated composting pad on part of the currently permitted compost facility area, an increase to the maximum annual processing capacity to 75,000 tonnes per annum, extension of the western landscaping bund and other ancillary developments. The development shall only be carried out in accordance with the following plans and documents, except where amendments are made pursuant to other conditions in this planning permission:
 - a. Drawing No. VES_TD_OXT_200_000: Site Location Plan Oxton received by the WPA on 13th October 2016.
 - b. Drawing No. VES_TD_OXT_200_001: General Arrangement Oxton received by the WPA on 13th October 2016.
 - c. Drawing No. VES_TD_OXT_200_004: Drainage Plan Oxton received by the WPA on 13th October 2016.
 - d. Drawing No. VES_TD_OXT_200_005: Aerated Pad Section Oxton received by the WPA on 13th October 2016.
 - e. Drawing No. VES_TD_OXT_200_006: Fencing Plan Oxton received by the WPA on 13th October 2016.
 - f. Drawing No. VES_TD_OXT_200_007: Proposed Site Elevations Plan Oxton received by the WPA on 13th October 2016.
 - g. Drawing No. LA.07 Revision B: Landscape Proposals Plan Oxton received by the WPA on 13th October 2016.
 - h. Drawing No. VES_TD_OXT_200_009: Proposed Application Area and Land under Veolia Control Plan Oxton received by the WPA on 13th October 2016.
 - i. Landscape and Visual Appraisal for Oxton Open Windrow Expansion Project received by the WPA on 13th October 2016.

- j. Transport Statement for Compost Recycling Facility, Oxton received by the WPA on 13th October 2016.
- k. Arboriculture Impact Assessment for Oxton Open Windrow Project, received by the WPA on 13th October 2016.
- l. Planning Supporting Statement for Oxton Composting Facility received by the WPA on 13th October 2016.

Reason For the avoidance of doubt and to define the permission hereby permitted.

Acceptable materials

- 4. Only green waste shall be composted on the site. Green waste is defined as grass, tree, hedge clippings and other types of organic plant matter originating from private gardens, local authority parks and commercial landscape works. The green waste shall not include food products and food wastes. Any non-conforming wastes shall be deposited in a skip/refuse container and removed from the site within 7 days of its receipt.

Reason To ensure satisfactory operation of the site in accordance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.

Buildings and Structures

- 5. Prior to their installation on site, detailed plans and elevations of the weighbridge, weighbridge kiosk and welfare building shall be submitted to the WPA and approved in writing. The design of the structures shall generally accord with the indicative details shown on Drawing No. VES_TD_OXT_200_001: General Arrangement Oxton received by the WPA on 13th October 2016.

Reason In the interest of visual amenity and to ensure compliance with Policy W3.4 of the Nottinghamshire and Nottingham Waste Local Plan.

Landscaping

- 6. The screen bund shall be constructed prior to the aerated pad first being brought into use in accordance with the specification detailed on Drawing No's. VES_TD_OXT_200_001: General Arrangement Oxton and Drawing No. VES_TD_OXT_200_005: Aerated Pad Section Oxton received by the WPA on 13th October 2016. The screen bund shall thereafter be retained together with the existing screen bund for the non-aerated pad at all times during the operational life of the site in a weed free condition.

Reason In the interest of visual amenity and to ensure compliance with Policy W3.4 of the Nottinghamshire and Nottingham Waste Local Plan.

- 7. The landscape planting of the screen bund detailed on Drawing No. LA.07 Revision B: Landscape Proposals Plan Oxton received by the WPA on 13th

October 2016 shall be carried out in accordance with the details specified on this drawing in the first available planting and seeding season following the aerated pad first being brought into use. The planting shall be maintained in accordance with good arboricultural practice and the specification set out on the drawing for a period of five years following its implementation. Any plants or trees which die, are removed or become seriously damaged or diseased shall be replaced in the following planting/season with similar specimens to those originally planted.

Reason: In the interest of visual amenity and to ensure compliance with Policy W3.4 of the Nottinghamshire and Nottingham Waste Local Plan.

Provision of Disposal Skips on site.

8. A skip shall be provided at all times for the disposal of non-conforming wastes. The skip shall be emptied by the operator at least once every week to ensure that odour nuisance does not occur.

Reason To minimise potential odour releases from non-compliant waste stored at the site and to ensure compliance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.

Highways and Access

9. Measures shall be employed to prevent the deposit of mud, clay and other deleterious materials upon the public highway. These measures shall include the sweeping and cleaning of the access, internal haul roads and storage areas. In the event that these measures prove inadequate, then within 2 weeks of a written request by the WPA 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 WPA for its approval in writing. The approved steps for the protection of the surrounding roads shall be implemented within 7 days of that approval and thereafter maintained at all times.

Reason To minimise dust and other deleterious materials entering the public highway in accordance with Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan.

10. The proposed new access road and internal roadway system detailed on Drawing No VES_TD_OXT_200_001: General Arrangement Oxtun received by the WPA on 13th October 2016 shall be constructed with a bound surface prior to the aerated pad first being brought into use. Upon completion of the road, all waste material shall only enter the site from the A6097 via the new access road and shall not be routed via the existing Grange Farm road.

Reason In the interest of highway safety, in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.

11. The loads of all vehicles transporting waste to the site shall be fully covered by sheeting.

Reason To minimise litter arising from the transport of material in accordance with Policy W3.8 of the Nottinghamshire and Nottingham Waste Local Plan.

