

## **Planning and Licensing Committee**

**Tuesday, 22 March 2016 at 10:30**

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

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### **AGENDA**

- |   |  |         |
|---|--|---------|
| 1 | Minutes of the last Meeting held on 23 February 2016   | 3 - 12  |
| 2 | Apologies for Absence  |         |
| 3 | Declarations of Interests by Members and Officers:- (see note below)<br>(a) Disclosable Pecuniary Interests<br>(b) Private Interests (pecuniary and non-pecuniary) |         |
| 4 | Declarations of lobbying   |         |
| 5 | Bilthorpe Highways Depot Bilthorpe Business Park, Eakring Road Bilthorpe   | 13 - 26 |
| 6 | Scrooby South Quarry Great North Road Scrooby  | 27 - 54 |
| 7 | Development Management Progress Report   | 55 - 64 |
| 8 | Work Programme   | 65 - 68 |

### **Notes**

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in

the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

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

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

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

Meeting **PLANNING AND LICENSING COMMITTEE**

Date **19 January 2016 (commencing at 10.30 am)**

**membership**

Persons absent are marked with 'A'

**COUNCILLORS**

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

Roy Allan  
Andrew Brown  
Steve Calvert  
Jim Creamer  
Rachel Madden

Andy Sissons  
Keith Walker  
Jacky Williams  
Yvonne Woodhead

**ALSO IN ATTENDANCE**

Councillor Bruce Laughton  
Kate Foale

**OFFICERS IN ATTENDANCE**

David Forster – Resources Department  
Alison Fawley – Resources Department  
Sally Gill - Place Department  
Jonathan Smith – Place Department  
Mike Hankin – Place Department  
Ruth Kinsey – Place Department  
Rachel Clack - Resources Department  
Joel Marshall – Place Department

**MINUTES OF LAST MEETING HELD ON 8 DECEMBER 2015**

The minutes of the meeting held on 19 January 2016 having been circulated to all Members were taken as read and were confirmed and signed by the Chairman.

**MEMBERSHIP OF THE COMMITTEE**

The Clerk reported orally that Councillor Jacky Williams had been appointed to the Committee in place of Councillor Stan Heptinstall OBE for this meeting only.

## **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS**

Councillor Jacky Williams declared a non-pecuniary interest in agenda item 8 Clayfields House 18 Moorbridge Lane Stapleford due to the fact it is in her Division and that she sits on Corporate Parenting Panel and has visited Clayfields. She has also made comments on the proposed development in a general sense regarding the need for refurbishment and upgrading of the facility

## **DECLARATIONS OF LOBBYING OF MEMBERS**

There were no declarations of Lobbying

## **STUD FARM RUFFORD PARK RUFFORD AMENDMENT TO DESIGN OF ANEROBIC DIGESTER AND INSTALLATION OF A 2.65 KM GAS PIPELINE**

Mr Hankin introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- Planning permission was granted in 2010 for an Anaerobic Digestion (AD) processing facility incorporating an AD plant and the planning permission has been implemented by the construction of an access road.
- The original digesters were for 7.5m high units which will be increased to 16.2m high.
- The application also requests the approval of a 2.65 kilometre pipe line to be installed from the facility to supply Centre Parcs with the gas produced.
- Concerns were raised by the Rufford and Bilsthorpe Parish Councils with regard to the visual impact of the proposed development
- Councillor Peck, Local Member, objections to the application on the grounds of increase in size of the proposed AD Storage Plants, visual impact and increased journeys.
- The two planning applications will assist with increasing amount of renewable energy generation

Following the introductory remarks of Mr Hankin there were a number of speakers who were given an opportunity to speak and **summaries** of those speeches are set out below.

Mr Presslee on behalf of the applicant, spoke in favour of the application

- The application today only seeks to increase the size of the digester tanks which already have planning permission.
- The height is in line with the chicken sheds neighbouring the site.



- The application to increase the size of the digester tanks will allow for a greater efficiency and increased storage for the supply of gas to the customers.
- The domed tops will be painted green to help blend in with the surrounding countryside.
- The changes proposed allows for a more efficient modern anaerobic digestion plant.
- The applicant agree to the limiting of vehicle movements.

In response to questions Mr Presslee responded as follows:-

- There will be use of Maize crops grown in the area locally.
- Unaware of the application with regard to the poultry shed on site
- The building referred to is not under the control of Rainworth Energy Ltd.

Councillor A Drane, Rufford Parish Council, spoke against the application and highlighted the following:-

- The Parish Council supported the previous application, however does not support this application
- There are Environment issues with the use of Maize crops as bio crops and the CO2 omissions.
- The traffic will increase in the surrounding area.
- The proximity of the proposed development to Rufford Abbey could have a negative impact on the countryside and to the visual impact to the area.
- The environmental impacts are unknown as the growing of Maize does render fields less able to cope with drainage.
- The potential for air pollution is an unknown also
- Commercial scale anaerobic digesters have been known to have safety issues with regard to contamination of rivers in the areas they are operating.

There were no questions

Members made the following comments:-

- There are concerns that the size of the plant will have an environmental impact in the area.
- There will be a visual impact because of the size which is near to the Jewel in Nottinghamshire's Crown (Rufford Abbey).
- There are sufficient passing points along the purpose built access road
- The Government are very strongly in favour of this type of renewable energy especially as it will feed through to local businesses
- The domes will be painted green and will blend into the surrounding area.
- There are concerns about the planting and aesthetic look of the buildings

On a motion by the Chair and taking each of the recommendations separately it was seconded by the Vice Chair it was:-

## **PLANNING APPLICATION 1**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/15/02255/CMAPROPOSAL: AMENDMENT TO THE DESIGN OF THE PREVIOUSLY APPROVED ANAEROBIC DIGESTERS, INCREASING THEIR HEIGHT TO 16.5M.**

**Resolved 2016/009**

1. That the Corporate Director – Place be instructed to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to ensure the long term protection of the woodland screening provided within Long Belt Wood.
2. that subject to the completion of the legal agreement before the 23<sup>rd</sup> May 2016 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman and the Vice Chairman, the Corporate Director – Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 of this report. In the event that the legal agreement is not signed by the 23<sup>rd</sup> May 2016, or within any subsequent extension of decision time agreed with the Waste Planning Authority, it is RECOMMENDED that the Corporate Director – Place be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time.

## **PLANNING APPLICATION 2**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/16/00115/CMA**

**PROPOSAL: INSTALLATION OF GAS PIPELINE TO SUPPLY BIOGAS FROM ANAEROBIC DIGESTER FACILITY AT STUD FARM TO CUSTOMER VIA PRIVATE GAS PIPELINE.**

**Resolved 2016/010**

That planning permission be granted subject to the conditions set out in Appendix 2 attached to the report.

**CLAYFIELDS HOUSE 18 MOORBRIDGE LANE STAPLEFORD 3 PHASE DEVELOPMENT TO DEMOLISH AND REPLACE AN EXISTING RESIDENTIAL BLOCK**

Mr Smith introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- Funding has been sought from the Department of Education to replace the Scarlet Unit.
- The development will be in 3 phases, firstly building of a new Scarlet Unit, followed by the demolition of current Scarlet Unit and finally a vocational and education building.
- There will be a need for landscaping to be undertaken and the removal of some mature trees from the site.
- It is proposed that there will be less windows on the buildings closest to the properties along Devonshire Drive.
- The CCTV systems will be upgraded and therefore safety will be enhanced through this upgrade.
- The consideration of bats has not been taken into consideration, however following government guidelines set out in Circular 06/2005 it is considered that this development has been considered under exceptional circumstances and these are as follows:-
  - Clayfields is a nationally important facility, the only one of its kind in Nottinghamshire and one of only 15 in England and Wales.
  - The poor structural and operational condition of the existing facility needs urgently addressed and
  - The replacement of the Scarlet Unit is reliant on DfE funding. The availability of central government funding is capable of being a material consideration in planning decisions.
- There has been one further late consultation from the Council's Reclamation Team which has no objection to the application.
- A minor amendment to Condition 4 set out in the papers is suggested to remove the letter c in brackets. Another amendment will be made to Condition 5 to ensure a bat survey is carried out.

Following the introductory remarks of Mr Smith there were a number of speakers who were given an opportunity to speak and **summaries** of those speeches are set out below.

Mrs Brooks, local resident, spoke against the application and highlighted the following:-

- These are two huge extensions that will have an effect on our property and privacy and noise from the site can be heard
- There will be noise disruption and lots of dust created whilst the works are carried out.
- Why couldn't this extension be a single storey so as not to cause issues of being over looked?

- There are issues over the lighting around Clayfields and this could get worse.

There were no questions to Mrs Brooks, however there were questions raised with Mr Smith regarding the application and the speech given by Mrs Books.

Mr Smith responded to questions as follows:-

- There are windows proposed for the buildings side that faces Devonshire Drive but they are obscured and high, not of the type you can stand and look out of.
- The trees to be planted will be semi-mature trees.
- There have only been a couple of incidents of complaints about foul language over the many years of the site being in operation
- There are conditions included to deal with any light issues that may arise.

Councillor J Williams, Nottinghamshire County Council spoke in favour of the application and highlighted the following:-

- The Local Authority has an obligation to provide secure accommodation for its most vulnerable children.
- It has been deemed outstanding by Ofsted even though it is an old building and in need of much repair.
- There has been good feedback from the DfE with regard to funding although it is not a guarantee.
- If approved then then the Children's and Young People's Department would be undertake all necessary surveys and are confident that any outcomes from those surveys can be incorporated into the designs.
- Continued engagement with the local residents is important and will be continued throughout the process.

In response to a question Councillor Williams responded as follows there could be a liaison Committee with local residents the Contractors and the providers to help with any issues which may arise during the build.

Members made the following comments:-

- Scarlet building is in need of significant repairs and updating
- The replanting of trees needs to be sympathetically for the surrounding residents
- This facility is essential for the vulnerable children that are sent to the facility so they can be looked after and eventually integrated back into the community.

Mr Smith commented on the issue of the windows and assured members that they were office windows and not windows that Children could see out of or use.

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

**Resolved 2016/011**

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.

### **RUFFORD COLLIERY OFF EAKRING ROAD RAINWORTH**

Mr Hankin introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- There are three separate applications in this report to allow a number of changes at the Colliery including –
  - The continuation of coal extraction for a further two years
  - Increase in height of coal stocking of conditioned product from 4 to 15 metres high.
  - Increase in weekly limit of coal deliveries from 6,000 to 10,000 tonnes
  - Regularise an extension to the coal fines storage, processing, blending and dispatch areas
  - To regularise the use of an internal haul road for coal haulage between the working face and the storage areas.

In response to questions Mr Hankin responded as follows:-

- Rainworth Parish Council had been consulted however they have not responded
- This is a former colliery site and it therefore suits the purpose already
- There are no environmental reasons that this site should be preserved as a site of special interest due to endangered species.

On a motion by the Chair and taking each of the recommendations separately they were seconded by the Vice Chair and

### **PLANNING APPLICATION 1**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/15/01797/CMA**

**PROPOSAL: TO VARY CONDITIONS 4, 5 AND 12 OF PLANNING PERMISSION 3/13/00495/CMM TO REGULARISE THE COAL FINES RECOVERY OPERATIONS TO INCREASE THE MAXIMUM TONNAGE OF MATERIALS TO ENTER AND LEAVE THE SITE IN ANY SEVEN DAY PERIOD TO 10,000 TONNES AND TO EXTEND THE TIMESCALE FOR COMPLETION OF MINERAL RECOVERY OPERATIONS TO 30/09/2018 WITH A FURTHER YEAR TO COMPLETE THE RESTORATION.**

**Resolved 2016/012**

that planning permission be granted for Planning Application 3/15/01797/CMA subject to the conditions set out in Appendix 1 attached to the report.

