

## **Planning and Licensing Committee**

**Tuesday, 16 July 2013 at 10:00**

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

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**PLEASE NOTE THERE WILL BE A SITE VIST UNDERTAKEN BY MEMBERS AT THE CLOSING OF THE MEETING TO LODGE HOUSE DERBYSHIRE AND SHORTWOOD**

**NOTES:-**

(1) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

(2) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules.

Members or Officers requiring clarification on whether to make a declaration of interest are invited to contact Dave Forster (Tel. 0115 9773552) or a colleague in Democratic Services prior to the meeting.

(3) Members are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information may be recycled.

## minutes

Meeting PLANNING AND LICENSING COMMITTEE

Date Thursday 18 June 2013 (commencing at 10.30 pm)

### membership

Persons absent are marked with 'A'

### COUNCILLORS

Sybil Fielding (Chairman)  
Sue Saddington (Vice-Chairman)

Roy Allen  
Andrew Brown  
Steve Calvert  
Jim Creamer  
Darren Langton

A Rachel Madden  
Andy Sissons  
Keith Walker  
Yvonne Woodhead

### ALSO IN ATTENDANCE

Councillor John Wilmott

### OFFICERS IN ATTENDANCE

Nathalie Birkett- Solicitor  
David Forster – Democratic Services Officer  
Jerry Smith – Team Manager, Development Management  
Andrew Penn – Team Manager Trading Standards  
Heather Stokes Team Manager – Countryside and Conservation  
Ursilla Spence – Archaeology Leader.  
Jason Mordan – Historic Buildings Leader  
Nick Crouch – Nature Conservation Leader

### MINUTES OF LAST MEETING

The minutes of the meeting held on 23 May 2013, having been circulated to all Members, were taken as read and were confirmed and signed by the Chairman.

### APOLOGIES FOR ABSENCE

There were no apologies for absence

### DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

None

#### **DECLARATIONS OF LOBBYING OF MEMBERS**

None

#### **ALTERATIONS TO THE EXISTING CAR PARK FACILITY, NEW PLAYGROUND AREAS AND NEW GATE CARNARVON PRIMARY SCHOOL NURSERY ROAD BINGHAM**

Mr Smith took members through the report and highlighted the issues around the removal of four trees including a category B specimen. He also informed members that a letter of objection to the application to what the objector thought was an increase in car parking spaces had been received. He assured members that there are not to be any additional parking spaces but a reconfiguration of the current number of 29 spaces and the objector has been informed of this.

#### **RESOLVED 2013/021**

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 1 attached to the report.

#### **STATEMENT OF COMMUNITY INVOLVEMENT REVIEW**

#### **RESOLVED 2013/022**

That it be noted that the County Council's Statement of Community Involvement has been updated and formally adopted as Council policy.

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

Mr Penn introduced the report and highlighted the issues around fees for poisons and performing animal licences.

#### **RESOLVED 2013/023**

1. That the level of activities undertaken and proposed in the report be noted and
2. That the fees for poisons registrations and performing animals licences as set out in the report be approved.

#### **PRESENTATION FROM THE CONSERVATION TEAM**

Ms Stokes introduced the presentation for members on the diverse work of the Conservation Team. The presentation included Conservation and Planning, Archaeology, Historic Buildings and Nature Conservation and some of the issue which Officers have to deal with in giving advice.

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

**RESOLVED 2013/024**

That the presentations be noted

**WORK PROGRAMME**

**RESOLVED 2013/0**

That the work programme be noted

The meeting closed at 11.25 pm.

**CHAIRMAN**





**16<sup>th</sup> July 2013**

**Agenda Item:**

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

**RUSHCLIFFE DISTRICT REF. NO.: 8/13/00432/CMA**

**PROPOSAL: CHANGE OF USE OF LAND TO A METAL RECYCLING FACILITY**

**LOCATION: FORMER LANGAR COMPOST SITE, COACH GAP LANE, LANGAR-  
CUM-BARNSTONE**

**APPLICANT: CHRIS ALLSOP METAL RECYCLING LIMITED**

**Purpose of Report**

1. To consider a planning application for the change of use of land to a metal recycling facility at the former compost site, Coach Gap Lane, Langar-cum-Barnstone. The key issues relate to HGV movements, ecology, noise and surface water run-off and contamination. The recommendation is to grant planning permission subject to the planning conditions at Appendix 1.

**The Site and Surroundings**

2. Langar Industrial Estate comprises a number of discreet areas of employment land to the south east of the village of Langar, accessed off either Coach Gap Lane or from the entrance to Langar Airfield, both private roads.
3. The application site itself is a roughly square shaped piece of land measuring approximately 115 metres by 110 metres and covering an area of some 1.2 hectares. The site has recently been used as a wood recycling facility.
4. The site, as with its immediate surroundings, is on fairly flat topography. It is surrounded by a variety of other industrial uses, including premises on the southern boundary which have the benefit of planning permission for wood shredding/demolition waste crushing/screening, and a paper recycling company to the immediate north east. To the west of the site (on the opposite side of the access road) is a mature hedgerow with trees, beyond which is an agricultural field.
5. The closest residential property is a permanent caravan sited on industrial land approximately 350 metres north-west of the application site on Coach Gap Lane.

The nearest permanent residential property is 'Fairfield', approximately 475 metres to the east. The village of Barnstone is just over one kilometre to the north of the site, and the village of Langar is just over one kilometre to the north-west. The site location is shown on Plan 1.

6. There are three permanent buildings on the site. The main building is a portal framed metal clad industrial building measuring 50m by 22m located adjacent to the north-western boundary of the site. The site also contains a Nissen hut in the southern corner of the site and a small sub station. The site is predominantly surfaced with concrete, and some hardstanding, and is enclosed by 2m high concrete post and wire mesh fencing.
7. The site is accessed from the public highway (Harby Road) via Coach Gap Lane which in turn joins onto an established private industrial access road. Access into the application site is obtained from this private industrial access road via a gated access located in the western corner of the site.
8. The nearest statutorily designated site is the Barnstone Railway Cutting, a Site of Special Scientific Interest (SSSI) approximately 1.3km to the north-east. There is a Site of Importance for Nature Conservation (SINC) 260m to the south-west and another 330m to the east, both of which are areas of grassland supporting notable populations of County rare butterfly and calcareous flora. To the north, approximately 330m distant, is the Langar Quarry SINC which is a disused quarry incorporating areas of open water, grassland and scrub of zoological note.

## **Proposed Development**

### Site History

9. The application site has previously been used for green waste composting activities by virtue of a planning permission originally granted in 1995. The site was last used for this purpose in 2004 and was then vacant for some time.
10. Planning permission was granted for a similar process involving the processing of waste wood and inert crushing/screening on the site immediately to the south of the current application site in December 2011. A planning application was submitted by Smart Recycling who vacated the premises to the south and then moved their activities onto the site relating to this application. Planning permission was granted by this Committee for wood shredding on the application site on 8<sup>th</sup> May 2012. Smart Recycling has since vacated the site leaving behind stockpiles of waste wood.

### Proposed Development

11. Planning permission is sought to change the use of the site from a waste wood recycling facility to a metal recycling facility with vehicle storage, de-pollution and dismantling. The site would have a throughput of up to 25,000 tonnes of metal based wastes per year.

12. The facility is proposed to serve householders; small businesses; local plumbers; local tradesmen; manufacturing companies; logistics companies; the construction and demolition industry; waste management facilities and blue chip companies.
13. The proposed development would use the existing buildings and external yard space within the site and no new buildings are proposed. The only new development would be the introduction of a weighbridge adjacent to the south-eastern side of the main building in the north-west corner of the site.
14. With regard to site layout, a staff and visitor car park would be formed in the northern corner of the site to the north-east of the main site building. This building would be used for ferrous and non-ferrous processing, the de-pollution of End of Life Vehicles (ELV) and administration and welfare facilities. Located along part of the south-east and south-western boundaries would be the ferrous metal and de-polluted vehicle storage areas, which would comprise open storage. The Nissen hut in the southern corner of the site would be used for the storage and processing of non-ferrous metals. It would also be used as a secure storage area for maintenance oils and fluids. The existing substation would remain centrally within the site around which vehicles visiting the site would operate a clockwise circulatory system. The proposed site layout is detailed in Plan 2.

#### Waste accepted on site

15. The applicant states that they would be operating under a standard rules permit issued by the Environment Agency which allows for metal recycling, vehicle storage, de-pollution and dismantling (Permit No. SR2012No14). The applicant lists the wastes that would be managed at the site, which is replicated in Table 1 below. The site, and the wastes accepted, would have to work within the confines of the Permit. A copy of the appropriate standard rules is attached at Appendix 2.

<b>Table 1 - Waste Types</b>	
<b>Waste Code</b>	<b>Description</b>
02 01 10	Waste metal
12 01 01	Ferrous metal filings and turnings
12 01 03	Non-ferrous metal filings and turnings
15 01 04	Metallic packaging
16 01 03	End of life tyres
16 01 04	End of life vehicles
16 01 06	End of life vehicles containing neither liquids nor other hazardous components
16 01 07	Oil filters
16 01 11	Brake pads containing asbestos
16 01 12	Brake pads other than those mentioned in 16 01 11
16 01 17	Ferrous metal
16 01 18	Non-ferrous metal
16 01 22	Discarded components not otherwise specified
16 06 01	Lead batteries
16 06 05	Other batteries and accumulators
17 04 01	Copper, bronze, brass
17 04 02	Aluminium
17 04 03	Lead

17 04 04	Zinc
17 04 05	Iron and Steel
17 04 06	Tin
17 04 07	Mixed metals
17 04 11	Cables other than those mentioned in 17 04 10
19 01 02	Ferrous metals removed from bottom ash
19 10 01	Iron and steel waste
19 10 02	Non-ferrous waste
19 12 02	Ferrous metal
19 12 03	Non-Ferrous metal
20 01 33	Lead batteries
20 01 40	Metals

16. The site would have the capacity to store up to 3,000 tonnes of scrap ferrous metal at any one time. Non ferrous metals would be limited to 50 tonnes. Batteries would be removed from site regularly and the applicant states that there would be no more than 50 tonnes of lead acid batteries on site at any one time.

#### Site Operations and Method of Working

17. The applicant states that ferrous metals would be stored externally in the outdoor storage areas as shown on Plan 2. The height of stockpiled metal would not exceed 5 metres.
18. Vehicles entering the site would be directed towards the weighbridge and the driver will then be required to submit the necessary documentation for the waste and orally describe their load. Only permitted waste as outlined in the Environmental Permit would be accepted and staff would be trained in the types of waste allowed. All waste would be visually inspected to ensure that the waste complies with the Permit conditions and to ensure it matches the description on the waste transfer notes. Non-compliant loads would be rejected or stored in a quarantine area and removed off site within 72 hours. Where necessary the Environment Agency would be notified.
19. Once it has been established that the waste can be accepted on site, vehicles would be directed towards the relevant waste reception area. The ferrous metals would either be handled manually or with a loading shovel, 5 fingered grab or electromagnetic grab as required. The material if necessary would be processed by a range of permitted equipment and loaded into a storage bay or waiting vehicle as required.
20. Non ferrous metals would be processed using small alligator guillotine shears as necessary and may be handled manually or with a 5 fingered grab. This material has a higher value and would be securely stored within the main building or Nissan hut.
21. Any lead acid batteries received at the site would be directed to a battery storage area. Batteries would be either stored in impermeable lidded battery containers, or would be undercover within a bunded area at all times. These would then be removed from site and taken to an authorised facility for recycling.

22. The site is secured by a 2m high concrete post and chain link fence and the entrance is gated. The fence would remain in place and the gates would be locked when the site is not in use.

#### Vehicle movements

23. The proposed development would operate at up to 25,000 tonnes of waste per year. Based on a 5.5 day working week and a 50 week working year the site would accept a maximum average of 90 tonnes of waste per day.
24. The applicant states that based on a sister metal recycling site, skip deliveries average 6 tonnes per skip and flat bed deliveries average 3 tonnes per load. It is estimated that there would be a maximum of 25 vehicles delivering waste to the facility per day.
25. Once the material has been processed it would be shipped out of the facility in articulated lorries, with payloads averaging 25 tonnes. It is estimated that once working at full capacity there would be 20 articulated lorry HGVs visiting the site per week.