Site Drainage and Surfacing

12. Prior to the aerated pad first being brought into use, the operational areas of the site comprising the tipping/shredding area, aerated pad, non-aerated pad and screening/compost/oversize storage area shall be constructed with a concrete surface together with the associated drainage/underground storage tanks in accordance with the details shown on Drawing No. VES_TD_OXT_200_004: Drainage Plan Oxton received by the WPA on 13th October 2016. The concrete pad shall be constructed with raised kerbs and engineered to ensure that there is no liquid discharge to adjacent land. The site surfacing and drainage measures shall thereafter be maintained throughout the operational life of the site.

Reason To provide satisfactory site drainage and to ensure compliance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.

13. The surface of the operating pad shall be maintained to provide free drainage of surface water to the underground collection system. In the event that damage of the surface of the operating pad occurs which results in surface water ponding leading to impaired drainage then the surface shall be repaired immediately.

Reason To provide satisfactory site drainage and to ensure compliance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.

Noise

14. All plant, machinery and vehicles operating within the site shall incorporate noise abatement measures and be fitted with silencers maintained in accordance with the manufacturers' recommendations and specifications to minimise any disturbance at all times. All vehicles under the operators control to be fitted with broadband reversing alarms

Reason: To minimise disturbance from noise in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

15. Noise levels from the site will not exceed the background noise level (L90) at any nearby receptor when assessed in accordance with BS4142:2014. The noise level will include any penalties as required in BS4142. In the event of a justifiable noise complaint received by the WPA, the applicant shall conduct a noise survey to determine compliance with the above condition. In the event

the noise level is exceeded the applicant shall submit a scheme of noise mitigation for approval to the WPA within 30 days. Once approved the applicant shall install any agreed mitigation within a further 30 days.

Reason To minimise disturbance from noise in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

16. Within 14 days of the fans becoming operational a noise assessment will be submitted to the WPA to demonstrate compliance with condition 3 above when all fans are operating simultaneously. The noise survey methodology must be agreed in advance with the WPA. In the event the noise level is exceeded the applicant shall submit a scheme of noise mitigation for approval to the WPA within 30 days. Once approved the applicant shall install any agreed mitigation within a further 30 days.

Reason To minimise disturbance from noise in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

Hours of Operation

17. Except in emergencies to maintain safety at the site (which shall be notified to the WPA within 48 hours of their occurrence), site operations and deliveries shall only take place within the time periods specified below: Operation

Operation	Monday to Friday	Saturday	Sunday	Bank and Public Holidays
Operation of plant and machinery in connection with composting operations (excluding the screening of finished product)	0700 – 1800 hours	0700 - 1300 hours	Not at all	Not at all
Operation of plant and machinery in connection with screening of finished product)	0500 – 2000 hours	0700 - 1900 hours	0700 - 1900 hours	0700 - 1900 hours
Operation of fans associated with the aerated pad	24 hours	24 hours	24 hours	24 hours
Waste deliveries into the site and movement of finished compost from the site which does not require transport by tractor and trailer along the A614	0500 - 2000 hours	0700 - 1900 hours	0700 - 1900 hours	0700 - 1900 hours
Movement of finished compost off the site by tractor and trailer along the public highway.	0500 – 0700 hours, 0900 – 1600 hours &	0700 - 1900 hours	0700 - 1900 hours	0700 - 1900 hours

	1800 2000 hours	-			
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Reason To minimise the risk of noise pollution in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan and to protect the free flow of traffic along the A614 at peak periods in compliance with the requirements of Nottinghamshire and Nottingham Waste Local Plan Policy W3.15 & Newark and Sherwood Core Strategy Spatial Policy 7.

Operational Controls

18. Prior to the construction of the aerated pad, no more than 55,000 tonnes of waste shall be imported to the site in any one calendar year. Following the construction of the aerated pad, no more than 75,000 tonnes of waste shall be imported to the site in any one calendar year. Records shall be kept by the operator of all imports of waste to the site, which shall be made available to the WPA within seven days of a request.

Reason: To ensure that vehicle movements are limited to an appropriate level and ensure site activities do not adversely affect the free flow of traffic on surrounding roads in compliance with the requirements of Nottinghamshire and Nottingham Waste Local Plan Policy W3.15 & Newark and Sherwood Core Strategy Spatial Policy 7.

19. Deliveries to the site shall be inspected prior to unloading. All unloading activities shall be supervised by the site operator to ensure that only waste which falls into the categories permitted under Condition 4 are composted. Any loads which fall outside those permitted under Condition 4 shall be rejected and removed off site.

Reason To ensure satisfactory operation of the site in accordance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.

20. The height of materials/compost stored on the aerated pad shall not exceed 4m. Storage heights of materials on other parts of the site shall not exceed 5m in height. Material shall only be stored within the operational areas of the planning application site, as identified on Drawing No. VES_TD_OXT_200_001: General Arrangement Oxtton received by the WPA on 13th October 2016.

Reason To ensure satisfactory operation of the site and minimise visual impacts in site in accordance with Policy W3.3 of the Nottinghamshire and Nottingham Waste Local Plan.

21. All green waste shall be shredded prior to being composted.

Reason To ensure that the shredded/mulched green waste is suitable for composting, and to ensure compliance with Policy W7.3 of the Nottinghamshire and Nottingham Waste Local Plan.