### **PLANNING APPLICATION 2**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/15/01799/CMA**

**PROPOSAL: TO VARY CONDITIONS 4 AND 5 OF PLANNING PERMISSION 3/14/01046/CMA TO REGULARISE THE COAL FINES RECOVERY OPERATIONS AND TO EXTEND THE TIMESCALE FOR COMPLETION OF MINERAL RECOVERY OPERATIONS TO 30/09/2018 WITH A FURTHER YEAR TO COMPLETE THE RESTORATION**

**Resolved 2016/013**

that planning permission be granted for Planning Application 3/15/01799/CMA subject to the conditions set out in Appendix 2 attached to the report.

**PLANNING APPLICATION 3**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/15/01798/CMA**

**PROPOSAL: INCREASE IN THE COAL FINES STOCKING AND BLENDING AREA OF CONSENT NO. 3/13/00495/CMM TOGETHER WITH THE USE OF AN INTERNAL HAUL ROAD.**

**Resolved 2016/014**

that planning permission be granted for Planning Application 3/15/01798/CMA subject to the conditions set out in Appendix 3 attached to the report.

**EXTENSION TO EXSISTING MISSON GREY SAND QUARRY BAWTRY ROAD MISSON**

Mr Hankin introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- The proposed development of the quarry will extend its life by approximately 15 years.
- Although there were no objections Misson Parish Council seeks assurances that there will be appropriate conditions regarding dust, noise, transport and any archaeological issue.
- There will be a restoration scheme that is compliant with MLP Policy M4.4 (landscape treatment).

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

**Resolved 2016/015**

That planning permission be granted for the purposes of subject to the conditions set out in Appendix 1 attached to the report.

**DEMOLITION OF CLASP BLOCK AT COUNTY HALL**

Mr Smith introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- During the demolition of the CLASP Block there will be a loss of 199 car parking space for up to 6 weeks.
- There will be a temporary cycle storage facility capable of housing 40 cycles rising to 48 with the building of a permanent storage facility.
- There will be information and updates on progress posted on the Council's Intranet

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

#### **Resolved 2016/016**

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.

#### **SINGLE STOREY FOUNDATION CLASSROOM EXTENSION WITH EXTERNAL CANOPY AND ASSOCIATED LANDSCAPING AND FENCING MANOR PARK INFANTS AND NURSERY SCHOOL, FLATTS LANE, CALVERTON**

Mr Smith introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- The extension is needed to help alleviate the current lack of school places in the Gedling area.
- Gedling Borough Council raise no objections to the application
- Calverton Parish Council have objected to the application on the grounds of increased traffic and the potential worsening of inappropriate parking in the vicinity by parents.
- The Highways Authority have no objections on the grounds there is sufficient on-street parking available to accommodate the potential additional traffic.

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

#### **Resolved 2016/017**

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.

#### **ADOPTION OF THE COUNTY COUNCIL'S LOCAL REQUIREMENTS FOR THE VALIDATION OF PLANNING APPLICATIONS**

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

**Resolved 2016/018**

That Members note the response to the consultation exercise and approve the revised document, known as Nottinghamshire County Council's Guidance Note on the Validation Requirements for Planning Applications.

**DEVELOPMENT MANAGEMENT PROGRESS REPORT**

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

**RESOLVED 2016/019**

That the Development report be noted

**WORK PROGRAMME**

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

**RESOLVED 2016/020**

That the Work Programme be noted

**CHAIRMAN**



**22 March 2016****Agenda Item:5****REPORT OF CORPORATE DIRECTOR – PLACE****NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/16/00224/FULR3N****PROPOSAL: ERECTION OF A MODULAR BUILDING WITH LINK CANOPY****LOCATION: BILSTHORPE HIGHWAYS DEPOT, BILSTHORPE BUSINESS PARK,  
EAKRING ROAD, BILSTHORPE****APPLICANT: NCC PLACE DEPARTMENT****Purpose of Report**

1. To consider a planning application for the addition of office floorspace at Bilsthorpe Highways Depot, Eakring Road, Bilsthorpe. The proposal is being reported to Committee for determination as the application is submitted by Place Department. The key issue relates to the potential highway impact arising from the proposal. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

**The Site and Surroundings**

2. Bilsthorpe Highways Depot at Bilsthorpe Business Park is situated on the site of the former Bilsthorpe Colliery approximately 500m to the north-east of Bilsthorpe village. Access to the site by vehicles exceeding 7.5 tonnes is from the A614/ Eakring Road junction. There is a weight restriction on Kirklington Road to stop vehicles in excess of 7.5 tonnes passing through the southern part of Bilsthorpe village. Lorries approaching from the A617 are required to gain access to the site from the A614 (Plan 1).
3. The business park covers an area of 23.8ha and is being developed for general industrial, storage and distribution uses and is accessed along a 250m private road on the east side of Eakring Road, 300m to the north of the village. Access to and from the business park is controlled by barriers which raise when approached by a vehicle. Bilsthorpe Highways Depot is in the south-west of the business park and occupies a site of 4ha measuring approximately 280m by 160m, abutting a tree-planted landscape mound running along the western boundary of the business park and the disused railway line on the southern boundary. The Highways Depot site and the access road to it, which is not public highway, is included in the application site.
4. There is a mixture of highway related uses at the Highways Depot including an office/mess/training building, vehicle workshop, stores building, salt barn and poly tunnel with open storage areas and parking areas for highway vehicles and

staff. In addition, there are areas for excavation and vehicle training (Plan 2). Surface water from the Highways Depot site discharges to ponds within Bilsthorpe Business Park.

5. The two storey office, mess and training building has a footprint of 36m by 19m. The building is clad in metal and is principally of mono-pitch roof construction, varying between 6m and 8m in height. An area of open storage within a secured compound lies immediately to the south of the two storey building.
6. One hundred and forty one staff and visitor parking spaces were provided as part of the Highways Depot development. 90 staff are currently employed. The site is operational 24 hours a day.

## **Proposed Development**

### **Relevant Planning History**

7. Application 02/01392/OUTM - March 2004 - outline planning permission for the redevelopment of the former colliery site for uses B2 (General Industrial) and B8 (Storage and Distribution) subject to a s106 agreement between UK Coal Mining Ltd and NCC requiring off-site highway works. On the first occupation of 16,000m<sup>2</sup> gross floor area of development, a traffic assessment of the capacity of the junction was to be carried out to determine if and when a roundabout would need to be constructed at the junction as further development takes place on the colliery site. A financial contribution for the improvement of Ollerton roundabout (A614/A616) was secured by the permission.
8. Application 3/08/00709/FULR3N - July 2010 - permission for the erection of Northern Area Highways Depot subject to a lorry routeing undertaking to direct vehicles to and from the A614 (vehicles in excess of 7.5tonnes) and a variation of a S106 planning obligation attached to planning permission 02/01392/OUTM granted by Newark and Sherwood District Council
  - (a) to secure a revised trigger point for the assessment of works for the improvement of the A614/ Eakring Road junction, conditional upon the proposal granted by the permission being carried out; and
  - (b) to amend the agreement to permit consideration of alternative forms of improvement of the A614/ Eakring Road highway junction; and
  - (c) to extend the period of time before the contribution towards the improvement of the Ollerton roundabout has to be re-paid.
9. At the time of application 3/08/00709/FULR3N, 7109m<sup>2</sup> of development had been granted planning permission at Bilsthorpe Business Park.
10. Application 3/11/00078/FULR3N – March 2011 – approval of a minor material amendment of planning permission 3/08/00709/FULR3N and deed of variation of the related S106 planning obligation.

### **Proposal**

11. The Highways Depot has mainly been used for winter maintenance operations but due to financial constraints and rationalisation is proposed to be used for a

wider range of highway environmental works, including the inspection and identification of highway defects. Co-locating the inspection and operations staff would help speed up repairs.

12. Planning permission is sought for the erection of a modular building with a footprint of 18m by 12m within part of an enclosed outdoor storage area. The building, having a shallow mono-pitch roof with a maximum height of 3.5m, would be linked to the south elevation of the two-storey office building by a 4m long canopy a maximum of 2.85m in height. The building would be faced with grey metal cladding and the link canopy would be coloured grey. Additional details of proposed facing materials and finishes have not been provided.
13. Twenty additional staff would be employed. No additional car parking is proposed.

### Consultations

14. **Newark and Sherwood District Council** – *No objection subject to being satisfied that the development is in accordance with relevant Development Plan policies.*
15. **Bilsthorpe Parish Council** - No response received. The Parish Council meet on 15 March 2016 and any response received will be reported orally.
16. **NCC Highways Development Control** – No objection. *The application site currently accommodates 90 employees and this proposal is to provide additional accommodation for a further 20 full-time employees. There are 140 [141] parking bays for staff/visitors which is considered sufficient for the application site.*
17. **Severn Trent Water Limited** – *No objection.*
18. **Eakring Parish Council, Rufford Parish Council, Western Power Distribution, National Grid (Gas)** – No responses received. Any responses received shall be orally reported.

### Publicity

19. The application has been publicised by means of site notices in accordance with the County Council's adopted Statement of Community Involvement Review.
20. Councillor John Peck has been notified of the application.
21. No responses have been received.

### Observations

22. The Highways Depot occupies a large site. The position of existing buildings would screen views of the proposed building from adjoining land. Whilst the building construction may deteriorate towards the end of the 30 year design life and would normally be granted a time-limited permission to allow the condition of the building to be regularly reviewed, in this instance the siting of the building would not give rise to impacts outside of the site. The proposed use of metal

cladding to match the adjoining two storey office building is considered to be acceptable in compliance with Newark and Sherwood Allocations and Development Management DPD (N&SA&DM) Policy DM5 – *Design* which sets out criteria against which development should be assessed. The submission of samples and/or a schedule of proposed external finishes is the subject of recommended Condition 4.

23. No additional car parking is proposed for the additional 20 staff. However there are sufficient car parking spaces available for staff and visitors within the Highways Depot site in compliance with N&SA&DM Policy DM5 – *Design* which requires parking provision to be based on the scale and specific location of the development.
24. Although the site is a former colliery pit-head, the site will have been suitably remediated in developing the Highways Depot. The building would be sited on pad foundations and with little intrusive work required there is low risk of unexpected contamination being encountered. A precautionary condition is recommended (Condition 5).
25. The proposed connection of an additional sink to the foul drainage network would not give rise to a material impact and is considered to be acceptable.
26. Surface water would discharge to the existing off-site sustainable drainage system serving Bilsthorpe Business Park. Proposed drainage is considered to be acceptable in compliance with N&SA&DM Policy DM5 – *Design* which requires surface water to be proactively managed where possible including the use of Sustainable Drainage Systems.

### **Other Options Considered**

27. 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**

28. 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

29. No changes to the site perimeter security fencing are proposed.

#### Human Rights Implications

30. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) are those to be considered. In this case, however, there are no

impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

31. There are no Implications for Service Users, Financial Implications, Equalities Implications, Safeguarding of Children Implications, Human Resources Implications, or Implications for Sustainability and the Environment.

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

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

### **RECOMMENDATIONS**

33. It is RECOMMENDED that planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

**TIM GREGORY**

**Corporate Director – Place**

### **Constitutional Comments**

The subject of the report falls within the scope of Planning and Licensing Committee and is the appropriate body to consider the report.