<b>Table 2 – Estimated Vehicles Per Week When Operating at Maximum Capacity</b>			
	<b>Flat bed lorry and skip vehicles</b>	<b>Articulated lorries</b>	<b>Total vehicles per week</b>
<b>Incoming vehicles loaded with waste</b>	126	0	126
<b>Outgoing vehicles loaded with product</b>		20	20
<b>Staff Vehicles</b>			36
<b>Total number of vehicles entering the facility per week</b>			182

26. The applicant states that deliveries of waste would occur throughout the day, with a slight emphasis on deliveries in the morning. Product leaving the facility would likely occur in the afternoons and the majority of car journeys would be travelling employees and would occur at the start and end of the working day.

#### Hours of operation

27. It is proposed that the metal recycling facility would operate 07:00 to 18:00 hours Monday to Friday and 07:00 to 14:00 hours on Saturdays. No operations would take place on Sundays, Bank or Public Holidays.

#### Staffing

28. The applicant states that there would be six full time employees working at the site. It is anticipated that this would be made up of one site manager, two ELV de-pollution specialists (also operating the loading shovel and grabs), two labourers, and one site office administrator.

### **Consultations**

29. **Rushcliffe Borough Council** – *No objection subject to the completion of a legal agreement providing for a contribution towards the upkeep of Coach Gap Lane and conditions relating to the approved details and site operations.*
30. *Additional comments have been received from a Rushcliffe Borough Council Property Services Officer who states that there would be a six fold increase in heavy HGVs using the road and that the current road structure is sub-standard for this new proposed level of road traffic. There is concern that where vehicles are turning this would lead to extreme stress. The Officer considers that if planning permission is granted the road at Coach Gap Lane would need to be significantly improved to a higher level of construction, otherwise it would disintegrate and cause nuisance. The cost cannot be attributed to other users, as it currently serves its purpose, therefore, all costs would be attributable to the new use. A Section 106 Agreement is recommended to cover the Borough Council's maintenance costs.*
31. **Langar-Cum-Barnstone Parish Council** – *Objection on the grounds that there is an existing metal recycling facility on the same site, the access from Coach Gap Lane is heavily trafficked with HGVs and there would be additional HGV traffic passing through Langar.*
32. **Environment Agency Midlands Region** – *No objection. The development will require an Environmental Permit unless an exemption applies. The Agency recommends that an informative is attached stating that waste shall be stored and treated on hardstanding or on an impermeable surface with sealed drainage.*
33. **NCC (Planning Policy)** – *The application site lies on a long established industrial estate with a history of waste processing. The site is identified under Policy E8 of the Rushcliffe Local Plan 1996 for employment use, a designation which is carried through on a non-statutory basis in Policy EMP6 of the Rushcliffe Non-Statutory Replacement Local Plan 2006. Both state that employment type development would be permitted if the scheme arises as a business expansion or makes beneficial use of existing buildings.*
34. *Part of the industrial estate, further to the west on Coach Gap Lane was previously identified as an area of search suitable for the development of a waste transfer station under Policy W9.1 of the Nottinghamshire and Nottingham Waste Local Plan.*
35. *The National Planning Policy Framework (NPPF) seeks to support sustainable economic growth, including in rural areas and encourages the reusing of previously developed land. Waste development, although not explicitly covered by the NPPF, can be assessed as an economic/employment use.*
36. *The Waste Core Strategy (WCS), at the examination stage, is sufficiently advanced to be afforded weight in determining applications and is currently subject to modifications. Policy WCS2 gives priority to new or extended waste recycling facilities.*

37. *Policy WCS3 (as modified), supports the development of smaller/medium sized waste facilities in, or close to, the built up area of Nottingham and Mansfield/Ashfield, Newark, Retford and Worksop. It should be noted that at the proposed 25,000 tonnes per annum, the development falls as a medium sized scale scrap metal facility under Appendix 2 of the Waste Core Strategy (as modified by change 71). The medium scale threshold is now classed as that between 21-99,000 tonnes per annum.*
38. *At a local level Policy WCS6 directs new metal recycling facilities towards existing employment land, subject to there being no unacceptable environmental impacts.*
39. *Policy WCS 12 (Protecting and Enhancing our Environment) as modified states:*  
*“New or extended waste treatment or disposal facilities will be supported only 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 an unacceptable cumulative impact. All waste proposals should seek to maximise opportunities to enhance the local environment through the provision of landscape, habitat or community facilities.”*
40. *Policy WCS14 (Design of Waste Management Facilities) seeks high standards of design and landscaping for new or extended facilities.*
41. *Having examined the information submitted in support of the planning application against the NPPF, the Nottinghamshire and Nottingham Waste Local Plan 2002 and the Nottinghamshire and Nottingham Waste Core Strategy, the application is considered acceptable within planning policy terms, and no strategic planning objection is raised.*
42. *The site lies on an established employment area, part of which has been previously identified for a waste transfer station and which has a history of waste type operations. Due consideration should be given to appropriate design and landscaping and all relevant environmental impacts in accordance with Policy W5.10 of the Waste Local Plan and the Waste Core Strategy as a whole.*
43. **Natural England** – *There is no objection to the proposed development, but the Authority is referred to Natural England’s standing advice in relation to Bats.*
44. *It is highlighted that the application has not been assessed for Badgers, Barn Owls and breeding birds, Water Voles, widespread reptiles or White Clawed Crayfish. These are all species covered by domestic legislation and Natural England’s standing advice should be used to assess the impact on these species.*
45. **NCC (Nature Conservation)** – *Proposals will not directly affect any nationally or locally designated nature conservation sites; the nearest SSSI (Barnstone Cutting) lies 1.3km to the north-east, whilst the nearest SINC/LWS (Langar Airfield) lies to the south-west.*

46. *The application is supported by a Bat and Barn Owl survey. In relation to Bats, no evidence was found that bats are using the building and no potential impacts are identified. It should be noted that a large Bat box is present within the main building, but this is not used by roosting Bats and is considered to be of a design which does not suit Bat species in Nottinghamshire. In relation to Barn Owls, evidence was found that this species had previously nested within the Bat box, but it is unclear how recently. Two alternative boxes installed along the northern boundary have not been used. In terms of mitigation, it is vital that access to the Bat box is maintained for Barn Owls via the grille in the north-eastern corner of the industrial building.*
47. *The Bat and Barn Owl Survey report states that occupation and activity should recommence within the building without delay, to avoid impacting upon any repeat nesting by Barn Owls within the building. This is because Barn Owls are a Schedule 1 species protected under the Wildlife and Countryside Act and receive species protection from disturbance during the nesting season. By way of mitigation a number of conditions are recommended to protect Barn Owls.*
48. **Nottinghamshire Wildlife Trust** – *It is disappointing that the applicant has not undertaken at least a desk top survey of the site. The applicant has identified the location of two SINC's in close proximity to the site but has not undertaken an assessment of any potential indirect impacts on those sites such as effects from dust deposition or water pollution.*
49. *The provision of a Bat and Barn Owl survey is welcomed and the conclusion that there is no evidence of use of the main building by bats for roosting is noted.*
50. *There is evidence of the continued use of the building by Barn Owls, which appear to have nested in the 'bat house'. The adjacent Barn Owl boxes do not appear to have been used to date by this species so it cannot be assumed that they would be used, were the Barn Owls to be displaced from the building.*
51. *Currently the site is not in use, so ambient noise levels in the area do not include any machinery noise from the site, and the birds will be acclimated to this relatively quiet environment. It is noted that a noise survey has been undertaken from the perspective of residents of dwellings over 500m from the site, but not from the perspective of the Schedule 1 species. Given the known noise levels for this type of machinery it is not possible that this site could operate without affecting this species. There are also extreme noise events predicted such as manual handling of metals (up to 101.8 dB LA max at 5m) and metal ducting being unloaded off a flat bed lorry by 360 grab (103.7dB LAmax at 1m).*
52. *These loud percussive noise events are likely to deter Barn Owls (and other birds) from successful breeding and so should be considered a serious negative impact. It is expected that a proper ecological impact assessment should be submitted for this species, demonstrating how these effects may be avoided or mitigated. Clearly, the provision of Barn Owl boxes on site would not be effective or adequate.*
53. *Great Crested Newts (GCN) are known to occur at the Wildflower Farm and nearby ponds at Barnstone. There does not appear to be suitable habitat of*

GCN on-site, so direct effects are unlikely. Assurance is required that there would not be any detrimental water quality effects. The drainage plan shows discharges to surface water, but does not appear to show where that surface water runs beyond the site boundary. The ponds may be too distant or not connected, so there may not be an effect, but the applicant has not provided sufficient information to be able to determine this.

54. **NCC (Noise Engineer)** – *The noise assessment concludes that the noise generated by this facility will not result in adverse noise impacts at surrounding noise sensitive residential receptors. It is recommended that noise conditions are attached relating to hours of operation, the amount of material to be processed at the site, HGV movements, other noise mitigation measures and the process to be undertaken in the event of a complaint.*
55. **NCC (Highways) Rushcliffe** – *The information submitted indicates that at its maximum capacity there will be an estimated 182 vehicles entering the site per week, consisting of 146 lorry/skip/articulated vehicles, and 36 staff vehicles. The Highways Authority is satisfied that the estimated increase in vehicles will not have a detrimental impact on the adopted highway network in the vicinity of the site.*
56. *Notwithstanding the above, the proposal would result in additional HGVs accessing/exiting the site via Coach Gap Lane, which is not an adopted Highway. It is recommended that the owners of the road are consulted regarding the proposal.*
57. **NCC (Countryside Access)** – *Coach Gap Lane has been visited and there is already significant traffic travelling along the lane. There are wide grass verges to allow pedestrians to keep off the road and concrete chicanes at several points to slow traffic to a single lane. The additional traffic is not considered to have too much impact.*
58. **Severn Trent Water Limited** – *No objection subject to a condition requiring the submission of plans for the disposal of surface and foul sewage.*
59. **Langar Airfield, Western Power Distribution and National Grid (Gas)** have not responded. Any response received will be orally reported.

## **Publicity**

60. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement. Three letters of representation have been received, which raise issues to be noted but do not object to the development.
61. UK Shred, the company that occupies the site to the north-east states that there are no objections to the use provided that there are no fires on site and no vehicles (i.e. scrap vehicles) are left outside the site compound and on the approach road to UK Shred.

62. One resident has highlighted that Coach Gap Lane is privately owned by Rushcliffe Borough Council and businesses on the road pay towards its maintenance. Concern is raised that lorries have previously caused potholes on the road which took some time to repair due to costs. It is suggested that some form of payment should be secured to cover any repair costs.
63. One further resident has drawn attention to problems in the past with drainage from the site. It is suggested that it is ensured that a properly sealed drainage system is in place to ensure oils, diesel and fluids do not escape the site. The operating times are also noted, and a request is made that they are strictly adhered to.
64. Councillor Richard Butler has been notified of the application.
65. The issues raised are considered in the Observations Section of this report.

## **Observations**

### Introduction

66. Planning permission is being sought to change the use of a wood recycling facility to a metal recycling facility with a throughput of up to 25,000 tonnes per annum. The facility would involve vehicle storage, de-pollution and dismantling operations.

### Planning Policy Assessment of the Proposed Site

67. The application site is located within designated employment land as identified on the proposals map of the Rushcliffe Borough Non-Statutory Replacement Local Plan (RLP). RLP Policy EMP6 specifically applies to the area. This policy states:

*'Planning permission will be granted for employment development proposals at Langar within the areas defined on the proposals map provided that they arise from the reasonable expansion of existing firms or the beneficial use of suitable existing buildings.'*

68. Nottinghamshire and Nottingham Waste Local Plan (WLP) Policy W5.10 relates to the siting and development of new scrap yards and extensions to existing ones. The policy states that these facilities are usually most appropriately located on employment land. The policy identifies five areas of search which are particularly suitable for scrap yards. Although the site is not located within one of these specific areas of search, the policy also supports the development of scrap yards on existing employment sites which are designated within district local plans subject to there being no unacceptable environmental impacts. The application site is located within an employment location by virtue of Policy EMP6 of the RLP and would bring a currently non-operational site back into beneficial use. Furthermore, the site already has planning permission for a waste use having recently been an operational wood recycling facility, and before this the site was used for composting.