22. The compost windrows on the aerated and non-aerated pads shall be monitored at least twice per week. Written records shall be maintained of each inspection which shall provide the following information:

- a. The date the compost windrow was constructed.
- b. The approximate dimensions of the compost windrow upon formation.
- c. The dates on which the non-aerated compost windrow is turned.
- d. The temperature of the compost heap.
- e. An assessment of the moisture content of the windrow including dates when additional water is added to the windrow.
- f. The date when the active composting process ceases.
- g. The date when compost is transferred to agricultural land for storage/spreading including quantities.

Reason To ensure that the shredded/mulched green waste is suitable for composting, and to ensure compliance with Policy W7.3 of the Nottinghamshire and Nottingham Waste Local Plan.

23. Upon written request, the operator shall make available to the WPA a copy of the monitoring records for inspection within 3 days of such a request.

Reason To ensure satisfactory green waste management in accordance with Policy W7.3 of the Nottinghamshire and Nottingham Waste Local Plan.

24. Organic compost shall not be applied to any field at a rate which would result in the total nitrogen supplied in the compost exceeding 250kg/ha in any rolling 12 month period. A written record incorporating details of the location, time, date and application rate of mature compost, including chemical analysis of the levels of nitrogen per tonne of compost shall be maintained by the operator, copies of which shall be made available to the WPA within 3 days of a written request.

Reason To ensure satisfactory green waste management in accordance with Policy W7.3 of the Nottinghamshire and Nottingham Waste Local Plan.

25. In the event that the WPA receive a justified complaint regarding adverse environmental impacts arising from the storage of mature compost within a 'field store' then within 14 days of a written request by the WPA the operator shall relocate, remove or spread the offending field store. The applicant shall thereafter ensure that mature compost is not field stored within the offending location at any time in the future.

Reason To minimise potential adverse impact to the amenity of residential property in accordance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan

26. No materials may be burned or otherwise incinerated on the site. Any fire occurring shall be regarded as an emergency and immediate action taken to extinguish it.

Reason To ensure satisfactory operation of the site in accordance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.

27. There shall be no retail sales of compost, timber or other materials from the application site.

Reason To minimise potential disturbances arising from the operation of the site.

Cessation of working

28. In the event that the use of the site for the importation and composting of green waste should cease for a period in excess of three months, then the operator shall, within two weeks of a written request from the WPA, clear the site of all green waste and partly/fully composted product. In such circumstances, the operator shall also, upon the written request of the WPA, submit a scheme for the restoration of the site, including the removal of structures associated with the development. The approved restoration scheme shall be implemented within 6 months of the written approval of the WPA.

Reason In the interests of visual amenity and to ensure compliance with Green Belt Policy.

Note to Applicant

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact David Albans (01623) 520735 for details.