[RHC 03.03.16]

### **Comments of the Service Director - Finance**

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

[SES 08.03.16]

### **Background Papers Available for Inspection**

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

### **Electoral Division and Member Affected**

Rufford      Councillor John Peck

Report Author/Case Officer

David Marsh

0115 9932574

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

FR3/3453

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## RECOMMENDED PLANNING CONDITIONS

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

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

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

*Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.*

3. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application, documents and recommendations of reports, and the following plans:

- (a) Location Plan (1:2500) received by the CPA on 25 January 2016;
- (b) Proposed Site Plan (Drawing D117675/700 Rev K) received by the CPA on 19 January 2016;
- (c) Foundation Plan (Drawing L-15-1174-FD) received by the CPA on 11 January 2016;
- (d) Floor Plan (Drawing L-15-1174-PL) received by the CPA on 25 January 2016;
- (e) Elevations (Drawing L-15-1174-EL) received by the CPA on 11 January 2016;
- (f) Shelter Specification received by the CPA on 25 January 2016.

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

4. Prior to their use on site, samples and/or a schedule of proposed facing materials and finishes shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

*Reason: In the interest of visual amenity and in compliance with Newark & Sherwood Allocations & Development Management DPD Policy DM5 - Design.*

5. If during development, contamination not previously identified is found to be present at the site, no further development, unless otherwise first agreed in

writing with the CPA, shall be carried out until a remediation strategy to deal with the unsuspected contamination has been submitted to and approved in writing by the CPA. The contamination shall be remediated in accordance with the approved details.

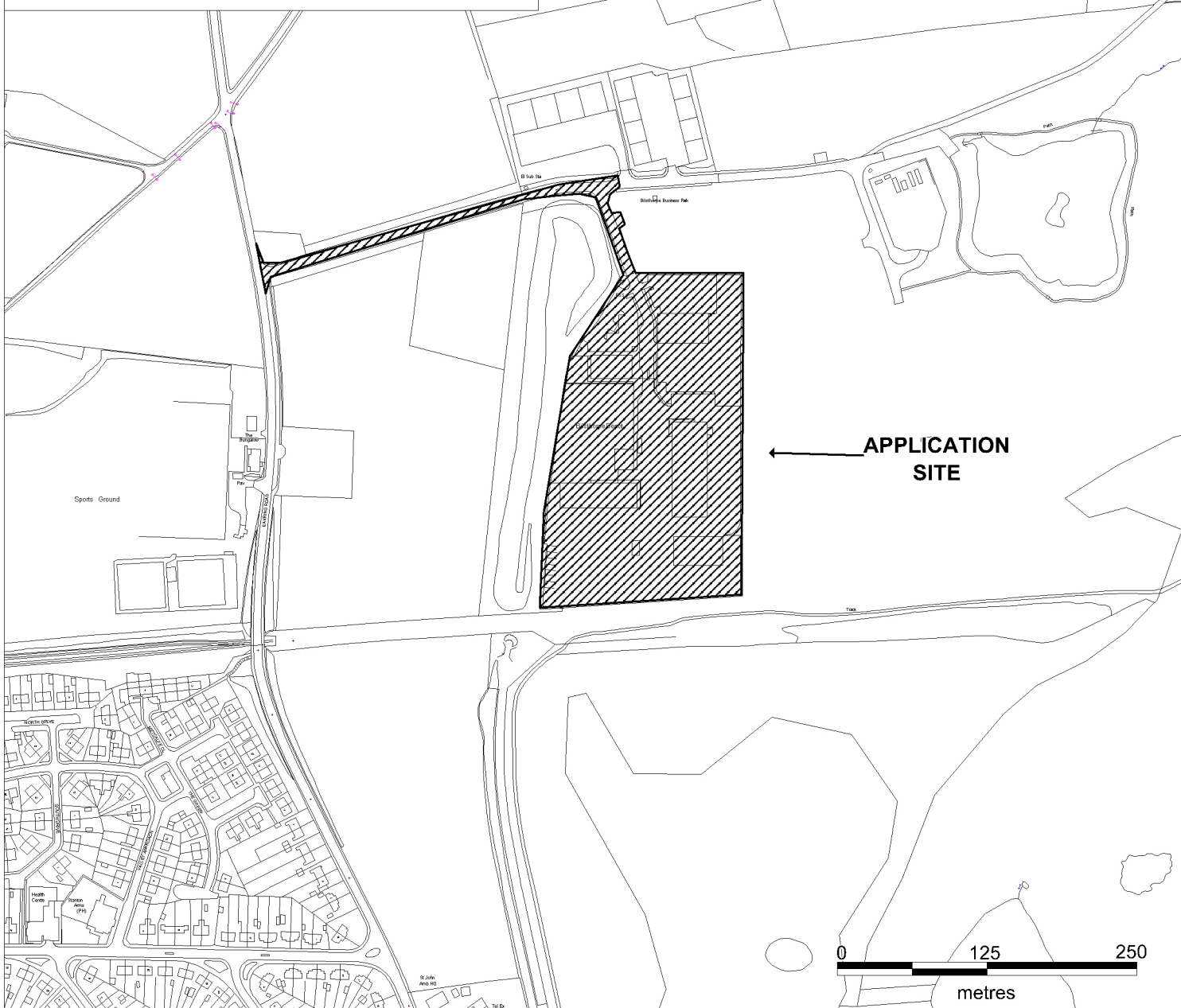
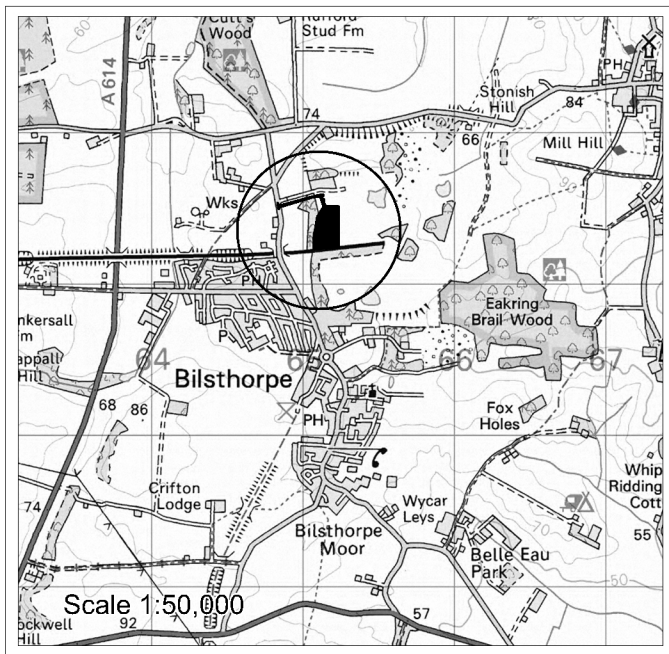
*Reason: To ensure that the site is remediated to an appropriate standard.*

Informatives/Notes to applicant

1. Severn Trent Water advises that the use or reuse of either direct or indirect sewer connections to the public sewerage system will require an application to be made to Severn Trent Water under S106 of the Water Industry Act 1991. Although statutory sewer records do not show public sewers within the application site there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011. Public sewers have statutory protection and cannot be built close to, directly over or be diverted without consent.



# PLAN 1



**Nottinghamshire  
County Council**

Erection of a modular building with link canopy.  
Bilsthorpe Highways Depot, Bilsthorpe Business Park,  
Bilsthorpe, Nottinghamshire.  
Planning Application No 3/16/00224/FULR3N



Scale 1:5,000  
Produced by: JW  
Date: MARCH 2016

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**PROPOSED  
NEW  
BUILDING**

**OFFICES**

**WORKSHOP**

**STORES**

**SALT BARN**

Variation of condition of planning permission 1/14/00537 to enable  
minerals development to be completed by 21/12/2023.  
Scrooby South, Great North Road, Scrooby, Nottinghamshire.  
Planning Application No. 1/15/01678/CDM

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Date: MARCH 2016







# PLAN 3



**22 March 2016****Agenda Item:6****REPORT OF CORPORATE DIRECTOR – PLACE****BASSETLAW DISTRICT REF. NO.: 1/15/01678/CDM****PROPOSAL: VARIATION OF CONDITION 1 OF PLANNING PERMISSION  
1/14/00537/CDM TO ENABLE MINERALS DEVELOPMENT TO BE  
COMPLETED BY 31/12/2023****LOCATION: SCROOBY SOUTH QUARRY, GREAT NORTH ROAD, SCROOBY****APPLICANT: THE ROTHERHAM SAND & GRAVEL COMPANY LIMITED****Purpose of Report**

1. To consider a planning application for variation of Condition 1 of planning permission 1/14/00537/CDM to enable mineral development to be completed by 31/12/2023 at Scrooby South Quarry, Great North Road, Scrooby. The planning application is being reported to Planning and Licensing Committee because the annual level of projected output (72,000 tpa) exceeds the level that can be determined by delegated powers (30,000 tpa). The key issue relates to allowing extraction of mineral on this site for 8 years. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

**The Site and Surroundings**

1. The application site, which measures 9 hectares, is located to the east of the A638 (Great North Road) at Scrooby, some 1km north of Retford (see Plan 1). It is accessed directly from the A638 by a dedicated quarry access. The site is generally flat but with a 7m slope from west to east.
2. The site is situated within a rural location. There are fishing lakes to the south and agricultural land and former restored quarry workings to the north. Beyond the East Coast Main railway line to the east, and the A638 to the west, lies agricultural land.
3. Scrooby Top Quarry, which is also operated by the applicant, is located to the south west of the site on the western side of the A368 (see Plan 1).

4. The nearest residential properties are Lodge Farm, Lodge Court and Beech Croft all about 320m to the south (see Plan1). The owner of Lodge Farm is the operator of the neighbouring fishery, which currently comprises 5 fishing lakes.
5. The nearest heritage assets are the Scrooby Top Farmhouse Restaurant and Scrooby Top Cottages and attached buildings, which are located on the A638 approximately 340m southwest of the main application area (see Plan 1). These are Grade II listed. Manor Farm Moat Scheduled Ancient Monument (SAM) is located in Scrooby, approximately 1.4km north of the application site. There is also a Conservation Area within Scrooby, approximately 1km north of the site.
6. The East Coast main line railway is located approximately 60m to the east of the application site. The site is approximately 7.25km south of Robin Hood Airport. There are no rights of way that pass through or adjacent to the site.