69. The emerging Nottinghamshire and Nottingham Waste Core Strategy (WCS) does not yet form part of the development plan, although it is a material consideration which should be taken into account in determination. Policy WCS2 (Future Waste Management Provision) of the WCS provides support for recycling facilities and states that their development should be given priority. Policy WCS3 (Broad Locations for Waste Treatment Facilities) of the WCS states that small scale waste treatment facilities will be supported in all locations where these will help to meet local needs and fit in with local character. Small/medium sized waste treatment facilities will be supported in or close to the built up areas of Nottingham and Mansfield/Ashfield. Medium sized facilities are identified as those with a throughput of 21-99,000 tonnes per annum. Based on this, the proposed site is at the bottom end of the medium sized facility category. Policy WCS6 (General Site Criteria) guides metal recycling facilities to employment land, specifically areas which are already used for, or allocated for, employment uses such as industrial estates, business or technology parks. In light of the above, the location of the proposed facility is deemed to be generally in accordance with the policies contained in the WCS, although when the site is operating at maximum capacity (i.e. 25,000 tpa) its throughput is marginally higher than the types of facility that are normally guided to such a location.
70. Government policy as set out within Waste Strategy for England 2007 (WS2007) and Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) is also relevant to the choice of site. Chapter 4 of WS2007 supports the recycling of metals stating that the recycling of all metals yields significant greenhouse gas benefits because large amounts of energy are needed to extract and process them. It goes on to say that high recycling of aluminium already occurs in some industries and for some products, but there are areas where more can be achieved. Small increases in recycling tonnages would yield extensive greenhouse gas benefits.
71. PPS10 Paragraphs 20 and 21 identify that industrial sites, and in particular previously developed or redundant industrial sites, are suitable for the development of new waste management facilities subject to there being acceptable environmental and transport impacts. Since the development supports recycling and recovery of waste and is located on a previously developed industrial site, the location of the development within Langar Industrial Estate is considered to be suitable in terms of Government policy.

### Ecology

72. The site is not designated as having any nature conservation interest and is generally hard surfaced with very small areas of vegetation offering negligible habitat for protected or notable species. There are unlikely to be any direct impacts on habitats as a result of this development.
73. Nottinghamshire Wildlife Trust (NWT) highlight the potential for indirect impacts upon nearby SINC's due to effects such as dust deposition or water pollution. It is recognised that there are provisions in the supporting statement to reduce fugitive dust and proposed measures to prevent water pollution, although concern is raised that there is not explicit explanation as to how the SINC's would be protected. In addition, NWT has highlighted that Great Crested Newts (GCN)

are known to occur nearby. It is accepted that there does not appear to be suitable habitat on site, although, they seek assurance that water quality would not be affected.

74. The nearest SINC in question is approximately 260m away. Whilst the view of NWT is noted, it must be recognised that as a metal recycling facility the potential for dust is not great. In fact, the potential for dust from a metal recycling facility is lower than that from a wood recycling facility with shredding operation, as the site currently has permission for. In relation to water pollution potentially impacting on nearby SINC's or GCN habitat, this is considered unlikely as the site is required to have, and already has, a sealed drainage system in line with Environmental Permit and exemption requirements. Finally, the potential for indirect impacts on the nearby SINC's or GCN have not been raised as issues by NCC Ecology.
75. In the interior eaves of the north-east corner of the main building there is a boxed section which is labelled as 'The Bat House'. Access into this box is via a large opening on the external elevation which is gridded. The feature is not considered ideal for any of the Bat species found in Nottinghamshire, but is typical of features used by Horseshoe Bats which are confined to the west and south-west of the British Isles. A survey has been conducted and there is no evidence of Bat activity within the building.
76. There is, however, evidence that the Bat box has been used by Barn Owls, including the presence of Owl pellets, although the level of pellets suggests that over recent seasons there has only been occasional roosting in the building by adults. There are also two external specialist Barn Owl boxes that have been installed along the tree-line boundary abutting the northern elevation of the building. These boxes have also been surveyed, although the search failed to identify any sign of usage, which mirrors a previous survey from 2011. Both the boxes were in use by Grey Squirrels which is likely to deter their use by Barn Owls. The Owl survey recommends that 'The Bat House' box is retained and the external grille is undisturbed. It also recommends that the building is re-occupied without delay to avoid impacting upon any nesting that may occur.
77. NWT notes the nesting of Owls in the Bat House and state that disturbance of a Schedule 1 bird or its nest is an offence and this would occur if the recycling plant were to operate whilst these birds are building or using the nest. Attention is drawn to the fact that the adjacent nesting boxes have not been used and there is no guarantee that they would be should Barn Owls be displaced from the building. Concern is raised over the loud percussive noises that are likely to be generated by the operation of the recycling site and are likely to deter Barn Owls from successfully breeding. As such, it is recommended that an ecological impacts assessment is submitted for this species, demonstrating how these effects can be avoided or mitigated.
78. NCC Ecology also acknowledge the potential for the recommencement of activities at the site could disturb nesting Barn Owls. However, a number of conditions have been suggested which would suitably mitigate potential impacts. The conditions cover the following:

- 1) The grille in the north east corner of the building being kept in an unobstructed state;
  - 2) The building does not become occupied and actively used for the first time during the period when Barn Owls might be nesting (March – August inclusive);
  - 3) The Barn Owl boxes located on the northern tree-line are repositioned to make them more attractive to Barn Owls and less likely to be used by squirrels.
79. The comments made by NWT are acknowledged, however, it must be recognised that the wider area is an existing industrial estate and the planning application site has permission for wood recycling, including shredding operations, which could recommence at any time (subject to not disturbing Barn Owls during their nesting period). As such, the further investigations are considered unnecessarily onerous in this instance. The conditions recommended by NCC Ecology are sufficient to ensure protection of the Barn Owls and the relocation of the Owl boxes provides a degree of biodiversity enhancement in line with the NPPF.

#### Landscape and Visual Impact

80. WLP Policy W3.3 seeks to minimise the visual impact of waste management facilities by locating them in positions which minimise impacts to adjacent land, achieve appropriate screening and minimise building and storage heights.
81. The applicant seeks to operate a metal recycling facility on an existing site which comprises a large portal framed industrial style building, a Nissen hut, a small substation and external areas of hardstanding. The site is of an industrial character, as is the surrounding land to the south and east. The land to the north and west is of a more rural character. The site and the associated operations would be of an 'operational appearance', however, given the context of the site within the industrial area this is considered acceptable.
82. The only additional element of built development would be the installation of a weighbridge. The operation of the facility would involve the storage of waste metal and ELVs in two external stockpiles as shown on Plan 2. The external storage of waste metal will have a degree of visual impact. This is, however, balanced against the fact that there is already planning permission for the storage of stockpiles of processed and unprocessed timber in storage bays and stockpiles on the site.
83. It is considered that whilst the nature of the proposed waste is different, its external storage will have no additional visual impact over and above that of the existing planning permission, provided that the stockpiles remain within designated areas and do not exceed the height of those granted under the existing planning permission.
84. Within the supporting statement the applicant states that stockpiles of ferrous metals would not exceed 5m in height. The extant planning permission allows

unprocessed timber to be stored in stockpiles of up to 4m in height. It is considered that to ensure that visual impact on the surrounding area does not exceed that which already has planning permission a condition to maintain storage heights to 4m would be appropriate, and would be in accordance with Policy W3.3 of the WLP.

### Noise

85. WLP Policy W3.9 seeks to ensure that when planning permission is granted for waste management facilities, conditions should be imposed to reduce potential noise impacts. Such conditions may include the enclosure of noise generating facilities, stand-off distances between operations and noise sensitive locations, restrictions over operating hours, using alternatives to reversing beepers and setting maximum operational noise levels.
86. The site is located within an industrial area and not directly adjoined by noise sensitive development, the nearest residential property being a caravan located approximately 350m north-west of the application site on Coach Gap Lane, and the nearest permanent residential property is 'Fairfield' approximately 475m to the east. A noise impact assessment to assess the significance of noise on residential properties has been undertaken in line with guidance provided in BS4142 'Method for rating industrial noise affecting mixed residential and industrial areas'.
87. When dealing with potential noise impact BS4142 outlines that against background noise levels an increase of +10dB indicates that noise complaints are likely; an increase of + 5dB is of marginal significance; and a difference of - 10dB or more is a positive indication that noise complaints are unlikely.
88. The noise assessment measured background noise at Fairfield. It was considered that the ambient noise levels at Fairfield would be lower than at the caravan on Coach Gap Lane which is located close to other industrial units. The monitoring took place over a 24 hour period and the daytime background (LA90) results between 07:00 and 18:00 ranged from 27-41 dB(A), giving an arithmetic average of 32dB(A).
89. The assessment identifies the specific noise level at the nearest receptor as 32dB(A). A character correction value of 5dB added to this (to take account of the intermittent tonal character of the noise) takes the level to 37dB(A). This is 5dB above the background level at Fairfield which indicates, in accordance with BS4142, that the likelihood of complaints is of marginal significance. This noise level includes a 5dB soft ground attenuation adjustment.
90. The NCC Project Engineer (Noise) is satisfied with the conclusions of the noise assessment report which states that noise generated by the facility would not result in adverse noise impacts at surrounding noise sensitive residential receptors. Specific planning conditions are suggested to control the operating hours of the site; limit the throughput of the facility; control the number of HGV movements; ensure that all mobile plant are fitted with 'white' noise broadband reversing devices; control the plant used on site to those detailed in the planning application; and set out measures in the event of a

justified noise complaint. The suggested planning conditions are in line with Policy W3.9 of the WLP which seeks to minimise noise impact from waste facilities through the use of suitable conditions

#### Traffic and Access

91. When working at maximum capacity the proposed development would result in approximately 182 vehicles per week, of which 146 would be HGVs. Based on a 5.5 day working week there would be an average of 27 HGVs visiting the site per day (delivery and collection). This equates to 292 HGV movements (in and out) per week, or 54 per day.
92. The extant planning permission for wood recycling restricts the number of vehicle movements under Condition 5 to 46 incoming delivery HGVs entering the site each week and 15 outgoing delivery HGVs leaving the site each week. This is a total of 61 HGV visiting the site per week or 11 per day. This equates to 121 HGV movements (in and out) per week, or 22 per day.
93. Langar-cum-Barnstone Parish Council have objected to the proposed development on the grounds that Coach Gap Lane is already under pressure from heavy HGV use and that there would be additional traffic on the C28 (Harby Road/Musters Road) through Langar.
94. Compared to the existing planning permission, the proposed development would result in an additional 85 HGVs (170 HGV movements) per week, or 16 HGVs (32 HGV movements) per day. It is recognised that Coach Gap Lane is already well trafficked, and the congregation of industrial and employment premises in the locality results in a higher than normal level of vehicular movements for a rural area. Nevertheless, the proposed development would not generate a level of vehicular movement that the immediate roads or wider highway network would be unable to accommodate. This view is supported by the consultation response from the NCC Highways Team. In addition, it should be noted that Coach Gap Lane is privately owned by Rushcliffe Borough Council and they do not have any concerns relating to highway capacity. The development is therefore considered to be in accordance with Policy W3.14 which seeks to prevent development which would result in vehicular movements that could not be accommodated by the highway network.
95. Notwithstanding the above, in light of the concerns of the Parish Council and the fact the wider area has a high level of traffic, it is considered appropriate to place a condition restricting the proposed development to the traffic movements as described in the planning application.
96. Access from the public highway to the application site is obtained along a section of private road known as Coach Gap Lane. As well as serving the application site Coach Gap Lane serves a number of other industrial premises. Refurbishment works to the Coach Gap Lane were undertaken in 2008 by its owners Rushcliffe Borough Council. Within their planning response Rushcliffe Borough Council has requested that a legal agreement be secured providing for a contribution to the upkeep of Coach Gap Lane. The response highlights that Rushcliffe Borough Council will need to undertake remedial work to discrete

areas of the carriageway over the next few years and businesses benefiting from access over this carriageway are expected to make a fair and proportionate contribution towards on-going upkeep. Given that the application would result in an increase in vehicle movements Rushcliffe Borough Council consider it reasonable to request a contribution for upkeep. This issue is echoed in one representation which highlights that local businesses pay Rushcliffe Borough Council money towards maintaining the area, which it is presumed includes road maintenance. Attention is drawn to the road having had pot holes in the past and it is suggested that there should be some mechanism within the planning determination to secure money for the maintenance of Coach Gap Lane.