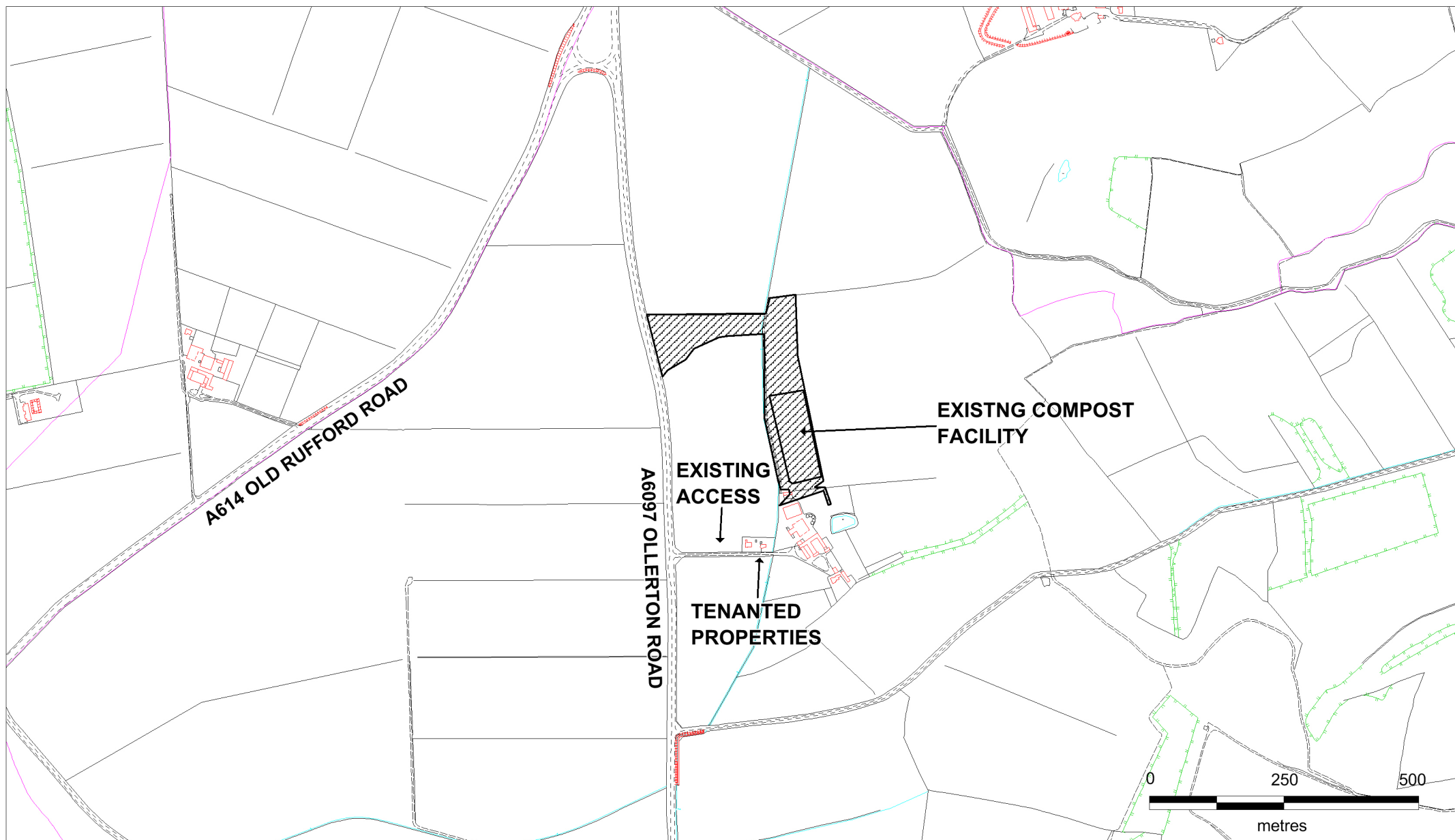
**Nottinghamshire
County Council**

Application to construct a new access road with new weighbridge, vary conditions 3, 5, 6, 9, 11, 15, 17, 21 and 22 of planning permission reference 3/15/00630/CMA including the expansion of the permitted composting treatment area with development of an aerated composting pad on part of the currently permitted compost facility area, increase the maximum annual processing capacity to 75,000 tonnes per annum, extend the existing screening bund and other ancillary developments.
Oxtun Composting Facility, Ollerton Road, Oxtun, Nottinghamshire.
Planning Application No. 3/16/01855/CMA

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Date: JAN 2017



**Nottinghamshire
County Council**

Application to construct a new access road with new weighbridge, vary conditions 3, 5, 6, 9, 11, 15, 17, 21 and 22 of planning permission reference 3/15/00630/CMA including the expansion of the permitted composting treatment area with development of an aerated composting pad on part of the currently permitted compost facility area, increase the maximum annual processing capacity to 75,000 tonnes per annum, extension of the western landscaping bund and other ancillary developments.

Oxton Composting Facility, Ollerton Road, Oxton, Nottinghamshire.

Planning Application No. 3/16/01855/CMA

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Date: JAN 2017

PLAN 2

17 January 2017**Agenda Item:6****REPORT OF CORPORATE DIRECTOR – PLACE****GOVERNMENT PROPOSAL TO EXTEND THE DESIGNATION REGIME FOR UNDER
PERFORMING LOCAL AUTHORITIES****Purpose of Report**

1. To advise Members of the Government's proposal to extend the existing regime for managing underperforming local planning authorities to include planning applications for non-major development and to increase the existing threshold for decisions on major applications being made within the statutory time period from 50% to 60%.

Information and Advice

2. Since 2013 there has been a system in place which assesses the performance on the speed and quality of decisions on planning applications for major development. These powers were introduced by the Growth and Infrastructure Act in 2013 (inserting new sections 62A to 62C into the Town and Country Planning Act, 1990). If local authorities fail to meet prescribed criteria they may be "designated" by the Secretary of State. Where this happens applicants may submit their planning applications directly to the Secretary of State for Communities and Local Government for determination rather than the local planning authority. Only one Authority, Blaby District Council, has been designated under this regime so far.
3. The criteria when first introduced in 2013 included two measures, the speed with which applications for major development are dealt with and secondly "for quality"; the extent to which decisions are overturned at appeal. Initially the threshold for local authorities' decisions being made within the statutory period (13 weeks for major applications) was set at 30%, this was later raised to 40% and it currently stands at 50%.
4. The Government recognises that planning departments have a vital role to play in securing new homes and development to support economic growth. The most recent statistics published by the Government show that national performance on the speed of decisions on applications for major development has continued to improve and is the highest since the designation regime was introduced. For the latest quarter it currently stands at 83%.

5. The Government is keen to treat all applicants the same and intends to extend the designation regime to include non-major applications, such as minor Regulation 3 (Council's own) development. The Housing and Planning Act 2016 provides the legal powers to achieve this. "Major" development is all minerals and waste development, development creating more than 1,000sqm floor space or development carried out on a site of 1 hectare or more. "Non-major" is defined in the legislation as any development which is not "major", which, for the County Council, would mainly comprise school applications of less than 1,000sqm.
6. On 22nd November 2016 DCLG laid before Parliament the document "Improving Planning Performance: Criteria for designation (revised 2016)", which sets out the revised criteria that the Secretary of State intends to use for designating a local planning authority as underperforming and the thresholds that authorities will be assessed against during the first quarter of 2017. This draft will come into effect 40 days from the 22nd November, ie 1st January 2017, unless either House of Parliament resolves that the criteria for designation should not be approved.

Designation criteria and assessment period

7. The following criteria will be used;

For speed of decisions:

- For applications for **major** development, the present threshold requires at least **50%** of an authority's decisions to be made within the statutory determination period or such extended period as agreed in writing with the applicant. The threshold will rise to **60%** early in 2018.
- For applications for **non-major** development, less than **65%** of an authority's decisions made within the statutory determination period or such extended period as agreed in writing with the applicant. This threshold will be introduced from 1st January 2017 and will rise to **70%** early in 2018.

For quality of decisions:

- DCLG will not assess local authorities' performance on the quality of their decisions on either major or non-major applications in 2017 but for applications for both major and non-major development in the 2018 designation round, the threshold will be 10% of an authority's total number of decisions on applications made during the assessment period being overturned at appeal.