## Planning History

7. The application site forms part of an area of former minerals workings and unworked permitted reserves of alluvial sand and gravel and sandstone all encompassed by planning permission, 1/42/98/ granted on 30 June 1999. The permission identifies the site as falling within two stages of development referred to as Stage 1 and Stage 2. The worked out and now restored parts of the site fall within Stage 1. These are located principally within the south of the site and are restored to fishing lakes. A small lateral extension to Stage 1 was permitted through planning permission 1/42/98/5, also granted on 30 June 1999. This permission was itself varied by planning permission 1/42/02/00013/CDM, granted on 11 December 2002 to allow for development to be completed by 31 December 2004 (see Plan 4).
8. An updated scheme of conditions was approved on 10 June 2015 under a Review of Old Mineral Permission (ROMP) 1/14/00537/CDM. This related to the consolidating planning permission of 30 June 1999 (1/42/98/7). Condition 1 of the ROMP requires mineral extraction to cease on or before 31 December 2015, which reflects the cessation date on the original planning permission.
9. The application site comprises the remaining part of the original 1999 permission that has yet to be worked. The Scrooby North Quarry has now been worked out and is under restoration and aftercare.
10. Planning permission was granted on 21 January 2014 to create two angling lakes by the extraction of sand and gravel from land immediately to the south of the present application area under permission 1/13/00717/CDM. This permission has been implemented and all the mineral has been extracted and taken to Scooby Top Quarry for sale (see Plan 1).
11. The sequence of planning permissions is set out within Table 1 below and also shown on Plan 2:

**Table 1: Planning History**



Planning Reference	Date	Description
1/42/98/7	30 June 1999	Consolidation of four existing planning permissions and deepening of previously worked areas to remove sandstone.
1/42/98/5	30 June 1999	Extension to permitted site for extraction of sand and gravel and sandstone.
1/42/02/00013	11 December 2002	Variation of Condition1 of planning permission 1/42/98/5.
1/42/10/00011	25 July 2011	New Haul Road
1/13/00717/CDM	22 January 2014	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.
1/14/00537/CDM	10 June 2015	Periodic Minerals Review (ROMP).

## Proposed Development

12. The purpose of the application is to vary planning condition 1 of the ROMP so that minerals extraction may continue for a period of 8 years i.e. up until 31st December 2023. As such the application constitutes an application for non-compliance with a condition under Section 73 of the Town and County Planning Act 1990.
13. It is intended to work the site in accordance with the ROMP planning permission and planning conditions, which prescribe how the permitted site is to be worked in terms of environmental considerations. A number of the planning conditions require the submission of details for prior approval in advance of working commencing. The site will yield some 720,000 tonnes of saleable sand and gravel.
14. The application, however, provides details of an overall landscape scheme, which includes details of the final restoration landform, planting, establishment and maintenance details. The scheme which shows the site as being restored to wetland habitat has been designed taking account of feedback from technical consultees of the County Council. Final detailed submission of the restoration scheme is subject to a prior commencement condition of the ROMP.
15. The basic operational concept will be to extract mineral from the site in 3 phases moving south to north. Following the stripping of soils, which will be stored in bunds, the position of which remains to be approved, sand will be dug by excavators and loaded on to dump trucks and then transported to Scrooby Top Quarry for processing.
16. Working will take place below the water table and there will therefore be a need to dewater during extraction.
17. It is anticipated that rates of extraction will be reasonably constant over the duration of the development. The applicant has stated that the transport of minerals from the permitted site to Scrooby Top Quarry will fall within the rates

of vehicle numbers previously permitted for the haul road, which provides access to the A638.

18. The hours of hours of operation will be 07.30 to 18.00 hours (Monday to Friday) and 07.30 to 13.00 hours on Saturdays with no working on Sundays, Public or Bank Holidays. Outside of these hours however dewatering pumps may be used.

## **Consultations**

19. **Bassetlaw District Council:** Raise no objections.
20. **EA (Minerals):** Raise no objections.
21. **Natural England - Consultation Service:** Raise no objections.
22. **NCC (Nature Conservation):** Raise no objections.
23. **NCC (Landscape):** Raise no objections.
24. **NCC (Highways) Bassetlaw:** Raise no objections.
25. **NCC (Noise Engineer):** Raise no objections.
26. **Nottinghamshire Wildlife Trust:** Raise no objections, but some concerns over the details of the restoration scheme. This can be dealt with in the appropriate discharge of condition submission.
27. **Network Rail Civil Engineering:** Raise no objections.
28. **Peel Airports (Finningley) Limited:** Raise no objections.
29. No response has been received from the following consultees:  
  
Scrooby Parish Council; NCC (Countryside Access); NCC (Archaeology); Trent Valley Internal Drainage Board; Severn Trent Water Limited; Western Power Distribution; National Grid (Gas). Any responses received shall be orally reported.

## **Publicity**

30. 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 adopted Statement of Community Involvement Review. A representation has been received from the owner of Lodge Farm Fisheries regarding the impact of dewatering levels on the fishing lakes.
31. Councillor Sheila Place has been notified of the application.
32. The issues raised are considered in the Observations Section of this report.

## Observations

### Background

33. The principle of mineral development on this site is already established through the original 1999 planning permission. Environmental and operational controls have also been updated through the ROMP issued in June 2015. The ROMP only covered the area that is subject to this application, as the rest of the site has been worked out and restored and the conditions subsequently imposed were therefore clearly designed to deal with future extraction of minerals on this site.
34. The ROMP application included detailed assessments relating to noise; hydrology, ecology, archaeology, and agricultural land/soils. Various schemes need to be submitted through the ROMP prior to the commencement of extraction, including restoration and groundwater monitoring.
35. This is a section 73 application for the variation of a condition. Where such an application is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, although in this instance the original permission time limits mineral extraction to 31 December 2015 and would therefore be superseded by any new permission granted. To assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. Therefore all the conditions from the ROMP permission can be re-imposed, amended, and if necessary, new conditions added.

### Policy and Need Considerations

36. Chapter 13 of the National Planning Policy Framework (NPPF) relates to the sustainable use of minerals. Paragraph 144 states that when determining planning applications great weight should be given to the benefits of the mineral extraction, including to the economy. In addition, in granting planning permission, there should be no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and account should be had of the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality.
37. The NPPF also encourages Mineral Planning Authorities (MPAs) to plan for a steady and adequate supply of aggregates. One of the methods for doing this is by using landbanks of aggregate mineral reserves as an indicator of security of aggregate minerals supply and provision should be made for the maintenance of at least 7 years for sand and gravel.
38. Policy M6.2 of the adopted Nottinghamshire Minerals Local Plan (MLP) states that the County Council will endeavour to maintain a landbank of permitted reserves of sand and gravel sufficient for at least 7 years extraction and also an adequate production capacity so that Nottinghamshire meets its reasonable share of regional provision of aggregates. This is replicated by Policy MP.1 of the Minerals Local Plan Submission Draft Consultation.

39. The sand and gravel landbank as of December 2013 (the latest published figures) stood at 7.95 years, which is marginally above the minimum 7 years as set out in the MLP and the NPPF. However, since December 2013, additional reserves have been granted planning permission, as part of a new site at Scrooby (36,000 tonnes), and extensions at Langford (1,438,000 tonnes), Finningley (770,000 tonnes), East Leake (1,780,000 tonnes - subject to a section 106 agreement) and Newington South and Newington West quarries (510,000 tonnes combined).
40. Taking these new reserves into account and based on the assumption that production since December 2013 has been equal to the 2.24 million tonnes figure in the Local Aggregates Assessment, the projected landbank as at the end of February 2016, is 7.8 years, which is just above the minimum requirement as set out in adopted MLP Policy M6.2. Not granting permission for this site would “remove” 720,000 tonnes of sand and gravel from the County’s total permitted reserves and reduce the landbank by about 4 months. This would bring it very close to the minimum 7 year requirement and could potentially lead to the MPA having to identify additional sites to maintain the landbank.
41. Sterilisation would not be an issue unless the site was developed without extracting the mineral. This is unlikely for the foreseeable future, as the site lies within the open countryside and built development is not supported in the adopted Bassetlaw Core Strategy (December 2011).
42. Policy MP.2 of the Minerals Local Plan Submission Draft Consultation includes the application area as a permitted site and contributing to meeting sand and gravel supply within the Country over the plan period. Furthermore the area immediately to the north of the application site, together with two other sites relating to the Scooby Quarry complex, are allocated for the future extraction of sand and gravel. The Draft Minerals Plan is therefore supportive, in principle, of allowing extensions to mineral sites in this area.
43. The key issue to be considered is whether the proposed 8 years mineral extraction on an area of land not previously worked, would have any adverse impact on the amenity of local residents or the environment. These potential impacts are addressed below. In all cases where a ROMP condition is referenced, it is intended to replicate the condition in the new planning permission, if granted.

#### Noise

44. Policy M3.5 of the MLP states that planning permission for minerals development will only be granted where noise emissions outside the boundaries of minerals workings would not exceed acceptable levels.
45. The nearest residential properties lie approximately 320m to the south of the application site. In between these properties and the application area is the fishing lake development approved in 2014. Mineral extraction to create the fishing lakes took place closer to these properties than the application site. Having concluded on that application that noise was not likely to cause a

significant impact it follows that on a site further away any impacts should be within acceptable limits. The ROMP contains a suite of conditions (15-19) to mitigate and control noise impact from the quarry workings. It is not therefore considered that impact on amenity from working the application site will be significant in terms of noise.

46. The applicant wishes to retain the option to dewater overnight. ROMP condition 17 covers night-time dewatering at the site to ensure that this is undertaken within acceptable limits. The development would therefore comply with MLP Policy M3.5.
47. The operating hours imposed by Condition 25 the ROMP are: 07.30 to 18.00 hours (Monday to Friday) and 07.30 to 13.00 hours on Saturdays with no working on Sundays, Public or Bank Holidays. Outside of these hours however dewatering pumps may be used.

#### Air Quality/Dust

48. Policy M3.7 of the MLP is aimed at ensuring that mineral development does not give rise to unacceptable dust generation and sets out a range of measures to help to suppress dust. Condition 14 of the ROMP sets out measures to minimise the generation of dust from mineral operations including temporary suspension of operations in particularly dry or windy conditions. The development would therefore comply with MLP Policy M3.7.

#### Landscape and Visual Impact

49. Policy M3.3 (visual intrusion) and Policy 3.4 (screening) of the MLP aim to ensure that visual impact of mineral workings is kept to an acceptable level. The application site is flat with perimeter hedgerow and tree planting, which was undertaken to provide screening for the development. Sand and gravel working, particularly on flat sites such as this which are well screened, tends to be relatively unobtrusive. As the worked mineral will be taken off site there will be no permanent stockpiles. Soil storage will be limited to 3-4m in height, with details regarding the locations of soils storage mounds required by Condition 29 of the ROMP. The proposal would therefore not give rise to any significant adverse visual impact and would comply with Policies M3.3 and M3.4 of the MLP.

#### Ecological Impact

50. Policy M3.17 of the MLP aims to protect biodiversity. The development site, which is in arable use, does not contain any sites with ecological designation and Natural England has raised no objections. Condition 27 of the ROMP requires a method statement for the protection of reptiles and Condition 28 requires a protected species survey; both of these to be carried out prior to commencement of development. The proposal would therefore accord with MLP Policy M3.17.

### Traffic, Access and Parking

51. Policy M3.12 of the MLP relates to highway safety and protection, whilst Policy M3.13 aims to ensure that the highway network can accommodate the projected vehicle movements. Condition 7 of the ROMP requires vehicles to access the site from the existing access to the A638 and Condition 8 imposes measures to prevent mud, clay etc. being deposited on the public highway. Laden lorries would turn left onto the A638 and then immediately right into the main quarry. Empty lorries would come back the same way from the main quarry. Vehicles would not pass any residential properties. The rate of extraction will be determined by the weekly demand for the mineral and the blended products sold from Scrooby Top Quarry. The planning permission for the haul road in connection with Scrooby North quarry restricts the rate of HGV movements to 20 per hour, although the ROMP does not contain any vehicle restriction. Historically there have been no reported issues with the level of traffic generated by mineral extraction from the Scrooby South Quarry complex. The proposals would therefore comply with MLP Policies M3.12 and M3.13.