97. The County Council has sought advice from Rushcliffe Borough Council regarding the level of maintenance payments and whether it is a one off or regular payment that is being sought. A response to this request has not yet been received. Investigations have not identified any other companies on Coach Gap Lane that have road maintenance agreements placed on them through either County Council or Rushcliffe Borough Council planning permissions.
98. The possibility of road maintenance payments has been discussed with the applicant and they have no objection to paying a fair and reasonable amount for the upkeep of Coach Gap Lane on the condition that all parties that use the road pay a contribution. However, they consider that a Section 106 Agreement is not the appropriate tool for securing this payment. The applicant has also highlighted that Rushcliffe Borough Council have made similar requests in relation to this site in the past and Nottinghamshire County Council have deemed such an approach as not appropriate.
99. The application site has a longstanding waste use, utilising access along Coach Gap Lane and the application does not seek to alter these access arrangements. Taking into account the above, it is concluded that it is not appropriate to request payment towards a Coach Gap Lane maintenance programme unilaterally on the back of the current development and the matter would most appropriately be progressed privately through Rushcliffe Borough Council's land ownership interest.
100. Rushcliffe Borough Council have been informed of this view and, as highlighted in the above Consultations section of the report, a Borough Council Officer from Property Services maintains that a Section 106 Agreement is an appropriate tool for securing maintenance payments. For the reasons stated above, however, it is considered that any maintenance payments for a privately owned road (i.e. Coach Gap Lane) should be made through land ownership interest and not a Section 106 Agreement, for which the extent of maintenance payments have not been identified.
101. It is also of note that the Borough Council Officer states that there would be a six fold increase in heavy HGVs using the road. As highlighted earlier in this section, the extant planning permission allows for 61 HGVs to visit the site per week. This permission would allow for 146 HGVs to visit the site per week. This does not represent a six fold increase and is closer to a two-three fold increase. In addition, prior to the wood shredding facility being granted planning permission in 2012 there were no conditions restricting vehicular movements to and from

the site. It is also noted that the completion and restoration of the Barnstone Landfill Site, situated at the northern end of Coach Gap Lane, will have had a positive impact on reducing HGV movements along this stretch of highway.

#### Surface Water and Contamination

102. WLP Policy W3.5 states that planning permission should not be granted for waste management facilities where there is an unacceptable risk of pollution to ground or surface water or where there is the potential to affect the integrity or function of a floodplain. WLP W3.6 sets out a number of conditions which can be imposed to minimise potential pollution including using impermeable areas for waste receipt/processing areas with appropriate drainage systems and controlling oil storage.
103. The site is not within an area at risk of flooding. The application site is not underlain by an aquifer or within a groundwater source protection zone. The site benefits from hardstanding and impermeable surfacing which the applicant proposes to retain. The applicant, in the submitted plans and planning statement demonstrate that the site is hard surfaced and drains towards an existing sump with culvert to collect surface water run-off. From the sump an out-pipe leads to a three stage settlement tank which discharges to foul / surface water drainage systems which serve the Langer Industrial Estate.
104. A letter of representation highlights that the drainage system from the site discharges to a dyke which runs along the side and front of their land and that there have been problems in the past. The letter suggests that a suitable means of collecting runoff which may contain oil, diesel and other fluid is in place, such as a bound drainage system.
105. NCC has no records of complaints relating to water pollution from the site. The Environment Agency has also been contacted and they also are not aware of any issues relating to impacts upon water quality.
106. Notwithstanding the above, the Environment Agency has no objection to the proposed development, but does recommend that an informative is placed on any permission granted highlighting that the development would require an Environmental Permit or an exemption, and that in line with this the waste would have to be stored on impermeable surface with sealed drainage.
107. Severn Trent Water Ltd have requested that a condition be placed on any planning permission granted that development does not commence until drainage plans have been submitted to and approved by the County Council to ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem. This consultation response does not appear to take into account that the proposal is for a change of use for a site that already has a drainage system in place and would not result in any increase in hard surfacing. Such a condition is not considered necessary.
108. Based on the information submitted, there is satisfactory provision in place to ensure that surface water run-off is unlikely to be an issue although, should any

incidents occur, it will be the remit of the Environment Agency to regulate. Notwithstanding this, it is recommended that conditions relating to waste accepted at the site and storage methods are attached to any planning permission to minimise the potential for risk. This approach is in line with WLP Policy W3.5.

#### Public Rights of Way

109. Coach Gap Lane, the private road which the site is accessed off, is a public bridleway. In this regard the NCC Countryside Access Team has been consulted on the application and acknowledges that the road already serves a number of industrial units and is relatively heavily trafficked. In addition, it is highlighted that there are concrete chicanes to slow traffic and wide verges to allow public users to move off the road. Overall, there would not be a material impact on the bridleway and no objection has been raised. As such, the development is in accordance with Policy W3.26 of the WLP which seeks to protect public rights of way from being disrupted by waste management facilities.

#### Other Amenity Issues (Dust, Litter and Odour)

110. As a metal recycling facility the types of material accepted at the site would be unlikely to result in any odour or dust impacts at nearby sensitive receptors. In addition, the proposed facility is located within an industrial area and is therefore remote from sensitive residential properties. Notwithstanding this, odour could potentially arise from non-compliant wastes and dust could occasionally become an issue from vehicle movements during dry conditions. Therefore, conditions relating to odour and dust in will be attached in line with Policy W3.7 and W3.10 of the WLP.
111. Policy W3.8 of the WLP looks to impose conditions on waste management facilities to prevent litter nuisance. Waste sites can sometimes result in litter spreading to the surrounding area, particularly where wind blow picks up lighter waste such as card, paper or light plastics. As a metal recycling facility the potential for this type of waste escaping from the site is low and the site is surrounded by wire mesh fencing which should act as a perimeter litter catching fence. Notwithstanding this, waste delivered could occasionally contain non-metal waste. As such, a condition relating to litter will be attached in line with Policy W3.8 of the WLP.

#### Other Material Considerations / Other Issues

112. One letter of representation does not object to the development, but states that they object to any fires occurring on site and no vehicles should be left outside of the compound on the access road off Coach Gap Lane. It is recommended that a condition is attached to any planning permission prohibiting fires on site.
113. The access road off Coach Gap lane is shown as being land under the control of the applicant. As such, it is considered reasonable to also place a condition preventing the storage of scrap vehicles on this approach road.

114. The applicant has identified that any batteries received at the site would be stored in a designated battery storage area, although this has not been identified. It is recommended that a condition is attached requiring the identification of a suitable battery storage area before any operations commence.
115. As highlighted by the Parish Council there is already an existing metal recycling facility on Langer Industrial Estate (B. Allsop and Sons). However, policy in the WLP directs this type of development to employment land and there are no unacceptable environmental or amenity impacts. The proposal is therefore in accordance with the Development Plan, and that there is a similar facility nearby is for the market to decide and not a material planning consideration to warrant a refusal of this application.

### **Other Options Considered**

116. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly no other options have been considered.

### **Statutory and Policy Implications**

117. 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.

### **Crime and Disorder Implications**

118. The development is located on an existing industrial estate. The site is secured by concrete post and wire mesh fencing and security gates. The gates are locked shut when the site is not operational. The applicant intends to limit non-ferrous metals stored on site to 50 tonnes at any one time which will be securely stored within buildings.

### **Human Rights Implications**

119. 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, the development has the scope to introduce impacts of noise and traffic but these considerations need to be balanced against the wider benefits of providing sustainable waste management facilities.

## **Implications for Sustainability and the Environment**

120. The application has been considered against the National Planning Policy Framework, the Nottinghamshire and Nottingham Waste Local Plan and the Nottinghamshire and Nottingham Waste Core Strategy, all of which are underpinned by the objective of achieving sustainable development. The development would provide a facility for the recycling of metal, which will minimise disposal and assist in the movement of waste up the waste hierarchy.

## **Conclusions**

121. The proposed metal recycling facility supports sustainable waste management by providing a facility to recycle and reuse waste thereby diverting it from disposal at landfill. The facility is therefore supported by Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) and the Waste Strategy for England 2007.
122. The Nottinghamshire and Nottingham Waste Local Plan (WLP) Policy W5.10 identifies employment land such as that at the Langar Industrial Estate as being suitable for the development proposed. Support is also provided within PPS10 for the development of waste facilities on previously developed land such as the application site. The site is located on designated employment land as identified on the proposals map of the Rushcliffe Borough Non-Statutory Replacement Local Plan and is supported by Policy EMP6 insofar that the development would return a currently non-operational site back into beneficial use.
123. The Nottinghamshire and Nottingham Waste Core Strategy (WCS) is not yet an adopted document, although having undergone examination it does hold weight as a material consideration. Policy WCS2 gives priority to new or extended waste recycling facilities; Policy WCS3 directs smaller to medium sized facilities towards Mansfield/Ashfield, Newark, Retford and Worksop; and Policy WCS6 directs new metal recycling facilities towards existing employment land. There is general support for a metal recycling facility in this location in principle.
124. Environmental impacts of the development have been assessed against the environmental protection policies contained within Chapter 3 of the Waste Local Plan and relevant Government guidance. Subject to the use of appropriate planning conditions, significant adverse impacts would not result.
125. The site is located within an industrial estate and served by an established industrial access route. The privately owned Langar industrial estate road is of a suitable standard to serve the traffic volumes generated by the development. The development is therefore compliant with WLP Policy W3.14 (Vehicle Movements).
126. The development utilises an existing site and buildings and subject to controls over external storage heights and location visual impacts are considered to be low therefore ensuring compliance with WLP Policy W3.3. Noise emissions would not adversely affect residential amenity therefore ensuring compliance with WLP Policy W3.9. The categories of waste processed at the site are

unlikely to generate significant odour releases thus ensuring compliance with WLP Policy W3.7. The site construction ensures satisfactorily drainage and minimises pollution risks in accordance with WLP Policy W3.5 and W3.6.

127. The Conditions attached ensure protected species and their habitat are not harmed and the relocation of Owl boxes will provide a degree of biodiversity enhancement in line with the Nation Planning Policy Framework.
128. The County Council is of the opinion that the proposed development is in accordance with the abovementioned Policies and there are no material considerations that indicate that the decision should be made otherwise than in accordance with the above. The County Council considers that any potential harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

### **Statement of Positive and Proactive Engagement**

129. In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussion; assessing the proposals against relevant Development Plan policies; all material considerations; consultation responses and any valid representations that have been received. Issues of concern have been raised with the applicant in relation to ecology, specifically the provision of owl nesting boxes, and have been addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

### **RECOMMENDATIONS**

130. It is RECOMMENDED that planning permission be granted subject to the conditions set out in Appendix 1. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

**JAYNE FRANCIS-WARD**

**Corporate Director Policy, Planning and Corporate Services**

### **Constitutional Comments**

Planning and Licensing Committee has authority to approve the recommendation set out in this report by virtue of its terms of reference (NAB 03.07.13)

**Comments of the Service Director - Finance**

There are no specific financial implications arising directly from this report [SEM 03.07.13]

**Background Papers Available for Inspection**

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

**Electoral Division(s) and Member(s) Affected**

Cotgrave – Councillor Richard Butler

Report Author / Case Officer

Oliver Meek

0115 9696516

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

**RECOMMENDED PLANNING CONDITIONS**

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

*Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.*

2. The Waste Planning Authority (WPA) shall be notified in writing of the date of commencement 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. The development hereby permitted shall be carried out in accordance with the following plans and documents, unless otherwise required pursuant to other conditions of this planning permission:

- a) Drawing No. CAM03 titled 'Site Location Plan' – received by the WPA on 14 February 2013;
- b) Drawing No. CAM04 titled 'Planning Boundary Application' – received by the WPA on 14 February 2013;
- c) Drawing CAM05 titled 'Site Layout' – received by the WPA on 14 February 2013;
- d) Drawing CAM06 titled 'Site Details' – received by the WPA on 14 February 2013;
- e) Drawing CAM10 titled 'Boundary of Chris Allsop Land in Relation to Planning Application Area' – received by the WPA on 14 February 2013;
- f) Planning Application Forms – received by the WPA on 14 February 2013;
- g) Document Reference CAM02: Supporting Planning Statement – received by the WPA on 14 February 2013;
- h) Document Reference CAM07: Design and Access Statement – received by the WPA on 14 February 2013;
- i) Noise Assessment Report: Metal Recycling Facility, Langar Industrial Estate, Coach Gap Lane – received by the WPA on 14 February 2013;
- j) Follow-up Bat and Barn Owl Survey of the Industrial Unit, Langar Industrial Estate, Coach Gap Lane – received by the WPA on 14 February 2013.

*Reason: For the avoidance of doubt.*

4. Only the waste identified in Section 3.1.1 of the document titled 'CAM02: Supporting Planning Statement' received by the WPA on 14 February 2013, shall be accepted at the site.

*Reason: To ensure that the site only deals with acceptable waste.*

### **Storage of Oils and Batteries**

5. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound shall be at least equivalent to the capacity of the tank plus 10% or, if there is more than one container within the system, of not less than 110% of the largest container's storage capacity or 25% of the aggregate storage capacity of all storage containers. All filling points, vents and sight glasses must be located within the bund. There must be no drain through the bund floor or wall.