Assessment period

- The assessment period for assessing speed of decisions is the two years up to and including the most recent quarter for which data on planning decisions are available at the time of designation. For example, a two

year period between October 2014 and September 2016 will be used for designation decisions in the first quarter of 2017.

Local context and implications for Nottinghamshire County Council

8. From the latest data available, year ending September 2016, of the 49 major planning applications determined by Nottinghamshire County Council 42 (86%) were decided within the statutory period or within an extended period agreed with the applicant. This clearly exceeds the current threshold of 50% as well as the proposed threshold of 60% to be introduced in 2018. These figures only relate to decisions made on major applications, however the Government's proposal extends this performance monitoring to decisions made on non-major planning applications.
9. If the County Council fails to meet the requisite threshold for **major** applications (i.e. 50%, increasing to 60%) it could be "designated". The implications of this would be applicants could submit their applications directly to the Planning Inspectorate for determination. If this were the case the County Council would not receive the associated planning fees, which can be up to £65,000 for a new minerals development. If the County Council became "designated" for underperforming in the determination of **non-major** development (initially 65%, increasing to 70%) applicants will not be able to submit their applications to the Planning Inspectorate as it is considered by the Government that these applications are best deal with locally. However, soon after designation local planning authorities are expected to prepare an action plan addressing areas of weakness that it identifies as having contributed to its under-performance.
10. This proposal to extend the performance management of local authorities in respect of their determination of planning applications has significant implications for Nottinghamshire County Council particularly in terms of its income generation from planning fees. It is imperative therefore that existing measures in place, including staffing levels, are maintained to enable the Development Management Team to continue to meet the increasingly demanding performance thresholds.

Other Options Considered

11. As this report is for information only no alternative options have been considered.

Statutory and Policy Implications

12. 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.

Implications for Service Users

13. In terms of service users, i.e. applicants, agents, consultees and all other parties involved in the planning application process, the County Council is continuously reviewing and adapting its working practices in order to provide a planning service which can meet the higher thresholds whilst at the same provide a fair and professional development management service.

Human Rights Implications

14. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) 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.

RECOMMENDATIONS

It is RECOMMENDED that Members note the Government's proposal to extend the existing regime for managing underperforming local planning authorities and the potential implications for this Authority.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments

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

[SLB 19/12/2016]

Comments of the Service Director - Finance

There are no specific financial implications arising from this report.

[RWK 19/12/2016]

Background Papers Available for Inspection

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Divisions and Members Affected

All

Report Author
Jane Marsden-Dale
0115 9932576

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



17 January 2016

Agenda Item:7

REPORT OF CORPORATE DIRECTOR - PLACE

DEVELOPMENT MANAGEMENT PROGRESS REPORT

1. To report on planning applications received by the Development Management Team between 5 November to 23 December 2016, and to confirm the decisions made on planning applications since the last report to Members on 18 October 2016.

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. Appendix C shows the Government's annual statistics for year ending September 2016 with Nottinghamshire's performance against other county councils in England. Nottinghamshire was third in the country in terms of the number of county matter applications received and determined during the year ending September 2016.

Statutory and Policy Implications

3. 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.
4. 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.

RECOMMENDATIONS

5. It is RECOMMENDED that the report and accompanying appendices be noted.

ADRIAN SMITH

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 – 23/12/2016]

Comments of the Service Director - Finance

The contents of this report are duly noted – there are no direct financial implications.

[SES– 23/12/2016]

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 9932584

Planning Applications Received and Determined
From 5th November to 23rd December 2016

Division	Member	Received	Determined
BASSETLAW			
Blyth & Harworth	Cllr Sheila Place	Erection of 1no. GRP kiosk at Hodsock Sewage Treatment Works, Off A60, Carlton in Lindrick. Received 24/11/2016	
Worksop North East & Carlton	Cllr Alan Rhodes	Variation of conditions 2 and 5 of planning permission 1/14/00214/CDM to extend the timescale for the completion of sand extraction until 25th August 2018 and restoration by landfill by 25th August 2019. Carlton Forest Quarry, Blyth Road, Worksop. Received 09/12/2016	
MANSFIELD – None			
NEWARK & SHERWOOD			
Blidworth	Cllr Yvonne Woodhead	To retain existing temporary classroom, Lake View Primary School, Rainworth Water Road, Rainworth. Received 22/11/2016	

Division	Member	Received	Determined
Collingham	Cllr Maureen Dobson	To redevelop the site as a waste water treatment facility, treating non-hazardous domestic and commercial liquid wastes, using the existing buildings and site infrastructure. The erection of 3 external storage tanks and internal plant equipment to include odour control unit venting to the atmosphere. Eurotech Environmental Limited, Northern Road, Newark. Received 15/12/2016	
Collingham	Cllr Maureen Dobson		The installation of an MCC kiosk and associated operational infrastructure at Crankley Point Sewage Treatment Works, Quibell's Lane, Newark. Granted 19/12/2016
ASHFIELD			
Kirkby in Ashfield South	Cllr Rachel Madden	Erection of store extension and siting mobile classroom. Kirkby Woodhouse Primary School, Main Road, Kirkby in Ashfield. Received 21/11/2016	
Kirkby in Ashfield North	Cllr John Knight		To vary conditions 3, 26 and 27 of planning permission 4/V/2015/0711 concerning drainage, and external storage. Welshcroft Close Transfer Station, Land off Welshcroft Close, Portland Industrial Estate, Kirkby-in-Ashfield. Granted 05/12/2016