### Ground and Surface Water / Flood Risk

52. The site ground levels range from 12m AOD to 6.7m AOD. Mineral will be extracted down to 2.7m AOD and so the actual depth of extraction will range from about 4m to 9.5m. Removal of mineral below 5.2m will require localised dewatering to lower the water table. It is proposed to pump water to the lakes remaining following the working of Scrooby North Quarry and thereafter into the local drainage system via an existing discharge consent point if required. The potential impacts of dewatering on the adjoining fishing lakes has also been raised by their owner and a condition has been imposed through the ROMP (Condition 21), which requires the prior approval of a groundwater monitoring scheme to assess this and for mitigation to be provided if this proves necessary. Conditions 22 and 23 also contain measures to prevent contamination of surface and groundwater. The development would therefore comply with Policy M3.8 of the MLP, which aims to protect ground and surface waters.

### Restoration

53. The final restoration of the site has been reserved for approval under condition 9 of the ROMP, which requires a scheme to be prepared with the aim of providing wetland habitats appropriate to the locality and provide for the planting to include species native to the local area and of stock of native genetic origin. An indicative scheme has been submitted with the application which shows the site mainly restored to water with marginal planting which broadly reflects pre-application discussion with relevant consultees. Some issues have been raised in respect of the details of the scheme, but the principle of the restoration is in accordance with the requirements of the ROMP and the original planning permission. Any changes to the scheme would be addressed in the detailed submission required under condition 9 of the ROMP. This approach is consistent with MLP Policy M4.4, which allows submission of an overall landscape concept at application stage.



### Archaeology

54. MLP Policy 3.24 aims to protect archaeological remains and their settings. The ROMP submission contained an archaeological assessment, which included a modified scheme of archaeological investigation approved under the original planning permission. Condition 6 of the ROMP requires the implementation of the approved scheme prior to the stripping of any soils from the application site. The proposal would therefore comply with MLP Policy M3.24.

### Agricultural Land

55. In terms of agricultural land classification 78% of the site is classed as grade 3b with around 22% being grade 3a (best and most versatile). MLP Policy M3.16 aims to prevent the loss of higher grade land in most cases but allows development if the need outweighs agricultural interest. In this case the loss would amount to 3ha of grade 3a land. The need for the mineral in terms of meeting the County's sand and gravel landbank and the beneficial after-use to wetland nature conservation is considered sufficient to outweigh the loss of the grade 3a agricultural land in this instance. MLP Policy M3.16 would not therefore be contravened.

### Cumulative Impact

56. MLP Policy M3.27 aims to protect local communities from the cumulative impact of mineral workings. This locality has been subject to mineral workings since the 1960's. The host quarry (Scooby Top) and Scrooby North Quarry have both ceased extraction in respect of their current permissions. The area immediately to the south has been developed for fishing lakes and the mineral extraction to create the lakes has been completed. It is also of note that there are three proposed allocations in the locality in the Minerals Local Plan Submission Draft Consultation, including site MP2c, immediately to the north of the application site. However, if these sites are subsequently allocated they would still be subject to separate planning applications. Any future workings would be conditioned so that they are carried out sequentially and not concurrently. Cumulative impact would not therefore be an issue in this case and the proposed development would not contravene MLP Policy M3.27.

### Sustainability

57. It is considered that the extraction of sand and gravel is largely compatible with the aims of the NPPF in making full use of mineral resources and delivering sustainable development. The proposal would also comply with MLP Policy M2.1 as it meets the Plan's sustainable development objectives.

### Other Issues

58. The site lies in close proximity to the East Coast mainline railway and conditions were included in the ROMP (10-13) to restrict activities near the railway and

ensure that these do not conflict with the railway use. Network Rail do not object to the proposal.

59. The site lies within the area which can be used by aircraft on final approaches to Robin Hood Airport. The airport does not object to the proposal.

### **Other Options Considered**

60. 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**

61. 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

62. The minerals extraction element of the proposal is unlikely to attract any level of crime and disorder. The site is fenced and has a lockable gated access. Vehicles and plant would also normally be stored on the main quarry site overnight.

#### Implications for Service users; Safeguarding of Children; Human Resources; Financial; Equalities.

63. No Implications.

#### Human Rights

64. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6.1 (Right to a Fair Trial) are those to be considered and may be affected due to the proposed development. The proposal has the potential to introduce impacts such as noise, dust and increased HGV traffic upon the local environment. However, these potential impacts need to be balanced against the wider benefits the proposal would provide such as maintaining the County's mineral resources and supporting an existing business in the countryside. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

#### Implications for Sustainability and the Environment



65. The extraction of minerals from this location is beneficial in sustainability terms as it minimises the distance that the minerals would have to travel to be processed. There would be a minimal impact on the environment as the existing site has low biodiversity value.

## **Conclusion**

66. The application seeks to vary the terms of planning condition 1 of the ROMP such that minerals extraction may continue for a period of 8 years i.e. to cease on or before 31st December 2023. The site will yield around 720,000 tonnes of saleable sand and gravel.
67. Whilst the principle of mineral extraction from this site has already been established through the 1999 planning permission, the date by which minerals should have been extracted has passed. However, future working of the application site has been addressed through consideration of the ROMP in 2015 as this provides up to date operational and environmental controls for the future working of the site. The key issue is whether working the site for 8 years would have any adverse impacts on local amenity or the environment.
68. Environmental impacts have been assessed against the relevant policies of the Nottinghamshire Minerals Local Plan as summarised below.
69. Visual impacts of the development will be minimal due to the topography of the site and existing screening in accordance with the requirements of MLP Policies M3.3 (visual intrusion) and M3.4 (screening). The quarry workings and restoration concept are consistent with the requirements of MLP Policy M3.22 (landscape character) and no significant cumulative impacts with quarrying development in the local area would occur in compliance with MLP Policy M3.27 (cumulative impact). Quarrying operations would not result in intrusive emissions of noise or dust at sensitive receptors in accordance with Policies M3.5 (noise) and M3.7 (dust). Ecological impacts resulting from the development are limited and biodiversity gains are derived from the restoration of the site in compliance with MLP Policy M3.17 (biodiversity). Measures are incorporated as part of the development to protect the highway in compliance with MLP policy M3.12 (highway safety and protection). The concept restoration scheme to wetland/nature conservation will ensure that the site would have a beneficial use following mineral extraction in compliance with MLP Policy M4.4 (landscape treatment).
70. It is therefore concluded that the proposed development is in accordance with the relevant Development Plan policies and that there are no material considerations that indicate that the decision should be made otherwise. The County Council considers that any potential harm as a result of the proposed development would reasonably be mitigated by the ROMP planning conditions to be re-imposed as set out in appendix 1.

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

In determining this application the Minerals Planning Authority has worked positively and proactively with the applicant by entering into pre-application

discussions; scoping of the application; assessing the proposals against relevant Development Plan policies; the National Planning Policy Framework, including the accompanying technical guidance and European Regulations. The Minerals Planning Authority has identified all material considerations; forwarding consultation responses that may have been received in a timely manner; considering any valid representations received; liaising with consultees to resolve issues and progressing towards a timely determination of the application.

## **RECOMMENDATIONS**

71. 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.

**TIM GREGORY**

**Corporate Director – Place**

## **Constitutional Comments**

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

SLB 03/03/2016

## **Comments of the Service Director - Finance**

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

SS 11/03/2016

## **Background Papers Available for Inspection**

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

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

Blythe and Harworth; Sheila Place.  
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Report Author/Case Officer

Clive Conroy

0115 9939308

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

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**RECOMMENDED PLANNING CONDITIONS**

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

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

2. The Minerals Planning Authority (MPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

*Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.*

3. The development hereby permitted shall be carried out in accordance with the following documents, unless amendments are made pursuant to other Conditions:

- a) Planning Application Forms;
- b) Scrooby South Stage 2 Planning Statement (50524/JG/jSt);
- c) and the following drawings:
  - i) Figure 1: Location Plan
  - ii) Figure 2: Stage 2 Working Area
  - iii) Drawing No. M/R161/99/12: Stage 2 Indicative Restoration
  - iv) Figure 003 Rev A: Method of Working Plan
  - v) Figure 004 Rev A: Site Sections
  - vi) Figure 005 Rev B: Restoration Site Plan

All of the above received by the MPA on 7 December 2015.

- d) Document "Scrooby Quarry South, Periodic Review, Application for Determination of Conditions Rotherham Sand and Gravel Company Limited" received by the MPA on 3 April 2014, which includes a supporting statement, and the following appendices:
  - i) Appendix 1 Noise Impact Assessment;
  - ii) Appendix 2 Hydrological, Hydrogeological & Flood Risk Assessment;
  - iii) Appendix 3 Assessment of Breeding Birds 2012;

- iv) Appendix 4 Archaeological Mitigation Strategy in Connection with the Development of Stage 2; and
- v) Appendix 5 Agricultural Land Classification and Soil Resource Assessment.

*Reason: For the avoidance of doubt.*

- 4. This permission is for the extraction of alluvial sand and gravel and sandstone from the area edged red on Figure 2: Stage 2 Working Area, received by the MPA on 7 December 2015, and its subsequent restoration. Mineral extraction shall cease on or before 31st December 2023.

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

- 5. From the commencement of the development to its completion a copy of this permission including all plans and documents hereby approved, and any other plans and documents subsequently approved in accordance with this permission, shall always be available at the Scrooby Top Quarry for inspection during normal working hours.

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

- 6. No buildings, plant and machinery or other structures associated with this development are to remain on the site later than two months following the respreading of top soil on the final phase.

*Reason: To secure the proper restoration of the site within an acceptable timescale.*

- 7. Should for any reason mineral extraction cease for a period in excess of 24 months, then, within 3 months of the receipt of a written request from the MPA, a revised scheme for the restoration of the site shall be submitted to the MPA for its approval in writing. Such a scheme shall include details of the final contours, waterbody or bodies, provision for soiling, sowing of grass, planting of trees and shrubs, drainage and fencing and also provide details of the aftercare proposals in a similar manner to Condition 45 below. The revised restoration proposals shall be implemented within 12 months of their approval by the MPA and thereafter managed for a period of 5 years in accordance with the approved aftercare details.

*Reason: To secure the proper restoration of the site within an acceptable timescale.*

- 8. Prior to the stripping of soil from any part of the site (as shown edged red on Figure 003 Rev A: Method of Working Plan a received by the MPA on 7 December 2015), the approved scheme of archaeological investigation ref. 689.1 dated July 2002 as updated and modified in the supporting statement/document and Appendix 4 of this statement shall be implemented and the findings will be promptly reported to the MPA 9 months of the completion of on-site field work.

*Reason: To ensure that adequate archaeological investigation and recording is undertaken prior to the development taking place, in accordance with Policy M3.24 of the MLP.*

9. Vehicular access to and from the site shall only be taken from the existing access to the A638 as shown on Figure 2.

*Reason: In the interests of highway safety and to accord with Policies M3.13 and M3.14 of the MLP.*

10. Measures shall be employed to prevent the deposit of mud, clay and other deleterious materials on the surrounding public highway for the duration of the development. Such measures may include regular sweeping and cleaning of the access, vehicular circulation routes and the adjacent public highway. In the event that such measures prove inadequate, then within 2 weeks of a written request from the MPA a scheme including revised and additional steps or measures to be taken in order to prevent the deposit of materials upon the public highway shall be submitted to the MPA for its approval in writing. The approved steps for the protection of the surrounding roads shall be implemented within one month of approval and thereafter maintained at all times.

