



18th September 2018

Agenda Item: 6

REPORT OF CORPORATE DIRECTOR – PLACE

PROPOSAL 1: TO VARY CONDITION 3 OF PLANNING PERMISSION 1/29/97/10 TO EXTEND THE CESSATION DATE FOR PERMITTED WASTE PROCESSING OPERATIONS UNTIL 31st DECEMBER 2023

BASSETLAW DISTRICT REF. NO.: 1/18/00217/CDM

PROPOSAL 2: TO VARY CONDITION 3 OF PLANNING PERMISSION 1/29/05/00008 TO EXTEND THE PERMISSION FOR AN EXTENSION TO A STOCKPILING AREA FOR RECYCLED INERT MATERIAL UNTIL 31st DECEMBER 2023

BASSETLAW DISTRICT REF.NO.: 1/18/00218/CDM

PROPOSAL 3: TO VARY CONDITION 4 OF PLANNING PERMISSION 1/29/06/00010 TO EXTEND THE PERMISSION FOR TEMPORARY STOCKPILING OF INERT WASTE UNTIL 31st DECEMBER 2023

BASSETLAW DISTRICT REF. NO.: 1/18/00219/CDM

LOCATION: DANESHILL LANDFILL SITE, LOUND ROAD, RETFORD DN22 8RB

APPLICANT: FCC RECYCLING (UK) LIMITED

Purpose of Report

1. To consider three variation applications at FCC Recycling (UK) Limited's waste recycling facility at Daneshill Landfill Site, Daneshill Road, Lound, Retford.
2. The three applications (Proposals 1, 2 and 3) seek planning permission to extend the use of the recycling compound for a further temporary period of five years, for the recycling of inert construction and demolition waste.
3. The applicant has agreed with the County Council's request to scale back the original proposals from a proposed twenty year extended use to one of five years, with a view to ceasing recycling activities by the end of December 2023 to link in with the final phase of restoration at Daneshill Landfill site. By this date, the recycling compound would be cleared of all associated plant and

material stockpiles in preparation for a final scheme of restoration which would see the application site being subsumed into the wider landfill site.

4. The key issues relate to the continuing need for the recycling facility and the impacts on nature conservation/ecology interests from extending recycling operations and delaying restoration.
5. The planning applications are being reported to Planning and Licensing Committee on the grounds that the maximum annual level of projected throughput of inert waste, of potentially up to 216,000 tonnes per annum with an average throughput of 100,000 per annum, exceeds the threshold of 30,000 tonnes per annum that can reasonably be determined under delegated powers by this Authority, as Waste Planning Authority (WPA).
6. The recommendation is to approve the three Section 73 applications subject to the conditions set out in the appendices of the report.

The Site and Surroundings

7. The Daneshill recycling compound site utilises an area within the curtilage of the wider Daneshill Landfill site for the purposes of an inert aggregates recycling operation.
8. Daneshill Landfill site is situated to the north of Retford between Torworth and Lound; and is located in open countryside in Bassetlaw, approximately 4.5 kilometres north-west and 2.2 kilometres west, of Retford and Lound respectively. The nearest settlements are the villages of Torworth approximately 1 kilometre and Ranskill approximately 1.3 kilometres, to the west and north-west respectively (see Plan 1).
9. The landfill site lies to the north of Daneshill Road from which vehicular access is gained via the existing landfill haul road, with Daneshill Road connecting to the A638 to the west and Mattersey Road to the east. Lound Footpath No. 2 runs along the existing access road off Daneshill Road.
10. The nearest sensitive residential receptors to the site are two cottages (Daneshill Cottages) situated on the northern side of Daneshill Road close to the junction with the landfill access road, some 500 metres to the west. Additionally, there is a travellers' site approximately 220 metres south of the site within Daneshill Road.
11. The application site occupies an area of land in the south-eastern part of the landfill site, partially abutting the southern boundary of the wider landfill site. A household waste recycling centre is situated to the immediate north-east and within the same vicinity lies a landfill gas compound, beyond which is restored landfill.
12. Three separate planning units which are interconnected, collectively make up the Daneshill recycling compound (see Plan 1). The original 1.5 hectare site (Plg. Ref. 1/23/97/10) occupies the south-western part of the recycling compound, partially abutting the southern boundary of the landfill site. The extension site (Plg. Ref. 1/29/05/00008) extends the site broadly south-

eastwards, with a triangular footprint. Finally, the temporary stocking area (Plg. Ref. 1/29/06/00010) has extended the length of the site in a north-westerly direction, following a broadly linear footprint. The recycling facility therefore now covers an area of around 4.5 hectares.