*Reason: To protect ground and surface water from pollution in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan (WLP).*

6. Before the development hereby permitted is brought into use, details of the location and nature of battery storage shall be submitted to, and approved in writing by, the WPA. Batteries shall be stored in accordance with the approved details for the life of the development.

*Reason: To protect ground and surface water from pollution in accordance with Policy W3.6 of the WLP.*

7. Waste shall only be stored and treated on hardstanding or on impermeable surface with sealed drainage, and this shall be maintained for the life of the development.

*Reason: To protect ground and surface water from pollution in accordance with Policy W3.6 of the WLP.*

### **Access and Parking**

8. There shall be a maximum of 126 incoming vehicles loaded with waste entering the site each week and a maximum of 20 outgoing vehicles loaded with product leaving the site each week. There shall be no more than 25 vehicles delivering waste to the facility per day. Written records shall be maintained of all HGV movements including the time of day such movements take place and registration number. Copies of the HGV movement records shall be made available to the WPA within 7 days of a written request being made by the WPA.

*Reason: To limit HGV movements in accordance with Policy W3.14 of the WLP.*

### **Hours of Operation**

9. The site, including associated vehicle movements, shall only be operated between the hours of 07:00-18:00 hours Mondays to Fridays and 07:00-14:00 on

Saturdays. Outside of these hours including Sundays, Bank or Public Holidays the site shall be closed and shall not receive, transfer, process or export waste.

*Reason: To minimise noise and other impacts associated with the operation of the site, and to protect the amenity of nearby residential properties in accordance with Policy W3.9 of the WLP.*

### **Capacity of the site**

10. The maximum amount of waste material accepted at the site shall not exceed 25,000 tonnes per annum, and there shall be no more than 3,100 tonnes of waste on site at any one time. A written record shall be kept by the site operator of the amounts of waste accepted and it shall be made available to the WPA within 7 days of a written request from the WPA.

*Reason: To ensure impacts arising from the operation of the site do not cause unacceptable disturbance to local communities in accordance with Policy W3.14 of the WLP.*

### **Noise**

11. All mobile plant operated on the site under the control of the operator shall utilise white noise (broadband) reversing warning devices.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby occupiers in accordance with Policy W3.9 of the WLP.*

12. Only plant and machinery which is listed within Paragraph 8.1 of the Noise Assessment Report (Ref: 1497 Langar – Allsops NIA) received by the WPA on the 14 February 2013 shall be operated from within the site at any time, unless the details of any new plant/machinery are first agreed in writing by the WPA. Any request to operate additional machinery shall incorporate details of the sound power output of the machinery to be operated. All plant and machinery operated within the site shall be fitted with effective silencers and regularly serviced in accordance with the manufacturers' specifications.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby occupiers in accordance with Policy W3.9 of the Nottinghamshire and Nottingham WLP.*

13. Noise levels from site operations shall not exceed a daytime noise criterion of 5dB(A) above the existing background noise level after the addition of the 5dB(A) penalty to reflect tonal, discrete or impact noise (as advised in BS4142: 1997) at any residential property. In the event that a complaint is received regarding noise arising from the development hereby permitted which the WPA considers may be justified the operator shall, within one month of a request from the WPA, undertake and submit to the WPA for its written approval a BS4142: 1997 noise survey to assess whether noise arising from the development exceeds the daytime noise criteria of 5dB(A) above the existing background noise level after

the addition of the 5dB(A) penalty to reflect tonal, discrete or impact noise as advised in BS4142:1997. The monitored noise levels are to be 'free field' carried out at a height of 1.2m to 1.5m above ground level and presented as a Laeq1hour, value. In the event that the noise survey indicates that the levels are in excess of 5dB(A) above background (as corrected by the 5dB(A) penalty to reflect tonal, discrete or impact noise as advised in BS4142: 1997), the submitted survey shall include further measures to mitigate noise impact so as to ensure compliance with the noise criterion. Any mitigation measures agreed in writing by the WPA shall thereafter be implemented throughout the operational life of the site.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby occupiers in accordance with Policy W3.9 of the WLP.*

### **Storage Heights and Locations**

14. The ferrous metal and vehicle storage areas identified on Plan CAM05 titled 'site layout' shall be clearly marked out and identifiable on the ground before the site is brought into use. Thereafter all externally stored waste and material shall be contained within the designated areas only.

*Reason: In the interest of visual amenity and to ensure compliance with Policy W3.3 of the WLP.*

15. Waste and material stored in the ferrous metal and de-polluted vehicle storage areas, as marked out in accordance with Condition 14, shall not exceed 4 metres in height.

*Reason: In the interest of visual amenity and to ensure compliance with Policy W3.3 of the WLP.*

### **Dust Control Measures**

16. Dust emissions shall be kept to a minimum and contained within the site. The operator shall take the following actions to ensure that dust emissions are minimised:
- a. A suitable and sufficient water supply shall be provided to the site at all times to enable the suppression of dust by water spray;
  - b. The use as appropriate of water bowsers and/or spray systems to dampen the access roads, vehicle circulation and manoeuvring areas;
  - c. The regular sweeping of haul roads;
  - d. The temporary cessation of waste processing during periods of extreme dry and windy weather.

In the event that dust emissions are not contained within the site the operator shall, within two weeks of a written request of the WPA, prepare and submit a mitigation strategy to remedy the nuisance. The mitigation strategy shall

thereafter by implemented as approved in writing by the WPA and the mitigation measures maintained throughout the operational life of the site.

*Reason: To minimise disturbance from dust in accordance with Policy W3.8 and Policy W3.10 of the WLP.*

17. The operator shall inspect all incoming loads upon delivery to the site. Any non-compliant wastes (i.e. those not approved in Condition 4) shall be rejected from the site. Any wastes not rejected shall, where necessary, be placed into a sealed airtight storage container/skip for storage and shall be removed from the site within 72 hours of its delivery.

*Reason: To minimise potential odour emissions in compliance with WLP Policy W3.7*

## **Litter**

18. Measures shall be employed to ensure that any litter generated within the site is kept to a minimum. The site shall be kept in a clean and tidy state to the satisfaction of the WPA.

*Reason: To minimise disturbance from windblown litter in accordance with Policy W3.8 of the WLP.*

## **Ecology**

19. Prior to development commencing details of the measures to protect existing vegetation along the northern boundary during site set up and operation shall be submitted to, and approved in writing by, the WPA. Such measures may include the use of temporary protective fencing. The operational protection measures shall be kept in place for the life of the development.

*Reason: To protect habitat and biodiversity in line with Policy W3.22 of the WLP.*

20. The external grille in the north east corner of the main building, as identified in Section 5.4 (Photograph 6) of the 'Follow-up Bat and Barn Owl survey of the industrial unit', shall be kept open for free and unimpeded access by Barn Owls for the life of the development.

*Reason: To protect habitat and biodiversity in line with Policy W3.22 of the WLP.*

21. Operations on site, as granted by this planning permission, shall not commence during the Barn Owl nesting period (March to August inclusive), unless a Barn Owl survey is submitted to, and approved in writing by, the WPA demonstrating that there are no Owls nesting, or that they will not be impacted upon.

*Reason: To prevent impact upon a breeding Schedule 1 bird or its nest.*

22. The two existing barn owl nesting boxes located along the northern boundary of the site, as identified in Section 5.2 of the 'Follow-up bat and barn owl survey of the industrial unit', shall be repositioned to make them more attractive to barn owls and less likely to be used by squirrels. Details of the reposition locations shall be submitted to, and approved in writing, by the WPA. The barn owl boxes shall be repositioned before operations commence on site.

*Reason: To protect habitat and biodiversity in line with Policy W3.22 of the WLP.*

### **Floodlighting**

23. Floodlighting shall not be installed on the external elevations of the buildings or within the open areas of the site.

*Reason: In the interest of amenity.*

### **Fires**

24. No fires shall be lit on site. Any fires on the site shall be treated as an emergency and extinguished immediately.

*Reason: In the interest of safety.*

### **Closure of the Site**

25. In the event that the use of the site for the importation, transfer and processing of waste should cease for a period in excess of one month then, within one week of a written request from the WPA, the site shall be cleared of all stored waste and recycled materials.

*Reason: To ensure satisfactory restoration of the site in accordance with Policy W4.1 of the WLP.*

## **NOTES TO APPLICANT**

1. Your attention is drawn to the attached letter from the Environment Agency dated 26<sup>th</sup> April 2013. The letter highlights that the development will require an Environmental Permit (EP) or exemption. In line with an EP waste shall be stored and treated on hardstanding or on impermeable surfaces with sealed drainage. The applicant is advised to contact Graham Dixey on 0115 846 3641 to discuss water quality issues likely to be raised.
2. With reference to Condition 14 no End of Life Vehicles or waste metal shall be stored on the access road to the site.

## **APPENDIX 2**

### **STANDARD RULES SR2012 NO 14**

**Metal Recycling, vehicle storage, depollution & dismantling (authorised treatment) facility**

## **Standard rules SR2012No 14**

### **Metal recycling, vehicle storage, depollution & dismantling (authorised treatment) facility**

#### **Introductory note**

This introductory note does not form part of these standard rules

When referred to in an environmental permit, these rules will allow the operator to operate a Metal Recycling Site and a Vehicle Depollution and Dismantling Facility at a specified location.

These rules will permit the sorting, separation, grading, shearing, baling, compacting, granulating of cables and cutting using hand-held equipment only, of ferrous metals or alloys and non-ferrous metals for recovery as well as the recovery (including storage) of all waste motor vehicles. The total quantity of waste that can be accepted at a site under these rules must be less than 25,000 tonnes a year of waste metal and less than 5,000 tonnes a year of waste motor vehicles. The rules will not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator.

These rules do not allow any point source emission into surface waters or groundwater. However, under the emissions of substances not controlled by emission limits rule:

- liquids may be discharged into a sewer subject to a consent issued by the local water company;
- liquids may be taken off-site in a tanker for disposal or recovery;
- clean surface water from roofs, or from areas of the site that are not being used in connection with storing and treating waste, may be discharged directly to surface waters, or to groundwater by seepage through the soil via a soakaway.

**End of introductory note**

# Rules

## 1 – Management

### 1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
  - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with rule 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in these standard rules shall have convenient access to a copy of them kept at or near the place where those duties are carried out.
- 1.1.4 The operator shall comply with the requirements of an approved competence scheme.

### 1.2 Avoidance, recovery and disposal of wastes produced by the activities

- 1.2.1 The operator shall take appropriate measures to ensure that:
- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities; and
  - (b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
  - (c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.
- 1.2.2 The operator shall review and record at least every four years whether changes to those measures should be made and take any further appropriate measures identified by a review.

## 2 – Operations

### 2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in table 2.1 below ("the activities").

<b>Table 2.1 activities</b>	
<b>Description of activities</b>	<b>Limits of activities</b>
<p><b>R13:</b> Storage of wastes pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced)</p> <p><b>R4:</b> Recycling/reclamation of metals and metal compounds</p> <p><b>R5:</b> Recycling/reclamation of other inorganic materials</p> <p><b>D15:</b> Storage pending any of the operations numbered D1 to D14 (excluding temporary storage, pending collection, on the site where it is produced)</p>	<p><b>Metal recycling:</b> Treatment consisting only of sorting, separation, grading, shearing, baling, compacting, granulating of cables, and cutting using hand-held equipment only, of ferrous metals or alloys and non-ferrous metals into different components for recovery.</p> <p><b>Vehicle dismantling:</b> Treatment consisting only of depollution of waste motor vehicles and sorting, separation, baling, compacting, or cutting using hand-held equipment only, of waste into different components for recovery.</p> <p>There shall be no treatment of lead acid batteries, other than sorting and separating from other wastes.</p> <p>Wastes shall be stored for no longer than 1 year prior to disposal and 3 years prior to recovery.</p> <p>The maximum quantity of hazardous waste stored at the site for disposal or recovery shall not exceed 50 tonnes. This does not include waste motor vehicles awaiting depollution.</p> <p>No more than 25 tonnes of intact waste vehicle tyres (waste code 16 01 03) shall be stored at the site.</p>

## 2.2 Waste acceptance

2.2.1 Waste shall only be accepted if:

- (a) it is of a type and quantity listed in table 2.2a and 2.2b below; and
- (b) it conforms to the description in the documentation supplied by the producer and holder.