Division	Member	Received	Determined
BROXTOWE			
Beeston North	Cllr Steve Carr		Relocation of library entrance with alterations to external elevations including replacement windows to the CLASP building; with external steps and ramp and associated landscape works. Beeston Library, Foster Avenue, Beeston. Granted 15/11/2016 (Committee)
Eastwood	Cllr Keith Longdon		Erection of a two storey replacement 210 place primary and 26 full time equivalent place nursery school, additional car parking, lighting and CCTV, sports pitch provision and landscaping. Widening of existing vehicular access from Walker Street, reuse of existing pedestrian access points, and provision of new pedestrian access to eastern boundary from Eastwood Public Footpath No. 27. New 2.4m high weldmesh fencing to enclose site in conjunction with retained existing boundary fencing to Walker Street. 3.5m high timber fencing to enclose sprinkler tank / pump house, 2.4m high to foul / surface drainage pumps and bin store. Resurfacing of existing hard court area and enclosure with 3m high weldmesh fencing. Land north of Walker Street, Walker Street, Eastwood. Granted 20/12/2016 (Committee)

Division	Member	Received	Determined
GEDLING			
Carlton West	Cllr Jim Creamer Cllr Darrell Pulk	Construction of car park extension, Parkdale Primary School, Parkdale Road, Carlton. Received 28/11/2016	
Arnold North	Cllr Pauline Allan Cllr Michael Payne	Erection of single classroom extension and extension to car park with brick clad retaining wall and 4m high ball fence and car park lighting. Killisick Junior School, Killisick Road, Arnold. Received 01/12/2016	
RUSHCLIFFE			
Cotgrave	Cllr Richard Butler		Retention of an existing temporary mobile two classroom building. Ash Lea School, Owthorpe Road, Cotgrave. Granted 16/11/2016
Cotgrave	Cllr Richard Butler		Erection of two storey extension replacing 2 mobile buildings (4 classrooms), 3 additional car parking spaces, areas of outdoor hard play, associated landscape works and security fencing. Ash Lea School, Owthorpe Road, Cotgrave. Granted 18/11/2016 (Committee)
Cotgrave	Cllr Richard Butler		Land reclamation of former mineral workings through the importation of inert waste with restoration to notable native and alien plant species habitat, characteristic of the Cropwell Bishop Gypsum spoil wildlife site. Canalside Industrial Park, Kinoulton Road, Cropwell Bishop. Granted permission by the Secretary of State 29/11/2016

Division	Member	Received	Determined
Soar Valley	Cllr Andrew Brown	Variation of condition 1 of planning permission 8/05/00761/CMA to retain the existing site, including access, for a continued period of production of oil and associated gas for a further 5 years. Rempstone B Wellsite, Rempstone. Received 13/12/2016,	

Applications outstanding over 17 weeks at 23rd December 2016

Division	Member	Description	Weeks Out Standing	Comments
BASSETLAW				
Misterton	Cllr Liz Yates	To develop a hydrocarbon wellsite and drill up to two exploratory hydrocarbon wells (one vertically and one horizontally) by use of a drilling rig together with associated ancillary works. The proposed development will be carried out in four phases: Phase 1 - Wellsite construction; Phase 2 - Drilling of up to two exploratory wells for hydrocarbons including potential shale gas (the first one vertical and the second one horizontal); Phase 3 - Suspension of wells and assessment of drilling results; Phase 4 - Site decommissioning, well abandonment and restoration. Land off Springs Road, Misson	61	Considered by committee on 05/10/2016 and 15/11/2016, where it was resolved to grant planning permission upon the agreeing and signing of a S106 Legal agreement.

Division	Member	Description	Weeks Out Standing	Comments
Misterton	Cllr Liz Yates	<p>The exploratory well would be a vertical multi-core well to target the Bowland Shale and Millstone Grit geological formations to assist with the assessment of the shale gas basin in the area. In addition, three sets (with each set containing up to 3 boreholes) of monitoring boreholes would be installed to sample and monitor groundwater and ground gas during the drilling of the exploration well. The proposed development would involve permission for the security cabins already on the site, together with the construction work associated with the development of the well site, the drilling (using a drill rig of a maximum height of 60m) and evaluation of the well and monitoring boreholes and then the decommissioning and restoration of the site back to agricultural use. The development would be for a proposed three year period. Land off A634, Between Blyth and Barnby Moor, Near Retford.</p>	30	Committee report being prepared for Committee in the new year.

Division	Member	Description	Weeks Out Standing	Comments
MANSFIELD - None				
NEWARK & SHERWOOD				
Collingham	Cllr Maureen Dobson	To vary conditions 2, 4, 24 and 25 of planning consent 3/02/02403CMA to facilitate an extension of time to 31 December 2022 for the extraction of the remaining sand and gravel reserves with restoration to be completed within 12 months thereafter and also amendment of the approved restoration and working plans. Besthorpe Quarry, Collingham Road, Collingham	108	Resolved to grant permission upon the agreeing and signing of S106 Legal Agreement
Southwell & Caunton	Cllr Bruce Laughton	Installation of automatic vehicular gate to main entrance. Minster View, Normanton Road, Upton.	49	New design and information received and has gone out to consultation
Farndon & Muskham	Cllr Mrs Sue Saddington	To vary condition 46 of planning permission 3/14/91/1237, revision to approved restoration scheme. Staple Landfill, Grange Lane, Cotham	35	Presented to Committee 20/09/2016 and was resolved to grant permission upon the agreeing and signing of S106 Legal Agreement