*Reason: In the interests of highway safety and to accord with Policies M3.13 and M3.14 of the MLP.*

11. Prior to development within the area edged red on Figure 003 Rev A: Method of Working Plan and received by the MPA on 7 December 2015, a detailed scheme of working and restoration of those areas, including timings, shall be submitted for the approval of the MPA. The working and restoration scheme shall be in broad accordance with the concept plan Drawing No. M/R161/99/12 titled Stage 2 Indicative Restoration dated January 1999 and received by the MPA on 7 December 2015, shall be prepared with the aim of providing wetland habitats appropriate to the locality and provide for the planting to include species native to the local area and of stock of native genetic origin. The working and restoration schemes shall be undertaken as approved in writing by the MPA.

*Reason: In the interests of maximising biodiversity and in accordance with Policy M3.17 of the MLP and Paragraph 118 of the NPPF.*

12. No operations shall take place within a lateral distance of 10 metres from the railway boundary and outside that distance no excavation shall take place such as will encroach upon the plane created by a line drawn at 1 vertical to 1.5 horizontal downwards from the 10 metre standoff.

*Reason: To ensure that the development does not affect the adjoining railway.*

13. There shall be no interference with any drain or watercourse.

*Reason: To ensure that the development does not affect the adjoining railway.*

14. Storm or surface water associated with the permitted development will be discharged away from the railway tracks to the east.

*Reason: To ensure that the development does not affect the adjoining railway.*

15. All plant and machinery is to be positioned and operated such that no part of the equipment or any part of its load extends within 3 metres of the railway boundary.

*Reason: To ensure that the development does not affect the adjoining railway.*

16. Measures shall be taken to minimise the generation of dust from operations for the duration of the development. These shall include, but not necessarily be limited to, any or all of the following steps as appropriate :

- a) The use of water bowsters to dampen haul roads, material stockpiles, and other operational areas of the site;
- b) Internal roadway, storage areas and hard surfaces shall be regularly swept to keep them free of mud and debris likely to give rise to dust;
- c) The regular re-grading of internal haul roads;
- d) Bulk loads leaving the site shall be carried in enclosed or sheeted containers;
- e) The fitting of all mobile plant with exhaust systems which cannot be emitted in a downward direction;
- f) Soil storage mounds which are not to be used within 3 months shall be graded and seeded;
- g) The minimisation of exposed surfaces on soil mounds; and
- h) Upon the request of the MPA, the temporary suspension of mineral extraction and associated activities in periods of unfavourably dry or windy weather conditions.

*Reason: In the interest of the amenity of nearby occupiers and land users and to accord with Policy M3.7 of the MLP.*

17. Measures shall be taken to minimise noise levels by implementing best practice techniques. These shall include, but not necessarily be limited to, any or all of the following steps as appropriate:

- a) Maintenance of the site and haul roads to ensure good surface conditions and with as low a gradient as possible;
- b) Enforcement of speed limits for vehicles associated with minerals extraction travelling within the site of 12mph (20kph);
- c) Regular maintenance of site plant in accordance with manufacturer's specifications;
- d) Sequential, rather than simultaneous start-up of plant;
- e) Avoiding unnecessary revving of engines; and



f) Switching off plant when not in use.

*Reason: In the interest of amenity and in accordance with Policy M3.5 of the MLP.*

18. Noise levels associated with the development, when measured at any residential property shall not exceed 52dB LAeq, 1 hour during the permitted working hours.

*Reason: In the interest of amenity and in accordance with Policy M3.5 of the MLP.*

19. The operation of dewatering pumps may take place outside the permitting operating hours. Within these hours, the noise levels associated with this activity, when measured at any resident residential property shall not exceed 42dB LAeq, 1 hour.

*Reason: In the interest of amenity and in accordance with Policy M3.5 of the MLP.*

20. Noise associated with the construction/removal of soil screen bunds, when measured at any residential property shall not exceed 70dB LAeq 1hour (free field) and such works shall be for a maximum duration of 8 weeks in any calendar year.

*Reason: In the interest of amenity and in accordance with Policy M3.5 of the MLP.*

21. All mobile plant on site shall be fitted with effective silencers in accordance with the manufacturer's recommendations and maintained in accordance with the manufacturer's specifications.

*Reason: In the interest of amenity and in accordance with Policy M3.5 of the MLP.*

22. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaway.

*Reason: To prevent contamination to ground and surface water in accordance with Policy M3.8 of the MLP.*

23. Prior to the recommencement of mineral extraction, the following schemes shall be submitted to and been approved in writing by the MPA:

- a) A groundwater level monitoring scheme; and
- b) Mitigation or remedial measures to maintain groundwater levels should there be any unacceptable dewatering effects on the surrounding environment. Any such scheme shall include a full assessment and interpretation of recorded groundwater levels and be reported to the MPA.

The scheme shall be fully implemented as approved by the MPA.

*Reason: To prevent contamination to ground and surface water in accordance with Policy M3.8 of the MLP and protect the adjoining fishing lakes.*

24. All vehicles used on the site shall carry spill kits to deal with any oil or fuel spillages.

*Reason: To prevent contamination to ground and surface water in accordance with Policy M3.8 of the MLP.*

25. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the largest tank plus 10%. If there is multiple tankage the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of the interconnected tanks or vessels plus 10%. All filling points associated pipework, vents, gauges and sight glasses must be located within the bund or have secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessel overflow pipe outlets shall be detailed to discharge downwards into the bund.

*Reason: To prevent contamination to ground and surface water in accordance with Policy M3.8 of the MLP.*

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

*Reason: To protect the amenity of nearby residential properties and land users and to prevent contamination to ground and surface water in accordance with Policy M3.8 of the MLP.*

27. Except in the case of emergency when life, limb or property are in danger (such instances which are to be notified in writing to the MPA within 48 hours of their occurrence), the development hereby permitted shall only take place within the following hours: Mineral extraction, restoration and associated activities. Monday to Friday 0730-1800, Saturday 0730-1300; and on Sundays, Public or Bank Holidays these activities shall not occur. Outside these hours dewatering pumps may be used.

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

28. Any site clearance operations that involve the destruction or removal of vegetation, including felling, clearing and removal of trees, shrubs or hedgerows on the site, shall not be undertaken during the months of March to August inclusive.

*Reason: To safeguard protected species and wildlife in the interests of nature conservation.*

29. Prior to the commencement of development a method statement detailing vegetation management to deter reptiles from using the application site shall be

submitted to, and approved in writing by, the MPA. Thereafter, the vegetation management during the excavation phase of the development shall be carried out in accordance with the method statement hereby approved.

*Reason: To safeguard protected species and wildlife in the interests of nature conservation.*

30. Prior to the commencement of the development hereby permitted a survey shall be undertaken by a suitably qualified ecologist to identify the presence of any protected species within the application site. The methodology for carrying out the survey and the results of the survey shall be submitted to the MPA for formal approval in writing. In the event that protected species are identified, the survey report shall include a scheme of mitigation measures to protect such species affected by the development. The scheme of mitigation shall thereafter be implemented in full accordance with the approved details prior to commencement on site.

*Reason: To safeguard protected species and wildlife in the interests of nature conservation.*

31. Prior to the stripping of soil from any part of the site the location and design of soil storage mounds relative to the part of the site to be worked and their seeding down shall be agreed with the MPA and shall thereafter the bunds shall be constructed and seeded as approved.

*Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy M4.3 of the MLP.*

32. No stripping or storage of soil is to take place within 3m of any hedgerow boundary.

*Reason: To ensure that the hedgerows are protected and maintained throughout the duration of the development.*

33. The removal and spreading of topsoil shall only be undertaken during dry conditions. The topsoil shall be in a dry and friable condition, in a non-plastic state such that damage to its structure shall be avoided.

*Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy M4.3 of the MLP.*

34. There shall be no movement of heavy machinery over spread top soil other than for the purpose of aftercare.

*Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy M4.3 of the MLP.*

35. The MPA shall be notified in writing at least 5 working days before each of the following, where applicable:

- a) Overburden has been prepared ready for soil replacement to allow an inspection of the area before further restoration of this part of the site is carried out;

- b) When subsoil has been prepared ready for topsoil replacement to allow inspection of the area before further restoration of this part is carried out; and
- c) On completion of topsoil placement to allow an opportunity to inspect the completed works before commencement of any cultivation and seeding operations.

*Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy M4.3 of the MLP.*

- 36. Stocks of topsoil shall not exceed 3m in height and stocks of subsoil shall not exceed 4m in height.

*Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy M4.3 of the MLP.*

- 37. Plant and vehicles shall not cross any area of unstripped soils except where essential and unavoidable for the purposes of undertaking soil handling operations.

*Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy M4.3 of the MLP*

- 38. Plant and vehicles shall not cross any area of placed and loosened ground or replaced soils except where essential and unavoidable for the purposes of carrying out soil placement, ripping and stone picking or beneficially treating such areas. Only low ground pressure machines shall work on prepared ground.

*Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy M4.3 of the MLP.*

- 39. No tree is to be planted closer to the railway boundary than its mature height.

*Reason: To ensure that the development does not affect the adjoining railway.*

- 40. Prior to the placement of soils and any overburden, the final profile of the site shall be ripped using overlapping parallel passes;

- a) To provide loosening to a minimum depth of 450mm with tine spacing no wider than 0.6m; and
- b) Any rock, boulder or larger stone greater than 100mm in any dimension shall be removed from the loosened surface before further soil is laid.

Materials that are removed shall be disposed of off-site or buried to a depth of not less than 2 metres below final contours. Decompaction of those areas not forming a waterbody shall be carried out in general accordance with the MAFF Good Practice Guide for Handling Soils Sheet 19: Soil Decompaction by Bulldozer Drawn Tines.

*Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy M4.3 of the MLP.*

41. Only low ground pressure machinery shall work on re-laid soil to place and level soils.

*Reason: To ensure the conservation of soil resources and the satisfactory restoration of the site in accordance with Policy M4.3 of the MLP.*

42. Details of the positioning, size, density, timing and species ratios of planting areas within Stage 2 shall be submitted as part of the scheme of working and restoration identified within Condition 11. Those details shall be implemented as approved.

*Reason: In the interests of maximising biodiversity and in accordance with Policy M3.17 of the MLP and Paragraph 118 of the NPPF.*

43. Following completion of minerals extraction and restoration of the site shall undergo aftercare management for a 5 year period.

*Reason: To provide for aftercare of the restored site in accordance with Policy M4.9 of the MLP.*

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

*Reason: To provide for aftercare of the restored site in accordance with Policy M4.9 of the MLP.*

45. Prior to any area being entered into aftercare, an aftercare scheme and strategy including management responsibilities and maintenance schedules shall be submitted to the MPA for its approval in writing. The strategy shall include the following details:

- a) Cultivations;
- b) Weed control;
- c) Sowing of seed mixtures;
- d) Soil analyses;
- e) Keeping of records and an annual review of performance and proposed operations for the coming year, to be submitted to the MPA between 31 March and 31 May each year;
- f) Management practices such as cutting vegetation, to include measures to deter waterbirds that are a potential threat of aviation safety;
- g) Tree protection;
- h) Remedial treatments;
- i) Irrigation; and
- j) Fencing.

The aftercare scheme shall be implemented as approved, or as modified at annual review meetings, throughout the aftercare period.