13. The application site is currently non-operational with intermittent stockpiles of soils remaining, with the purpose of being used for the final restoration of the landfill site; and areas of concrete rubble located around the site periphery. The area within the site boundary is largely devoid of vegetation, although some scattered shrub and grassland habitat has developed over the soil storage bunds. Areas of broken concrete rubble are located around the site periphery. Two ponds are situated at approximate distances of 179 metres and 240 metres to the north of the site.
14. Woodland is located to the south and east of the site with scattered trees and shrubs located to the north and west providing substantial screening of the recycling compound. Beyond the application site and wider landfill site, the surrounding landscape is predominantly open countryside made up of a mosaic of agricultural land, open fields and extensive wooded areas. There is restored landfill to the east, north and west. Between the landfill site and Daneshill Road, in part, is mature woodland and agricultural land.
15. The site itself does not lie within any area of designation as shown on the Bassetlaw Core Strategy proposals maps. However, it is noted that Mattersey Hill Marsh Site of Special Scientific Interest (SSSI) is located to the north of the landfill and Daneshill Lakes and Woodland Local Wildlife Site (LWS) lies to the south-west of the site.

Background

16. Daneshill is a long-standing operational landfill site occupied and managed by FCC Environment under a long-term lease from Nottinghamshire County Council that runs until 2092.
17. The continued movement of waste up the Waste Hierarchy means that existing landfill sites are taking longer to reach their full capacity. Added to this, the landfill tax escalator has created a strong incentive to divert waste from landfill, and whilst the landfill at Daneshill has permission to continue operating with final restoration not being required until May 2048 under extant planning consent 1/29/93/8, in practice the landfill closed to waste imports in January 2017 with capping being undertaken during the Autumn period of 2017.
18. Whilst the three Section 73 planning applications under consideration in this report originally sought to retain the capacity to undertake waste recycling operations up until the year ending 2037, this was intrinsically linked to the landfill site remaining operational or at the very least having a realistic chance of resuming waste importation/landfill operations at some future date. However, agreement has now been reached between the applicant, FCC Recycling (UK) Limited, and this Authority, to amend the proposals accordingly, and seek to reinstate waste recycling operations for a more limited period of time which more accurately reflects the time needed for completing restoration works at the

landfill site. These proposals now reflect the fact that landfill operations have permanently ceased at Daneshill; and in principle it is not anticipated that completion of the restoration works would be prejudiced by extending the use of the recycling facility for a further five years up until the end of 2023.

19. The anticipated timescales to restore the Daneshill landfill facility, based on the current status of the site, as detailed in the 2018 Aftercare Report, indicates a reduced term of five years to deliver a revised scheme of restoration. This is based on a requirement of sourcing a minimum of approximately 140,000 tonnes of soils which at current import rates would take around five years or so to complete, in order to cap an outstanding area of 53,000 square metres. This Authority is of the opinion that the period required for restoration, which appears to be dictated by the amount of soils that are required, should reflect the amount of soils referenced in the aftercare report, and based on current import rates, it is considered that an appropriate timeframe for restoration purposes would be five years.
20. Based on this assessment, the County Council advised that a more realistic timeframe for retaining the recycling compound would be five years rather than the twenty years originally being sought, to link in with the remaining restoration obligations indicated in the 2018 Aftercare Report.
21. The applicant has agreed to the suggested amendment and the three Section 73 planning applications have been amended accordingly to reflect this fact. The amendment seeks to address initial concerns raised by the County Council's Nature Conservation Officer, regarding the length of postponement in terms of restoring the recycling compound. These comments are set out in paragraphs 54-56 of this report.

Planning history

22. The three applications relate to an established Waste Recycling Facility which principally operates under three extant planning permissions granted by the WPA, with the site being situated within the current landfill consent boundary.
23. Daneshill Landfill site was originally part of a former Royal Ordnance Factory, occupying some 250 hectares. The site was acquired by the County Council for a major land reclamation scheme, 40 hectares of which were allocated for waste disposal. Planning permission (Plg. Ref. 1/29/80/13D) was duly granted by the County Council in August 1981. Daneshill Landfill site involved the phased tipping of household, commercial and non-hazardous industrial wastes. The site opened in 1984 and was operated by the County Council until March 1993 when it was transferred to Waste Notts Ltd.
24. Waste Notts Ltd was subsequently granted planning consent (Plg. Ref. 1/29/93/8) in June 1995 for an extension to the landfill site, and the relocation of a household waste and recycling centre to Daneshill. This permission also updated planning conditions relating to the remainder of the landfill site including Condition 1 which placed a requirement on the landfill site to be restored before the 18th May 2048.