<b>Table 2.2a. Waste metal types and quantities</b>
<p><b>Maximum Quantities</b></p> <p>The total quantity of metal waste accepted at the site shall be less than 25,000 tonnes a year.</p>
<p><b>Exclusions</b></p> <p>Wastes having any of the following characteristics shall not be accepted:</p> <ul style="list-style-type: none"> <li>Consisting solely or mainly of dusts, powders or loose fibres</li> <li>Wastes that are in a form which is either sludge or liquid</li> </ul>

<b>Waste Code</b>	<b>Description</b>
<b>02</b>	<b>WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING</b>
02 01	wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing
02 01 10	waste metal
<b>12</b>	<b>WASTES FROM SHAPING AND PHYSICAL AND MECHANICAL SURFACE TREATMENT OF METALS AND PLASTICS</b>
12 01	wastes from shaping and physical and mechanical surface treatment of metals and plastics
12 01 01	ferrous metal filings and turnings
12 01 03	non-ferrous metal filings and turnings
<b>15</b>	<b>WASTE PACKAGING, ABSORBENTS, FILTER MATERIALS, WIPING CLOTHS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED</b>
15 01	Packaging (including separately collected municipal packaging waste)
15 01 04	metallic packaging
<b>16</b>	<b>WASTES NOT OTHERWISE SPECIFIED IN THE LIST</b>
16 01	end-of-life vehicles from different means of transport [including off-road machinery] and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13,14, 16 06 and 16 08)
16 01 17	ferrous metal
16 01 18	non-ferrous metal
16 01 22	discarded components not otherwise specified
16 06	batteries and accumulators
16 06 01*	lead batteries
<b>17</b>	<b>CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)</b>
17 04	metals (including their alloys)
17 04 01	copper, bronze, brass
17 04 02	Aluminium
17 04 03	Lead
17 04 04	Zinc
17 04 05	iron and steel
17 04 06	Tin
17 04 07	mixed metals
17 04 11	cables other than those mentioned in 17 04 10
<b>19</b>	<b>WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE</b>
19 01	wastes from incineration or pyrolysis of waste
19 01 02	ferrous metals removed from bottom ash
19 10	wastes from shredding of metal-containing wastes
19 10 01	iron and steel waste
19 10 02	non-ferrous waste
19 12	wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 02	ferrous metal
19 12 03	non-ferrous metal
<b>20</b>	<b>MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS</b>
20 01	separately collected fractions (except 15 01)
20 01 33*	lead batteries
20 01 40	Metals

Table 2.2b. Waste motor vehicle types and quantities	
<b>Maximum Quantities</b> The total quantity of waste motor vehicles accepted at the site shall be less than 5,000 tonnes a year.	
<b>Exclusions</b> Wastes having any of the following characteristics shall not be accepted: <ul style="list-style-type: none"> <li>Consisting solely or mainly of dusts, powders or loose fibres</li> </ul>	
Waste Code	Description
16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST
16 01	end-of-life vehicles from different means of transport [including off-road machinery] and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13,14, 16 06 and 16 08)
16 01 03	end-of-life tyres
16 01 04*	end-of-life vehicles
16 01 06	end-of-life vehicles (containing neither liquids nor other hazardous components)
16 01 07*	oil filters
16 01 11*	brake pads containing asbestos
16 01 12	brake pads other than those mentioned in 16 01 11
16 06	batteries and accumulators
16 06 01*	lead batteries
16 06 05	other batteries and accumulators

## 2.3 Operating techniques

- 2.3.1 The activities shall be operated using the techniques and in the manner described in Table 2.3 below.

Table 2.3 Operating techniques
<ol style="list-style-type: none"> <li>Uncontaminated plastic and glass arising from the treatment of end-of-life vehicles, uncontaminated ferrous metal wastes or alloys and uncontaminated non-ferrous metal wastes shall be stored on hard standing or an impermeable surface with sealed drainage system. All other wastes shall be stored on an impermeable surface with sealed drainage system.</li> <li>All wastes shall be treated on an impermeable surface with sealed drainage system.</li> <li>Lead acid batteries shall be stored in containers with an impermeable, acid resistant base and a cover to prevent ingress of water.</li> <li>Metal filings and turnings shall be stored in containers with an impermeable base and a cover to prevent the ingress of water. No more than 50 tonnes shall be stored at any one time</li> </ol>

## 2.4 The site

- 2.4.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan attached to the permit.
- 2.4.2 The activities shall not be carried out within 200 metres of a European Site or a SSSI.

- 2.4.3 The activities shall not be carried out within a groundwater source protection zone 1, or if a source protection zone has not been defined then within 50 metres of any well, spring or borehole used for the supply of water for human consumption. This must include private water supplies.

## **2.5 Technical Requirements**

- 2.5.1 The storage (including temporary storage) and treatment of waste motor vehicles shall meet the requirements of article 6(1) of the End-of-Life Vehicles Directive.
- 2.5.2 Storage of waste batteries and accumulators must meet the minimum requirements set out in Annex III, Part A of Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC.
- 2.5.3 Hazardous waste shall not be mixed, either with a different category of hazardous waste or with other waste, substances or materials, unless it is authorised by table 2.1 and appropriate measures are taken.

## **3 – Emissions and monitoring**

### **3.1 Emissions of substances not controlled by emission limits**

- 3.1.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
- 3.1.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan;
  - (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 3.1.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

### **3.2 Odour**

- 3.2.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable, to minimise, the odour.
- 3.2.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to odour, submit to the Environment Agency for approval within the period specified, an odour management plan;
  - (b) implement the approved odour management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

### **3.3 Noise and vibration**

- 3.3.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable, to minimise, the noise and vibration.
- 3.3.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Environment Agency for approval within the period specified, a noise and vibration management plan;
  - (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

## 4 – Information

### 4.1 Records

- 4.1.1 All records required to be made by these standard rules shall:
- (a) be legible;
  - (b) be made as soon as reasonably practicable;
  - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible or are capable of retrieval; and
  - (d) be retained, unless otherwise agreed by the Environment Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
    - (i) off-site environmental effects; and
    - (ii) matters which affect the condition of land and groundwater.
- 4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by these standard rules, unless otherwise agreed in writing by the Environment Agency.

### 4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by these standard rules to the Environment Agency using the contact details supplied in writing by the Environment Agency.
- 4.2.2 Within one month of the end of each year, the operator shall submit to the Environment Agency using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous year.

### 4.3 Notifications

- 4.3.1 The Environment Agency shall be notified without delay following the detection of:
- (a) any malfunction, breakdown or failure of equipment or techniques, accident or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;
  - (b) the breach of a limit specified in these standard rules; or
  - (c) any significant adverse environmental effects.
- 4.3.2 Written confirmation of actual or potential pollution incidents and breaches of emission limits shall be submitted within 24 hours.
- 4.3.3 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.
- 4.3.4 The Environment Agency shall be notified within 14 days of the occurrence of the following matters except where such disclosure is prohibited by Stock Exchange rules:
- a) Where the operator is a registered company:
    - any change in the operator's trading name, registered name or registered office address; and
    - any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

- b) Where the operator is a corporate body other than a registered company:
  - any change in the operator's name or address; and
  - any steps taken with a view to the dissolution of the operator.
- c) In any other case:
  - the death of any of the named operators (where the operator consists of more than one named individual);
  - any change in the operator's name(s) or address(es); and
  - any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case them being in a partnership, dissolving the partnership.

## 4.4 Interpretation

4.4.1 In these standard rules the expressions listed below shall have the meaning given.

4.4.2 In these standard rules references to reports and notifications mean written reports and notifications, except when reference is being made to notification being made "without delay", in which case it may be provided by telephone.

*"accident"* means an accident that may result in pollution.

*"authorised officer"* means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in Section 108(4) of that Act.

*"baling"* means baling that utilises a hydraulic machine that using compressive forces compacts various materials into regular-shaped dense bales (typically a cube). Bales may be belted with straps or steel wire to keep the bale in its compacted state; although for most metal bales this is not necessary. Baled scrap metal may be easier to handle, store and transport than loose scrap.

*"compacting"* means compacting involving the flattening or crushing of compactable metal wastes (typically depolluted end-of-life vehicles) to aid storage and economic transportation to the scrap processor; it is often a preparation for shredding. Compacting may be achieved using a waste handler's loading shovel (known as 'tapping') or specially-designed hydraulic flattener.

*"cutting using hand-held equipment"* means cutting typically utilising either an oxy-acetylene gas cutting torch or abrasive disc cutter tool to cut and/or resize large pieces of scrap metal into more manageable sizes; powder torches and plasma torches may be used to cut heat-resistant scrap (e.g. pig iron, copper, bronze).

*"depollution"* means the minimum technical requirements for the treatment of end-of-life vehicles as set out in Annex I (3) of the End-of-Life Vehicles Directive (2000/53/EC), namely:

- removal of batteries and liquefied gas tanks;
- removal or neutralisation of potential explosive components (e.g. air bags);
- removal and separate collection and storage of fuel, motor oil, transmission oil, gearbox oil, hydraulic oil, cooling liquids, antifreeze, brake fluids, air conditioning system fluids and any other fluid contained in the end-of-life vehicle unless they are necessary for the re-use of the parts concerned;
- removal, as far as feasible, of all components identified as containing mercury.

*"End-of-Life Vehicles Directive"* means Directive 2000/53/EC of the European Parliament and Council of 18 September 2000 on end-of-life vehicles.

*"emissions of substances not controlled by emission limits"* means emissions of substances to air, water or land from the activities, either from emission points specified in these standard rules or from other localised or diffuse sources, which are not controlled by an emission limit.

*"European Site"* means Special Area of Conservation or candidate Special Area of Conservation or Special Protection Area or proposed Special Protection Area in England and Wales, within the meaning of Council Directives 79/409/EEC on the conservation of wild birds and 92/43/EEC on the conservation of natural habitats and of wild flora and fauna and the Conservation of Habitats and Species Regulations 2010. Internationally designated Ramsar sites are dealt with in the same way as European sites as a matter of government policy and for the purpose of these rules will be considered as a European Site.

*"grading"* means the sorting of metals to industry-agreed specifications ready for use, without the need for further treatment, by the end consumer to manufacture new metals.

*“granulating of cables”* means cable is granulated to a very small size with metal/non-metal separation by air classification and flotation

*“groundwater”* means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

*“groundwater source protection zone”* has the meaning given in the document titled “Groundwater protection: Principles and practice” published by the Environment Agency in 2012.

*“impermeable surface”* means a surface or pavement constructed and maintained to a standard sufficient to prevent the transmission of liquids beyond the pavement surface, and should be read in conjunction with the term “sealed drainage system” (below).

*“pollution”* means emissions as a result of human activity which may—

- (a) be harmful to human health or the quality of the environment,
- (b) cause offence to a human sense,
- (c) result in damage to material property, or
- (d) impair or interfere with amenities and other legitimate uses of the environment.

*“quarter”* means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

*“R”* means a recovery operation provided for in Annex IIB to Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on Waste.

*“Ramsar site”* means a wetland of international importance, designated under the Ramsar Convention (an international agreement signed in Ramsar, Iran, in 1971). It is government policy to treat Ramsar sites the same as European sites.

*“sealed drainage system”* in relation to an impermeable surface, means a drainage system with impermeable components which does not leak and which will ensure that:

- (a) no liquid will run off the surface otherwise than via the system;
- (b) except where they may lawfully be discharged to foul sewer, all liquids entering the system are collected in a sealed sump.

*“separation”* means separating wastes into different material types, components and grades.

*“shearing”* means utilises a range of hydraulic machinery that comprise hard steel blades which cut metals into manageable sizes. It may be hand-held, static, or attached to mobile plant (e.g. cranes).

*“sorting”* means sorting that may be undertaken by hand or machinery. Sorting enables materials to be processed/recycled appropriately. It may involve separation of different waste types or the separation of different metal types including:

- different ferrous metals;
- non-ferrous metals;
- non-metallic materials (e.g. paper and plastic).

The sorted metals are graded by visual inspection, supplemented by chemical and other laboratory tests. The physical sorting may be assisted by conveyors and electromagnets.