*Reason: To provide for aftercare of the restored site in accordance with Policy M4.9 of the MLP.*

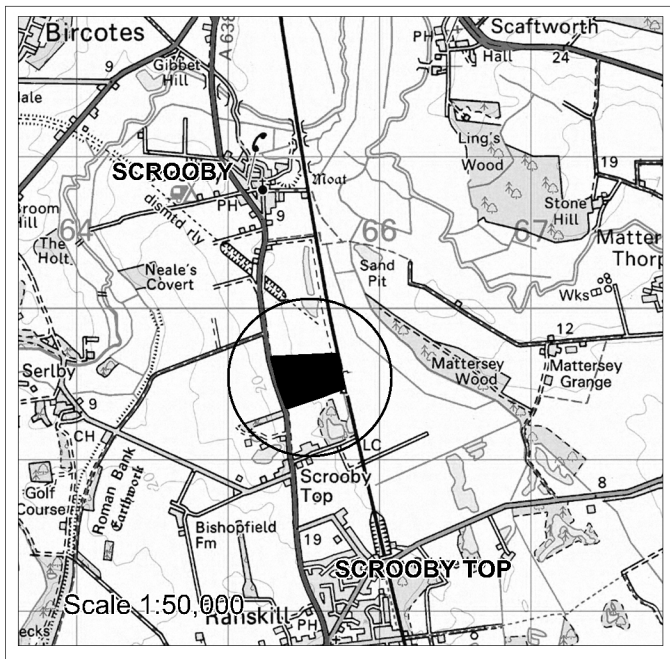
46. Whilst the site is in aftercare, site management meetings shall be held with the MPA each year to assess and review the detailed annual programmes of aftercare operations referred to in Condition 45 above, having regard to the condition of the land; progress in its rehabilitation and necessary maintenance.

*Reason: To provide for aftercare of the restored site in accordance with Policy M4.9 of the MLP.*

47. By no later than the end of September following the replacement of topsoil in each area, the restored land shall be sown with a grass seed mixture, the basis of which shall be a species rich wildflower mix. The precise details of the seed mixture as to the species composition, proportion and sowing rate shall be agreed with the MPA before sowing takes place.

*Reason: In the interests of maximising biodiversity and in accordance with Policy M3.17 of the MLP and Paragraph 118 of the NPPF.*

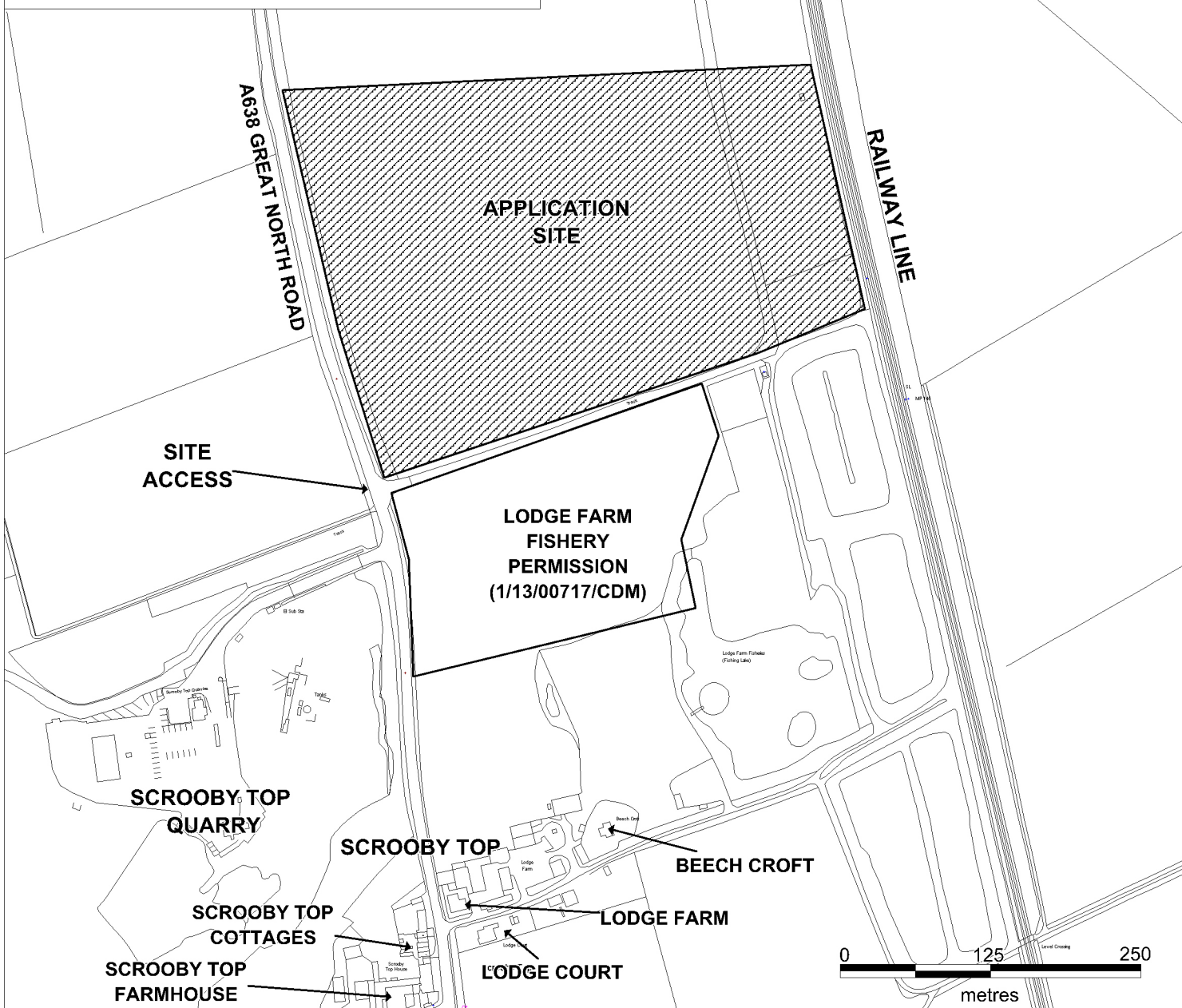




# PLAN 1



Application Site



**Nottinghamshire  
County Council**

Variation of condition of planning permission 1/14/00537 to enable minerals development to be completed by 21/12/2023.  
Scrooby South, Great North Road, Scrooby, Nottinghamshire.  
Planning Application No. 1/15/01678/CDM

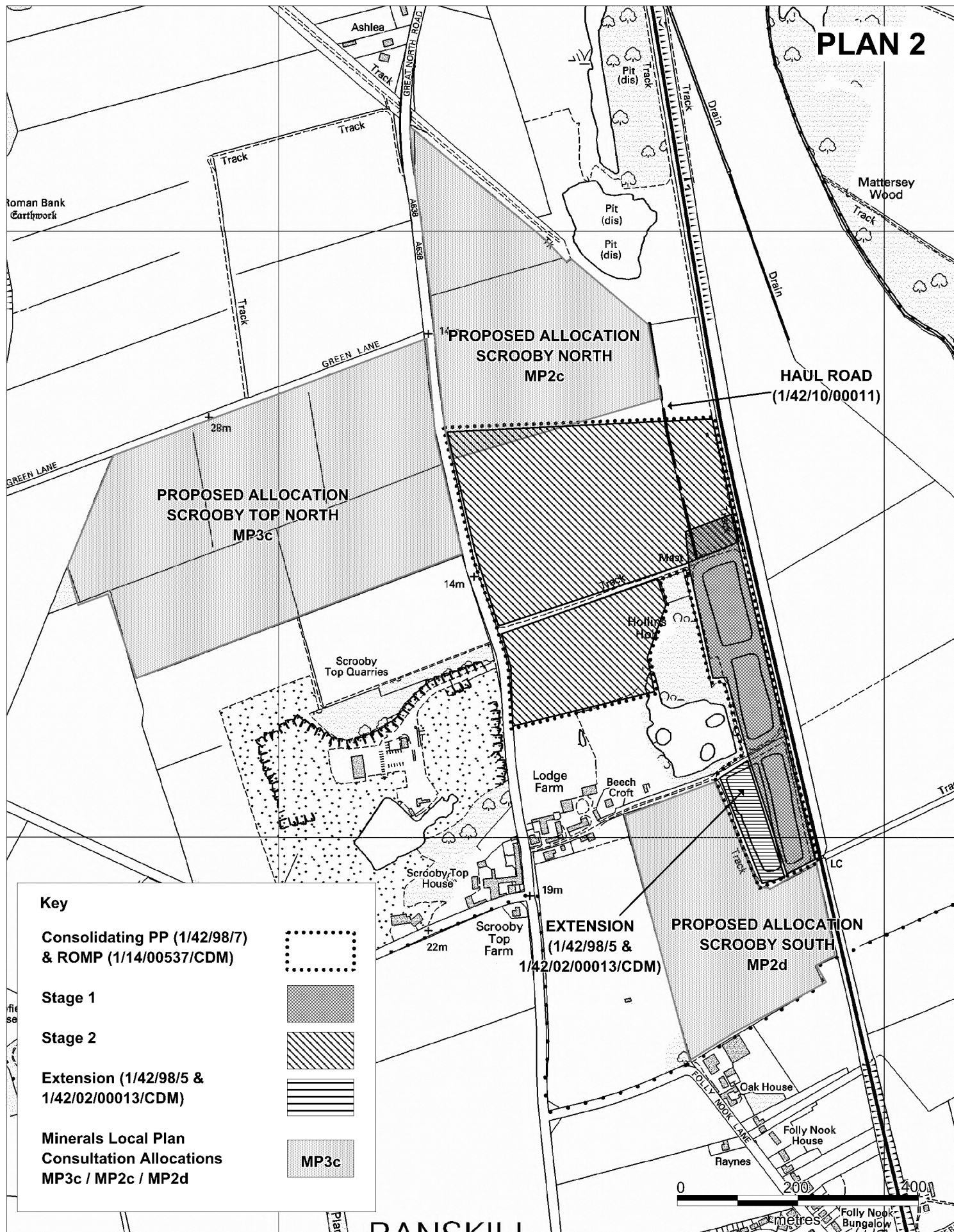
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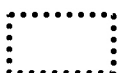






## Key

Consolidating PP (1/42/98/7)  
& ROMP (1/14/00537/CDM)



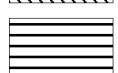
Stage 1



Stage 2



Extension (1/42/98/5 &  
1/42/02/00013/CDM)



Minerals Local Plan  
Consultation Allocations  
MP3c / MP2c / MP2d



**Nottinghamshire  
County Council**

Variation of condition of planning permission 1/14/00537 to enable  
minerals development to be completed by 21/12/2023.

Scrooby South, Great North Road, Scrooby, Nottinghamshire.

Planning Application No. 1/15/01678/CDM

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**22 March 2016**

**Agenda Item:**

## **REPORT OF CORPORATE DIRECTOR - PLACE**

### **DEVELOPMENT MANAGEMENT PROGRESS REPORT**

1. To report on planning applications received by the Development Management Team between 10<sup>th</sup> February 2016 and 4<sup>th</sup> March 2016, and to confirm the decisions made on planning applications since the last report to Members on 23<sup>rd</sup> February 2016.

#### **Background**

2. Appendix A highlights applications received since the last Committee meeting, and those determined in the same period.