Division	Member	Description	Weeks Out Standing	Comments
Rufford	Cllr John Peck	The retention and continued operation of the coal mine methane electricity generation plant. Former Thoresby Colliery Site, Edwinstowe.	22	Holding objection from Nottinghamshire Wildlife, further information requested by Natural England and objection form Alkane Energy. Negotiations ongoing.
Collingham	Cllr Maureen Dobson	Vary conditions 8 and 9 of planning consent 3/98/0800 to allow an extension to the duration of quarry workings until 31st December 2035 (currently 31st August 2016) with full site restoration to be completed by 31st December 2036. The submission also incorporates an interim restoration scheme relating to land to the south of the plant site. Girton Quarry, Gainsborough Road, Girton.	20	Reg 22 for further information received and has gone out to consultation
Collingham	Cllr Maureen Dobson	Vary conditions 7 and 8 of planning consent 3/04/00394/CMM to allow the continued retention/use of the plant site/access road at Girton Quarry until 31st December 2035 (currently 31st August 2016) with full site restoration to be completed by 31st December 2036. Girton Quarry, Gainsborough Road, Girton	20	Reg 22 for further information received and has gone out to consultation

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	227	No change- Still awaiting traffic impact assessment from the applicant
Sutton in Ashfield East	Cllr Steve Carroll	Installation of a 5MW Solar PV Array with associated access track and temporary construction compound. Two Oaks Quarry, Derby Road, Mansfield.	66	Delegated report being prepared
BROXTOWE				
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	205	Awaiting landscape information
GEDLING - None				

Division	Member	Description	Weeks Out Standing	Comments
RUSHCLIFFE				
Soar Valley	Cllr Andrew Brown	Request for none compliance of condition 6 of planning permission 8/12/01488/CMA to extend the time period necessary to restore land. East Leake Quarry, Rempstone Road, East Leake	Not counting	Revised restoration scheme received and consulted upon, which has raised landscaping and bird strikes issues, which need to be resolved. Held in abeyance by the applicant to run with the Extension application
Soar Valley	Cllr Andrew Brown	Application to consolidate previous planning permissions and extension of existing quarry involving the extraction of sand and gravel with restoration to agriculture and conservation wetland. Retention of existing aggregate processing plant, silt lagoon and access/haul road. East Leake Quarry, Rempstone Road, East Leake	122	Presented to Committee on 20/10/2015 and was resolved to grant permission upon the agreeing and signing of S106 Legal Agreement.

Division	Member	Description	Weeks Out Standing	Comments
Ruddington	Cllr Reg Adair	Section 73 planning application to vary condition 3 of planning permission 8/12/01028/CMA, condition 7 of planning permission 8/96/79/CMA and condition 9 of planning permission 8/94/00164/CMA to extend the permitted operational hours from 0730 hours to 0600 hours Mondays to Saturdays to allow 12 outbound pre-loaded HGV movements from the site and to bring forward the operating time on the IBA waste transfer area from 0730 hours to 0700 hours Mondays to Saturdays. Bunny Materials Recycling Facility, Loughborough Road, Bunny	58	Presented to Committee on 20/12/2016 and was resolved to grant permission upon the agreeing and signing of S106 Legal Agreement.

Division	Member	Description	Weeks Out Standing	Comments
Keyworth	Cllr John Cottee	Placement of a 950KW Pytec biomass boiler within the existing building "C" incorporating a 10m high flue. Construction of a new enclosure to the south side of the existing building to cover two Fliegi dryers. And change of use of the existing building to a dry pellet store. John Brooke Sawmills Limited, The Sawmill, Fosseway, Widmerpool	46	Presented to Committee on 20/10/2015 and was resolved to grant permission upon the agreeing and signing of S106 Legal Agreement.
Keyworth	Cllr John Cottee	Periodic review of mineral permissions pursuant to Section 96 of Environment Act 1995. Marblaegis Mine, Gotham Road, East Leake	34	Elsewhere on the agenda
Rudding ton	Cllr Reg Adair			
Soar Valley	Cllr Andrew Brown			
Keyworth	Cllr John Cottee	To vary condition 4 of planning permission 8/11/01544/CMA to extend the operation of the mine until 22/02/2042. Marblaegis Mine, Gotham Road, East Leake	34	Elsewhere on the agenda
Rudding ton	Cllr Reg Adair			
Soar Valley	Cllr Andrew Brown			
Keyworth	Cllr John Cottee	To vary condition 2 of planning permission 8/00/01321/CMA to extend the operation of the mine until 22 February 2042. Marblaegis Mine, Gotham Road, East Leake	34	Elsewhere on the agenda
Rudding ton	Cllr Reg Adair			
Soar Valley	Cllr Andrew Brown			

Division	Member	Description	Weeks Out Standing	Comments
Soar Valley	Cllr Andrew Brown	Variation of conditions 4 and 5 of planning permission 8/11/00157 to extend the duration of extraction until 31/12/2016 and restoration until 31/12/2017 and amend the phasing details. East Leake Quarry, Rempstone Road, East Leake	21	Presented to Committee on 20/12/2016 and was resolved to grant permission upon the agreeing and signing of S106 Legal Agreement.