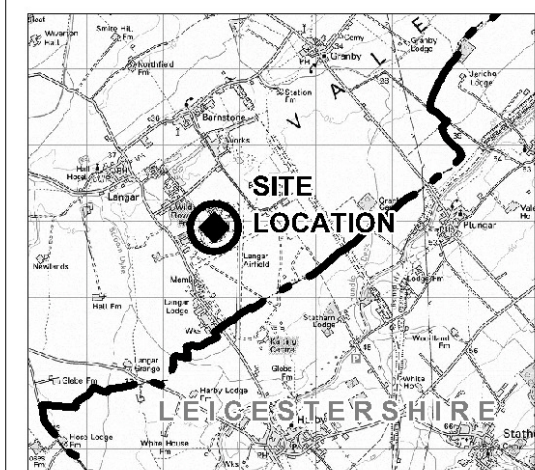
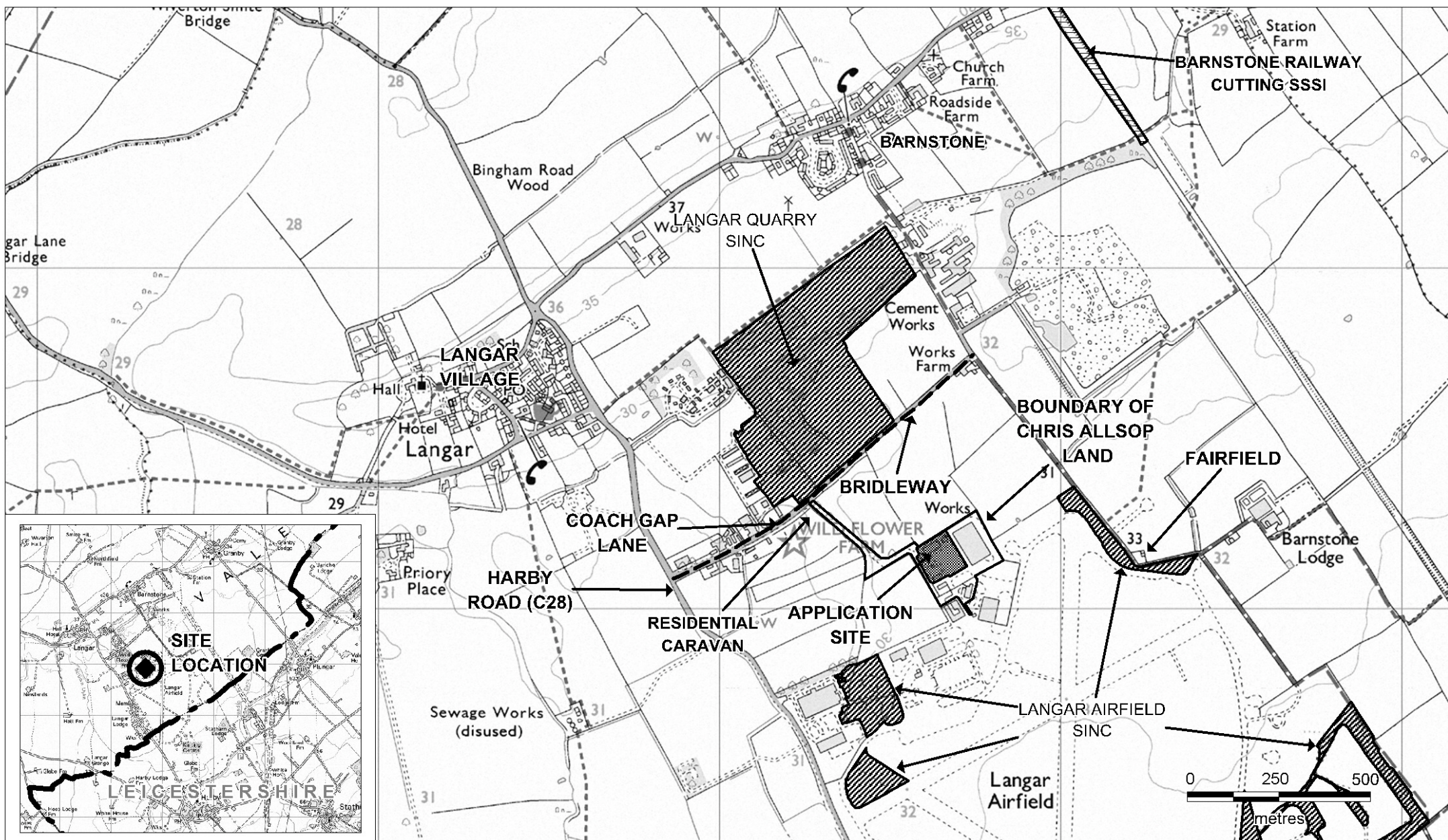
*“SSSI”* means Site of Special Scientific Interest within the meaning of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

*“waste code”* means the six digit code referable to a type of waste in accordance with the List of Wastes (England) Regulations 2005, or List of Wastes (Wales) Regulations 2005, as appropriate, and in relation to hazardous waste, includes the asterisk.

*“waste motor vehicle”* means a wheeled vehicle for use on land and that does not operate on rails that is waste within the meaning of Article 3(1) of the Waste framework Directive.

*“year”* means calendar year commencing on 1<sup>st</sup> January.

**End of standard rules**



Trent Bridge House, Fox Road  
Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
County Council Tel: 0115 982 3823

Proposed change of use of land to metals recycling facility.  
Coach Gap Lane, Langer Cum Barnstone, Nottinghamshire.  
Planning Application No. 8/13/00432/CMA

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**PLAN 1**



Non-ferrous metals will be stored and processed within the Main Site Building. Ferrous metals may also be stored and processed within this building. Waste Motor Vehicles will be depolluted within the site building.

Pond

Staff and visitors car park



Proposed Weighbridge

Works

Ferrous metal and depolluted vehicles storage area

Ferrous metal storage area

Non ferrous metals will be stored and processed within the Auxillary Site Building

 Direction of the flow of traffic  
 Planning area boundary



Trent Bridge House, Fox Road  
Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
County Council Tel: 0115 982 3823

Proposed change of use of land to metals recycling facility.  
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**16 July 2013****Agenda Item:****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND  
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2013.

**Information and Advice**

2. A work programme has been established for Planning and Licensing Committee to help in the scheduling of the committee's business and forward planning. It aims to give indicative timescales as to when applications are likely to come to Committee. It also highlights future applications for which it is not possible to give a likely timescale at this stage.
3. Members will be aware that issues arising during the planning application process can significantly impact upon targeted Committee dates. Hence the work programme work will be updated and reviewed at each pre-agenda meeting and will be submitted to each Committee meeting for information.

**Other Options Considered**

4. To continue with existing scheduling arrangements but this would prevent all Members of the Committee from being fully informed about projected timescales of future business.

**Reason/s for Recommendation/s**

5. To keep Members of the Committee informed about future business of the Committee.

**Statutory and Policy Implications**

6. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

That the committee's work programme be noted.

**Jayne Francis-Ward**

**Corporate Director- Policy, Planning and Corporate Services**

**For any enquiries about this report please contact: David Forster, Democratic Services Officer**

### **Constitutional Comments (HD)**

7. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

### **Financial Comments (PS)**

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

### **Background Papers**

Relevant case files for the items included in Appendix A.

### **Electoral Division(s) and Member(s) Affected**

All

## Committee Work Programme

<u>Date to Committee</u>	<u>Reference</u>	<u>Location</u>	<u>Brief Description</u>
30 <sup>th</sup> Sept 2013	1/18/10/00008	R Plevin & Sons Limited, Crookford Hill. Elkesley, Retford	Construction and operation of a biomass fuelled combined heat and power plant
30 <sup>th</sup> Sept 2013	5/12/00268/CCM	Land off Cossall Road between the villages of Cossall and Trowell, referred to as the Shortwood Site	Extraction of coal and fireclay by surface mining methods with restoration to agriculture, woodland, nature conservation and public amenity.
30 <sup>th</sup> Sept 2013	4/V/2013/028	Hucknall Town Centre	Construction of new relief road.
30 <sup>th</sup> Sept 2013	4/V2012/0570 & 7/2012/1493	Newstead and Annesley Country Park, Newstead Village	Importation of circa. 40,000m <sup>3</sup> of inert material to reduce the depth of fishing lakes, to improve safety requirement for members of the public and including the creation of two islands for nesting birds and the landscaping of areas around the lakes
15 <sup>th</sup> Oct 2013		Lodge Farm, Scrooby Top	Development and use of land for two angling lakes, with access and landscaping with associated excavation and exportation of mineral and surplus soils during construction
15 <sup>th</sup> Oct 2013		Styrrup Quarry, Main Street, Styrrup	Variation of condition 16 of planning permission 1/66/02/00015 allow more time for the restoration of the sand quarry by importation of recovered inert material to provide engineered fill against the quarry faces and on the quarry floor to provide restoration to open space and bio diverse

			habitat of acid grassland and lowland heath.
15 <sup>th</sup> Oct 2013	3/13/00495/CCM	Rufford Colliery, South of Eakring Road, Rainworth	To extract, stock, blend using imported coal fines and remove up to 350,000 cu.m. of coal from the former spoil tip lagoons at the Rufford Colliery Spoil Tip.
15 <sup>th</sup> Oct 2013	3/13/00709/CMA	Rufford Sand Pit, Rufford Colliery Lane, Rainworth	Change of use to allow for the operation of an off road motor facility
15 <sup>th</sup> Oct 2013	1/13/00639/CDM	Harworth Colliery Spoil Tip, Blyth Road, Harworth	Importation of alkaline/lime-rich material to spread on exposed colliery discard and provide a long term solution to reducing the acidity levels of the surface water run-off from the tip.
15 <sup>th</sup> Oct 2013		Land off Kenbrook Drive, Hucknall	Erection of 420 place primary school (in two phases) & 26 (full-time) Foundation 1 (Nursery) unit with grassed, hard court & informal play areas, servicing, car parking & landscaping incl. 2.4m high security fence.
15 <sup>th</sup> Oct 2013		Johnsons Aggregates & Recycling Ltd, Loughborough Road, Bunny	Use of land adjacent to existing site for a 12 month period for temporary storage of reclaimed aggregates & to vary Cond. 7 of permission 8/96/79/CMA & Cond 9 of permission 8/94/00164/CMA to extend working hours.
15 <sup>th</sup> Oct 2013	5/13/00070/CM	Shilo Park, Shilo Way, Cossall	Change of use to waste timber recycling centre including the demolition of existing building and construction of new buildings.

**Other Key Applications/Submissions in system but not timetabled to be reported to Committee before November 2013:-**

<b><u>Reference</u></b>	<b><u>Location</u></b>	<b><u>Brief Description</u></b>
3/11/00202/CMA	Briggs Metals Limited,	Regularisation of use of additional land

	Great North Road, Newark	in connection with scrapyards, erection of buildings for use in connection with scrapyards, erection of additional buildings and plant/machinery including extension to existing offices.
	Former Gravel Workings, Gunthorpe	Scheme submitted by Severn Trent Water Limited for the restoration of the former gravel workings
	Harworth Colliery Spoil Tip, Blyth Road, Harworth	Variation of Cond 5 of permission 1/66/96/16 to allow for the continuation of spoil disposal operation at Harworth Colliery No. 2 Spoil Heap.
	Dorket Head Quarry, Woodborough Lane, Arnold	Eastern extension of the working & extraction of clay and associated minerals with subsequent low level restoration to include landscaping and diversion of public footpaths.
	Dorket Head Quarry & Landfill, Woodborough Lane, Arnold	To vary Conds 3,13 &50 of permission 7/2003/0335 to allow a 'pause' in the existing landfill to occur and to provide a revised restoration profile which will tie in with the intended low level restoration of the proposed eastern extension.



**16 July 2013****Agenda Item:****REPORT OF CORPORATE DIRECTOR FOR POLICY, PLANNING AND  
CORPORATE SERVICES****DEVELOPMENT MANAGEMENT PROGRESS REPORT****Purpose of this Report**

1. To report on planning applications received in the Department between 01 May 2013 and 30 June 2013 and to confirm the decisions made on planning applications since the last report to Members on 23 May 2013.

**Background**

2. Appendix A highlights applications received since the last Committee meeting, and those determined in the same period. Appendix B highlights applications outstanding for over 17 weeks for the quarter between 01 April and 30 June 2013.
3. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

**Statutory and Policy Implications**

4. This report has been compiled after consideration of implications in respect of finance, 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.