#### **Statutory and Policy Implications**

3. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.
4. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

#### **RECOMMENDATIONS**

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

**TIM GREGORY**

## **Corporate Director - Place**

### **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 – 10/03/2016]

### **Comments of the Service Director - Finance**

The contents of this report are duly noted – there are no direct financial implications. [SES– 10/03/2016]

### **Background Papers Available for Inspection**

None

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

All

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

Report Author / Case Officer  
Ruth Kinsey  
0115 9932584



**Planning Applications Received and Determined**  
**From 10<sup>th</sup> February 2016 to 4<sup>th</sup> March 2016**

Division	Member	Received	Determined
<b>BASSETLAW</b>			
Worksop North East and Carlton	Cllr Alan Rhodes		Vary condition 1 of Planning Permission 1/59/08/00051 to extend the cessation date of the planning permission to December 2018. Land at Carlton Forest Quarry, Blyth Road, Worksop. Granted 11/02/2016
Tuxford	Cllr John Ogle		Variation of conditions 15, 18, 23 and 24 of planning permission 1/38/11/00018 to allow for the temporary cessation of operations on the site and the approval of interim measures to retain the site as operational land. Cottam Power Station, Outgang Lane, Cottam. Granted 11/02/2016
Blyth & Harworth	Cllr Sheila Place	Vary condition 3 of planning permission 1/14/01625/CDM to extend the time for restoration for a further 12 months. Harworth Colliery Spoil Tip, Blyth Road, Harworth. Received 22/02/2016	
Misterton	Cllr Liz Yates		Extension to existing Misson grey sand quarry, Misson Sand and Gravel, Bawtry Road, Misson. Granted 29/02/2016 (Committee)

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Tuxford	Cllr John Ogle	Vary conditions 8 and 11 of planning permission 1/46/11/0002/R to enable the quarry access road to be constructed in two stages. The initial stage incorporates the construction of a 500m section of bound surface adjacent to Gainsborough Road which shall be used for the removal of the first 100,000tonnes of mineral, thereafter the second stage shall provide for the full surfacing of the haul road along its entire length for the removal of the remaining mineral in the permitted reserve. Land at Sturton le Steeple, Retford. Received 29/02/2016	
Worksop West	Cllr Kevin Greaves	Change of use from a natural turf pitch to a synthetic turf pitch, Redlands County Primary School, Crown Street, Worksop. Received 02/03/2016	
Worksop West	Cllr Kevin Greaves	Retention of five joined modular welfare buildings. MBA Polymers UK Limited, Sandy Lane, Worksop. Received 04/03/2016	
<b>MANSFIELD</b> <b>None</b>	-		
<b>NEWARK</b> <b>SHERWOOD</b>	<b>&amp;</b>		
Collingham	Cllr Maureen Dobson		Retention of temporary classroom, access ramps and associated landscape works. Coddington C of E Primary School, Brownlows Hill, Coddington. Granted 11/02/2016

Division	Member	Received	Determined
Balderton  Farndon & Muskham	Cllr Keith Walker  Cllr Mrs Sue Saddington		Revised Restoration and Phasing Schemes. Submission of details in relation to five year aftercare scheme, ecological management plan, detailed planting scheme and ecological method statements. Bantycok Quarry, Staple Lane, Balderton. Granted 15/02/2016
Blidworth	Cllr Yvonne Woodhead		To vary conditions 4 and 5 of planning permission 3/14/01046/CMA to regularise the coal fines recovery operations and to extend the timescale for completion of mineral recovery operations to 30/09/2018 with a further year to complete the restoration. Rufford Colliery, South of Eakring Road, Rainworth. Granted 23/02/2016 (Committee)
Blidworth	Cllr Yvonne Woodhead		To vary conditions 4, 5, and 12 of planning permission 3/13/00495/CMM to regularise the coal fines recovery operations to increase the maximum tonnage of materials to enter and leave the site in any seven day period to 10,000 tonnes and to extend the timescale for completion of mineral recovery operations to 30/09/2018 with a further year to complete the restoration. Granted 23/02/2016 (Committee)



<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Blidworth	Cllr Yvonne Woodhead		Increase in the coal fines stocking and blending area of consent No 3/13/00495/CMM together with the use of an internal haul road. Rufford Colliery, South of Eakring Road, Rainworth. Granted 29/02/2016 (Committee)
Rufford	Cllr John Peck		Installation of gas pipeline. To supply biogas from anaerobic digestion facility at Stud Farm to customer via private gas pipeline. Stud Farm, Rufford. Granted 29/02/2016 (Committee)
<b>ASHFIELD</b>			
Sutton in Ashfield East	Cllr Steve Carroll		Installation of 2030mm high welded mesh security gates and fencing. Fountaindale School, Nottingham Road, Harlow Wood, Mansfield. Granted 11/02/2016
Sutton in Ashfield West	Cllr Tom Hollis	Erection of a stand along single storey 4 classroom building with access corridor, storage and WC's, requiring removal of an existing stand alone mobile building Mapplewells Primary School and Nursery, Henning Lane, Alfreton Road, Sutton in Ashfield. Received 15/02/2016	
Selston	Cllr David Martin		Planning application to retain existing temporary classroom known as building 5. Jacksdale Primary School, Main Road, Jacksdale. Granted 17/02/2016

Division	Member	Received	Determined
<b>BROXTOWE</b>			
Nuthall	Cllr Philip Owen	Erection of 2 No free standing two classroom buildings with entrance canopies and associated external works, and use of existing maintenance gate as a pedestrian entrance gate, and extension of car park. Horsendale Primary School, Assarts Road, Nuthall. Received 22/02/2016	
Bramcote & Stapleford	Cllr Stan Heptinstall Cllr Jacky Williams		3 Phase Development to Demolish and Replace an Existing Residential Block (Known as the Scarlet Wing) with a New Build 2 Storey Accommodation Block (For Residential and Vocational Staff) and to construct a linked 2 storey Vocational Block with associated External Works including a mix of security fencing and brick wall with a total height of 5.2m. Clayfields House, 18 Moorbridge Lane, Stapleford. Granted 25/02/2016 (Committee)
<b>GEDLING</b>			
Carlton East	Cllr Nicki Brooks Cllr John Clarke	Extension to existing Anaerobic Digestion Facility utilising energy crops imported from outside the Stoke Bardolph Estate and installation of a gas to grid clean up plant. Land adjoining Stoke Bardolph Sewage Treatment Works, Stoke Lane, Stoke Bardolph. Received 15/02/2016	

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Newstead	Cllr Chris Barnfather		Vary conditions 2 and 18 of the discontinuance order to allow the continuation of mineral extraction until 2035 and to amend the limit on transport movements from a daily to weekly figure. Yellowstone Quarry, Quarry Lane, Quarry Banks, Linby. Granted 17/02/2016 (Committee)
Calverton	Cllr Boyd Elliott		Single storey foundation classroom extension with external canopy and associated landscaping and fencing. Manor Park Infants and Nursery School, Flatts Lane, Calverton. Granted 23/02/2016 (Committee)
<b>RUSHCLIFFE</b>			
Keyworth	Cllr John Cottee	Placement of a 950KW Pytec biomass boiler within the existing building "C" incorporating a 10m high flue. Construction of a new enclosure to the south side of the existing building to cover two Fliegi dryers. And change of use of the existing building to a dry pellet store. John Brooke Sawmills Limited, The Sawmill, Fosseway, Widmerpool. Received 07/01/2016	
Soar Valley	Cllr Andrew Brown	Erection of four classrooms and staffroom accommodation together with associated tarmac hard play areas, parking, and associated landscape works. 2.4m Herras security fencing and gates 2.4m to site perimeter. Lantern Lane Primary School, Lantern Lane, East Leake. Received 12/01/2016	

Division	Member	Received	Determined
West Bridgford Central & South	Cllr Steve Calvert Cllr Liz Plant		Conversion of an outside storeroom into a small teaching space for support groups. Including new windows and an extra door. West Bridgford Junior School, Exchange Road, West Bridgford.



**22 March 2016****Agenda Item:8****REPORT OF CORPORATE DIRECTOR, RESOURCES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2016.

**Information and Advice**

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

**Other Options Considered**

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

**Reason/s for Recommendation/s**

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

**Statutory and Policy Implications**

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

## **RECOMMENDATION**

That the committee's work programme be noted.

**Jayne Francis-Ward**  
**Corporate Director, Resources**

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

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

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

### **Financial Comments (NS)**

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

### **Background Papers**

Relevant case files for the items included in Appendix A.

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

All



## Committee Work Programme

<u>Date to Committee</u>	<u>Reference</u>	<u>Location</u>	<u>Brief Description</u>
26 <sup>th</sup> April 2016	2/2015/0672/ST	Sherwood Forest Golf Club, Eakring Road, Mansfield	Proposed remodelling and upgrading of the existing practice ground outfield and short game area incorporating a water harvesting scheme, construction of covered practice bays and extension of car park
26 <sup>th</sup> April 2016	4/V/2015/0711	Land off Welshcroft Close, Portland Industrial Estate, Kirkby-in-Ashfield	Proposed construction and operation of a recyclates bulking, waste transfer facility with associated infrastructure including external recyclates bays, weighbridge, weighbridge cabins, welfare facilities, parking areas, wash bay, sprinkler tank and associated pump house, site access improvements and landscaping, on land off Welshcroft Close, Portland Industrial Estate (part of the Former Summit Colliery), Kirkby-in-Ashfield, Nottinghamshire.
24 <sup>th</sup> May 2016	V/3395	Bunny Materials Recycling Facility, Loughborough Road, Bunny	Section 73 planning application to vary condition 3 of planning permission 8/12/01028/CMA, condition 7 of planning permission 8/96/79/CMA and condition 9 of planning permission 8/94/00164/CMA to extend the permitted operational hours from 0730 hours to 0600 hours Mondays to Saturdays to allow 12 outbound pre-loaded HGV movements from the site and to bring forward the operating time on the IBA waste transfer area from 0730 hours to 0700 hours Mondays to Saturdays.
24 <sup>th</sup> May 2016	FR3/3478	Horsendale Primary School, Assarts Road, Nuthall	Erection of 2 No free standing two classroom buildings with entrance canopies and associated external works, and use of existing maintenance gate as a pedestrian entrance gate, and extension of car park.
24 <sup>th</sup> May 2016	7/2015/1450/NCC	Stanhope Primary & Nursery School, Keyworth Road, Gedling	Upper School: Erection of single storey 60 place freestanding double classroom with associated steps and ramp access. Lower School: demolition of No.1 boiler shed and excavation to enlarge existing staff car park, and provision of new hard play area.

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

Planning App.: 1/15/01498/CDI  
 Location: Land off Springs Road, Misson  
 Development: To develop a hydrocarbon wellsite and drill up to two exploratory hydrocarbon wells (one vertically and one horizontally) by use of a drilling rig together with associated ancillary works. The proposed development will be carried out in four phases:  
 Phase 1 - Wellsite construction; Phase 2 - Drilling of up to two exploratory wells for

hydrocarbons including potential shale gas (the first one vertical and the second one horizontal); Phase 3 - Suspension of wells and assessment of drilling results; Phase 4 - Site decommissioning, well abandonment and restoration.

Planning App.:	4/V/2015/0781
Location:	Embankment to the north-east of the railway bridge over Fackley Road, Teversal
Development:	Construction of new path and steps to form a new access to the Ashfield Bolsover Trail
Planning App.:	F/3475
Location:	John Brooke Sawmills Limited, The Sawmill, Fosse Way, Widmerpool
Development:	Additional hardstanding on undeveloped land within the confines of the existing wood facility site, the construction of 5m high wall for noise attenuation purposes, and the re-orientation of the wood shredding building from that which is currently consented with amended roof design
Planning App.:	F/3449
Location:	John Brooke Sawmills Limited, The Sawmill, Fosse Way, Widmerpool
Development:	Placement of a 950KW Pytec biomass boiler within the existing building "C" incorporating a 10m high flue. Construction of a new enclosure to the south side of the existing building to cover two Fliegi dryers and change of use of the existing building to a dry pellet store.