Table P144: 'County matters' planning authorities - planning applications received, decided and granted, speed of decisions and Regulation 3 and 4 decisions, by local planning authority

England, Year ending September 2016^P

Planning authority	ONS Code	Applications			Decisions ¹				Decisions made ²		Number
		Received	Decided	Granted	Within 13 weeks		Within 16 weeks		Regulation 3	Regulation 4	Decisions issued under ROMPS ³
					Number	%	Number	%			
England	E92000001	1,206	1,155	1,090	1,059	92	1,074	93	1,095	9	28
County councils		906	826	786	754	91	766	93	1,064	9	16
Buckinghamshire	E10000002	22	11	7	9	82	9	82	8	9	-
Cambridgeshire	E10000003	18	17	17	17	100	17	100	32	-	-
Cumbria	E10000006	42	41	41	37	90	38	93	25	-	-
Derbyshire	E10000007	30	25	25	17	68	19	76	72	-	2
Devon	E10000008	40	34	33	33	97	33	97	14	-	1
Dorset	E10000009	21	14	14	9	64	9	64	20	-	1
East Sussex	E10000011	17	16	14	13	81	13	81	32	-	-
Essex	E10000012	31	37	34	34	92	35	95	60	-	-
Gloucestershire	E10000013	24	16	16	14	88	15	94	27	-	-
Hampshire	E10000014	59	55	52	54	98	54	98	67	-	-
Hertfordshire	E10000015	23	21	14	21	100	21	100	28	-	-
Kent	E10000016	29	36	36	35	97	35	97	97	-	-
Lancashire	E10000017	32	36	31	36	100	36	100	50	-	1
Leicestershire	E10000018	34	35	34	34	97	35	100	22	-	-
Lincolnshire	E10000019	59	51	48	46	90	47	92	41	-	2
Norfolk	E10000020	78	58	56	53	91	54	93	50	-	-
North Yorkshire	E10000023	22	15	15	13	87	13	87	72	-	2
Northamptonshire	E10000021	30	29	29	26	90	26	90	36	-	-
Nottinghamshire	E10000024	55	49	47	42	86	44	90	54	-	1
Oxfordshire	E10000025	38	39	39	35	90	36	92	15	-	-
Somerset	E10000027	32	21	20	20	95	20	95	31	-	2
Staffordshire	E10000028	44	36	34	35	97	35	97	12	-	3
Suffolk	E10000029	44	40	40	34	85	34	85	85	-	1
Surrey	E10000030	27	32	32	28	88	28	88	46	-	-
Warwickshire	E10000031	22	23	23	21	91	22	96	13	-	-
West Sussex	E10000032	23	25	25	25	100	25	100	43	-	-
Worcestershire	E10000034	10	14	10	13	93	13	93	12	-	-

17 January 2017**Agenda Item:8****REPORT OF CORPORATE DIRECTOR, RESOURCES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2017.

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, Resources

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 (NS)

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>
Special Meeting to be arranged targeted 21 st February 2017	1/16/00773/CDM	Land off A634, Between Blyth and Barnby Moor, Near Retford	Vertical multi-core well to target the Bowland Shale and Millstone Grit geological formations to assist with the assessment of the shale gas basin in the area. In addition, three sets (with each set containing up to 3 boreholes) of monitoring boreholes would be installed to sample and monitor groundwater and ground gas during the drilling of the exploration well. The proposed development would involve permission for the security cabins already on the site, together with the construction work associated with the development of the well site, the drilling (using a drill rig of a maximum height of 60m) and evaluation of the well and monitoring boreholes and then the decommissioning and restoration of the site back to agricultural use. The development would be for a proposed three year period.
21 st February 2017	8/16/01432/CMA	Marblaegis Mine, Gotham Road, East Leake	To vary condition 2 of planning permission 8/00/01321/CMA to extend the operation of the mine until 22 February 2042
21 st February 2017	8/16/01433/CMA	Marblaegis Mine, Gotham Road, East Leake	To vary condition 4 of planning permission 8/11/01544/CMA to extend the operation of the mine until 22/02/2042
17 th February 2017	8/16/01430/CMA	Marblaegis Mine, Gotham Road, East Leake	Periodic review of mineral permissions pursuant to Section 96 of Environment Act 1995
21 st March 2017	3/16/01341/CMM	Girton Quarry, Gainsborough Road, Girton, Near Newark	Vary conditions 8 and 9 of planning consent 3/98/0800 to allow an extension to the duration of quarry workings until 31 st December 2035 (currently 31 st August 2016) with full site restoration to be completed by 31 st December 2036. The submission also incorporates an interim restoration scheme relating to land to the south of the plant site.

Planning Applications currently being considered by NCC which currently have not been timetabled to a committee meeting.

Planning App: 5/13/00070/CM
 Location: Shilo Park, Shilo Way, Cossall
 Development: Change of use to waste timber recycling centre including the demolition of existing building and construction of new buildings.

Planning App:	3/16/01689/CMA
Location:	Land at Langford Quarry, Newark Road, Near Collingham
Development:	Proposed southern and western extensions to existing quarry with restoration to water, nature conservation and agriculture together with revised restoration of existing workings and retention of existing plant site and site access.
Planning App:	1/16/01616/CDM
Location:	Nether Langwith Quarry, Wood Lane, Nether Langwith
Development:	To vary conditions 1 and 85 of planning permission 1/64/96/2 to allow the continuation of the extraction and processing of limestone until 2035 with restoration complete by 2037 (currently permitted until 28th October 2017 with restoration by 28th October 2019) and removal of condition 77 so to retain the access road.
Planning App:	8/16/02736/CMA
Location:	Redhill Marina, Redhill Lock, Ratcliffe on Soar
Development:	The proposed construction of an inland leisure marina; associated ancillary building, infrastructure, car parking and landscaping with incidental mineral excavation