**RECOMMENDATIONS**

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

**JAYNE FRANCIS-WARD**

**Corporate Director for Policy, Planning and Corporate Services**

**Constitutional Comments**

"The report is for noting only. There are no immediate legal issues arising. Planning and Licensing Committee is empowered to receive and consider the report. [HD – 04/07/2013]

**Comments of the Service Director - Finance**

The contents of this report are duly noted – there are no direct financial implications. [SM – 05/07/2013]

**Background Papers Available for Inspection**

None

**Electoral Division(s) and Member(s) Affected**

All

**For any enquiries about this report please contact:**

Report Author/Case Officer

Ruth Kinsey

0115 9696513

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

8 July 2013

EP5373

**Planning Applications Received and Determined**  
**From 01 May to 30 June 2013**

Division	Member	Received	Determined
<b>BASSETLAW</b>			
Worksop North East and Carlton	Cllr Alan Rhodes		Variation of conditions 2, 3 and 5 of planning permission 1/59/11/00069/V to extend the timescale for the completion of sand extraction and landfill. Carlton Forest Quarry and Landfill, Blyth Road, Worksop. Withdrawn 03/05/2013
Tuxford	Cllr John Ogle	Staff room extension, St Matthews C of E School, Mill Lane, Normanton-on-Trent. Received 13/05/2013	
Misterton	Cllr Liz Yates		Vary condition 2 of planning permission 1/31/11/00009 to allow for the use of the mobile classroom for pre-school and The Wrap Around Care during term time and school holidays. Mattersey Primary School, Thorpe Road, Mattersey. Granted 17/05/2013

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Worksop North	Cllr Sybil Fielding		To enclose internal courtyard with glazed roof lantern to form internal sensory room, teaching space. St John's C of E School, Raymoth Lane, Worksop. Granted 05/06/2013
Misterton	Cllr Liz Yates	Erection of a wooden summerhouse on school field to be used as an outdoor classroom and occasionally by local community groups. Mattersey Primary School, Thorpe Road, Mattersey. Received 13/05/2013	Granted 24/06/2013
Worksop East	Cllr Glynn Gilfoyle		Construction of Multi-Use Games Area within school campus for use by the school and community. (The children's play area shown on plans is part of a separate project not sought planning permission as part of this planning application). St Augustine's Junior School, Longfellow Drive, Worksop. Withdrawn 17/06/2013
Misterton	Cllr Liz Yates	Retrospective planning application for the retention of two ancillary cabinets associated with the leachate lagoons, Daneshill Landfill Site, Daneshill Road, Lound. Received 21/06/2013	
Blyth & Harworth	Cllr Sheila Place	Variation of condition 5 of planning permission 1/66/96/16 to allow for the continuation of spoil disposal operation at No 2 spoil heap. Harworth Colliery Spoil Tip, Blyth Road, Harworth. Received 21/06/2013	

Division	Member	Received	Determined
<b>MANSFIELD</b>			
Mansfield South	Cllr Stephen Garner Cllr Andy Sissons		A new stand alone single storey 2 classroom foundation unit, Berry Hill Primary & Nursery School, Black Scotch Lane, Mansfield. Granted 07/05/2013
Mansfield North	Cllr Joyce Bosnjak Cllr Parry Tsimbiridis	Variation of condition 2 of planning permission 2/2010/0227/WT to allow continuation of crushing and screening plant to recycle building materials for a further 5 years. Cast Quarry, Vale Road, Mansfield Woodhouse. Received 20/06/2013	
Mansfield North	Cllr Joyce Bosnjak Cllr Parry Tsimbiridis	Change of use of the caretaker's dwelling from residential use to educational use. Installation of fence and gates at the entrance of the access drive. Yeoman Park School, Park Hall Road, Mansfield Woodhouse. Received 20/06/2013	
<b>NEWARK &amp; SHERWOOD</b>			
Blidworth	Cllr Yvonne Woodhead	Change of use to allow for the operation of an off road motor facility, Rufford Sand Pit, Rufford Colliery Lane, Rainworth. Received 24/05/2013	

Division	Member	Received	Determined
Rufford	Cllr John Peck	Additional use of Savile Restaurant as a wedding venue. Temporary marquee fixings and associated bases including moving a path near to the Savile Restaurant. Rufford Abbey, Rufford Country Park, Ollerton. Received 29/05/2013	
Ollerton	Cllr S Smedley	Installation of 1 No. MCC kiosk, provision of hardstanding and demolition of existing building, Tuxford Road Sewage Pumping Station, Tuxford Road, Boughton. Received 30/05/2013	
Farndon & Muskham	Cllr Mrs Sue Saddington		Revised final restoration contour and compliance with conditions 18 and 23 of previous planning permission 3/14/91/1237. Staple Quarry, Grange Lane, Cotham. Granted 19/06/2013
<b>ASHFIELD</b>			
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Wilmot	Retrospective use of site for recycling of inert materials and construction of 5m high sound attenuation wall. Plots 10, 11, 12, 13, 14 and 16 off Wigwam Lane, Hucknall, received 10/06/2013	

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Willmott	Erection of 420 place primary school (in two phases) and 26 (full time) place Foundation 1 (nursery) unit, with grassed, hard court and informal play areas, servicing, car parking and associated landscape works including 2.4m high security fencing. Land off Kenbrook Drive, Hucknall. Received 20/06/2013	
Sutton in Ashfield West	Cllr Tom Hollis	To replace existing fencing and replace with new 2.4m high security fencing. To replace 3 double gates and 1 single gate with new 2.4m high security gates, Mapplewells Primary School, Henning Lane, Sutton in Ashfield. Received 20/06/2013	
Sutton-in-Ashfield North	Cllr Jason Zadrozny	The installation of 2400mm high security fencing and gates, Healdswood Infant School, Barker Avenue, Sutton-in-Ashfield. Received 26/06/2013	
<b>BROXTOWE</b>			
Beeston North	Cllr Steve Carr		Construction of a new lobbied entrance and alterations to the building façade, Beeston Youth Centre, West End, Beeston. Granted 07/06/2013
<b>GEDLING</b>			

Division	Member	Received	Determined
Arnold North	Cllr Pauline Allen Cllr Michael Payne	Eastern extension of the working and extraction of clay and associated minerals with subsequent low level restoration to include landscaping and diversion of public footpaths. Dorket Head Quarry, Woodborough Lane, Arnold. Received 19/06/2013	
Arnold North	Cllr Pauline Allen Cllr Michael Payne	To Vary conditions 3, 13 and 50 of planning permission 7/2003/0335 to allow a "pause" in the existing landfill to occur and to provide a revised restoration profile which will tie in with the intended low level restoration of the proposed eastern extension. Dorket Head Quarry and Landfill, Woodborough Lane, Arnold. Received 19/06/2013	
Carlton East	Cllr Nicki Brookes Cllr John Clarke	Installation of covered walkway, canvas shelters, rubber play area, synthetic turf, Burton Joyce Primary School, Padleys Lane, Burton Joyce. Received 20/06/2013	
<b>RUSHCLIFFE</b>			
Cotgrave	Cllr Richard Butler		Variation to Condition 12 of planning permission 8/04/01467/CMA to retain environmental compound. Barnstone Landfill Site, Coach Gap Lane, Langar. Granted 24/05/2013

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Bingham	Cllr Martin Suthers OBE		Alterations to the existing car park facility. New playground areas and new gate. Carnarvon Primary School, Nursery Road, Bingham. Granted 18/06/2013 (Committee)
Ruddington	Cllr Reg Adair	Use of land adjacent to the existing site for a 12 month period for temporary storage of reclaimed aggregates and to vary Condition 7 of planning permission 8/96/79/CMA and Condition 9 of planning permission 8/94/00164/CMA to extend working hours. Johnsons Aggregates & Recycling Ltd, Loughborough Road, Bunny. Received 20/06/2013	
Cotgrave	Cllr Richard Butler		To vary condition 3 of planning permission 8/09/02117/CTY to retain 3 cavity vents and to cover the installation of 3 air condition units, Cotgrave Candleby Lane School, Candleby Lane, Cotgrave. Granted 21/06/2013
Keyworth	Cllr John Cottee	Creation of additional yard area for waste wood storage and erection of screening bund (partly in retrospect) adjacent to existing wood recycling site. John Brooke (Sawmills) Ltd, Broughton Grange, Fosse Way, Widmerpool. Received 25/06/2013	

Division	Member	Received	Determined
Keyworth	Cllr John Cottee	Removal of existing temporary modular classroom and erection of single storey classroom extension with link corridor to existing school, and associated landscape works. Willoughby Primary School, Church Lane, Willoughby on the Wolds. Received 25/06/2013	

**Applications outstanding over 17 weeks at 30 June 2013**

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
<b>BASSETLAW</b>				
Blyth & Harworth	<b>Cllr Sheila Place</b>	Vary condition to allow coal stocking site to be restored in compliance with planning permission, Harworth Colliery, Scrooby Road, Bircotes	311	Application to be withdrawn
Blyth & Harworth	<b>Cllr Sheila Place</b>	Variation of condition to vary the period for the submission of an alternative restoration scheme, No2 Spoil Heap, Harworth Colliery, Scrooby Road, Bircotes	311	Application to be withdrawn
Tuxford	<b>Cllr John Ogle</b>	Construction and operation of a biomass fuelled combined heat and power plant. R Plevin & Sons Limited, Crookford Hill. Elkesley, Retford	156	Report being prepared for the 30/09/2013 Committee
Blyth & Harworth	<b>Cllr Sheila Place</b>	Development and use of land for two angling lakes, with access and landscaping with associated excavation and exportation of mineral and surplus soils during construction. Lodge Farm, Scrooby Top	18	Report being prepared for the 15/10/2013 Committee
<b>MANSFIELD – None</b>				

Division	Member	Description	Weeks Out Standing	Comments
<b>NEWARK</b>				
Newark West	Cllr Tony Roberts	Regularisation of use of additional land in connection with scrapyard, Briggs Metals Limited, Great North Road, Newark	128	Awaiting Agent to provide flood risk assessment to overcome Environment Agency's objection
<b>ASHFIELD</b>				
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	46	Awaiting NCC Highways comments on lorry routeing details, awaiting a topographical plan and boundary issues to resolve.
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Wilmot	Environmental improvements to the Hucknall Town Centre. The construction of a new inner relief road between Annesley Road and the Bolsover Street/Station Road Junction. Realignment of existing Linby Road/Ashgate Road junction, the provision and laying out of new pedestrian and cycle links other related highways works, enclosures and associated landscaping. Annesley Road to Station Road, Hucknall	25	Awaiting further environmental and heritage information, further consultations will be required

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
BROXTOWE				
Beeston South & Attenborough	Cllr Kate Foale	Variation of condition 3 of planning ref 5/06/01039/CCR to amend the alignment of the weir, associated bridge structure and reduce distance of the diversion to footpath No 69, Land southwest of Attenborough Nature Reserve, Barton Lane, Attenborough	224	Report written but conditions to be finalised

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Kimberley & Trowell	Cllr Ken Rigby	Extraction of coal and fireclay by surface mining methods with restoration to agriculture, woodland, nature conservation and public amenity. Land off Cossall Road between the villages of Cossall and Trowell, referred to as the Shortwood Site	63	Further information received and consultations undertaken. Report being prepared for 30/09/2013
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	24	Received further information which has been sent out for consultation. Further information is still required on ecology, drainage issues and a landscaping character assessment
<b>GEDLING</b>				

Division	Member	Description	Weeks Out Standing	Comments
Newstead	Cllr Chris Barnfather	Importation of circa. 40,000m3 of inert material to reduce the depth of fishing lakes, to improve safety requirement for members of the public and including the creation of two islands for nesting birds and the landscaping of areas around the lakes. Newstead and Annesley Country Park, Newstead Village	31	Further consultations required upon receipt of further information. Report being prepared for 30/09/2013 Committee
<b>RUSHCLIFFE</b>				
Soar Valley	Cllr Andrew Brown	Extension to existing quarry involving the extraction of sand and gravel with restoration of site to agriculture and wetland conservation. East Leake Quarry, Rempstone Road, East Leake	128	Presented to 26/03/2013 committee and resolved to grant permission upon signing S106 Legal Agreement
Cotgrave	Cllr Richard Butler	Proposed change of use to depollution and dismantling operation including the construction of a depolluting building, parts storage container and site control offices. Land off Harby Road. North Trading Centre, Langar	111	Still awaiting further information. Letter being sent to applicant asking for the application to be withdrawn.

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Cotgrave	Cllr Richard Butler	Change of use of land to a metal recycling facility, Coach Gap Lane, Langar cum Barnstone,	19	See elsewhere on agenda
Soar Valley	Cllr Andrew Brown	Resubmission of application for the construction of a leisure marina comprising marina basin with 553 leisure moorings and ancillary buildings, associated vehicle parking, landscaping and infrastructure and the incidental excavation and removal of minerals. Red Hill Marina, Ratcliffe on Soar	48	Further information under Reg 22 to be submitted and re-consultation will be necessary – Appeal for Non Determination has been received

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