25. The final restoration scheme for Daneshill Landfill site was subject to amendment, with the County Council granting planning permission (Plg. Ref. 1/29/11/00010) in November 2012. Due to the early closure of the landfill site and pursuant to Condition 38, a revised interim restoration plan with revised contours, and an amended aftercare scheme have been drafted by the applicant and submitted to the WPA on 8th August 2018. These revised details are currently out for consultation with the County Council's Landscape and Nature Conservation Teams, Natural England and Nottinghamshire Wildlife Trust.
26. A separate planning consent (Plg. Ref. 1/29/97/10) was granted in October 1997 for the use of part of the extended landfill site for an inert aggregate recycling facility. It was envisaged that the derelict concrete works site, incorporating the aggregate recycling facility, would not be due to be prepared for filling until 2018. To this end, Condition 3 was attached ensuring that all recycling operations should cease and any associated plant and material stockpiles be removed by the 31st December 2017 in preparation for future landfilling. The inert waste recycling operations were subsequently subject to two further planning permissions (Plg. Refs. 1/29/05/00008 and 1/29/06/00010), granted in May 2005 and October 2006 respectively which permitted an extension to the recycling area, and the subsequent temporary stockpiling of recycled inert waste.
27. The Daneshill Recycling compound continues to be covered by extant planning permissions 1/29/97/10, 1/29/05/00008 and 1/29/06/00010, and whilst the consented waste recycling facility is currently not operational, it continues to be subject to a regular management and monitoring regime by the applicant. The monitoring regime is further supplemented by regular monitoring undertaken by the WPA, in accordance with the County Council's adopted Local Enforcement Plan (May 2015).

Proposed Development

28. Planning permission is sought to extend the duration of the permitted waste operations from the approved cessation date of 31st December 2017 until the 31st December 2023. This request has been submitted pursuant to Section 73 of the Town and Country Planning Act 1990. At the request of the County Council, the planning applications have been amended to bring the recycling operations into line with the timeframe for completing the final phase of restoration at the landfill site.
29. The consented development allows for the import, stockpiling and recycling of inert construction and demolition waste materials to produce aggregate products for export from the site, and the stockpiling of residual soils for restoration purposes. Three related variation applications seek to extend the life of the recycling compound at the Daneshill Landfill site, extending its period of operation by five years to 31st December 2023 in line with the revised restoration dates for the landfill site. This extension of time is intrinsically linked to the final phase of restoration of the landfill site.

30. Under an approved restoration plan (see Plan 2 which identifies the recycling compound within the broader context of the wider landfill site) the recycling compound is due to be restored to a mix of native broadleaf planting and open heathland restoration. The proposals seek to extend the date for restoring the recycling compound and temporary stockpiling area. The recycling facility is presently mothballed, but the time extension to the extant planning permissions would retain the site's permitted land use as a waste processing site.
31. As stated, the area of these three variation applications falls within that of the wider landfill site, with the intention that this area will eventually be subsumed by the landfill site and final restoration scheme (as stated in Condition 21 of planning permission 1/29/11/00010).
32. In relation to extant planning conditions 3, 3 and 4 of planning permissions 1/29/97/10, 1/29/05/00008 and 1/29/06/00010 respectively the following variation is therefore sought:

'This permission shall be for a limited period only, expiring on 31st December 2023, by which time the site shall be cleared in order that the final phase of the restoration is not prejudiced'.

33. The applicant has confirmed in supporting information that the operator seeks to retain the option to resume inert waste recycling operations at Daneshill Landfill site beyond the current expiry date of the 31st December 2017, and in to the next five years, and seeks to vary the above planning conditions to facilitate this extension of time. No other changes are being proposed.
34. Whilst the site is currently mothballed, it is envisaged that when operational, the waste operations would be broadly implemented as before, with the recycling compound continuing to be controlled by the re-imposition of extant planning conditions to any new planning consents.
35. The key elements of the recycling operations, as previously operated, are as follows.

Operational Procedure/processes

36. There are no dedicated parking areas or haul routes except the entrance route due to the transient nature of the machinery and stockpiles.
37. Hours of operation would continue to be Mondays through to Fridays 07:30 hrs to 16:30 hrs; and Saturdays 07:30 hrs to 11:30 hrs. No operations that would involve the movement of materials or operation of any plant or machinery would be carried out on Sundays or Public and Bank Holidays.
38. All material is weighed on arrival at the site, with the weighbridge operator then deciding whether material is suitable for recycling (i.e. screening/crushing) by carrying out a visual check of the load. Any unsuitable material is identified and immediately placed within a loading shovel bucket and readied for transfer off site.
39. Suitable waste streams include: brick rubble, concrete, soils (topsoil and subsoil), sand and gravel, or any mixture of these materials. If suitable for

recycling, the vehicle is directed to a designated area for unloading, for initial storage, prior to screening. Plant includes a wheeled/tracked loading shovel or a 360 degree excavator; and a 'live head' screen and two-stage conveyor belt for screening. Stockpiled material would then be fed over the screen. This process would generate three types of product: an oversize material; a clean brick/concrete rubble, and soils. These three products would be stockpiled separately.

40. The stockpiled 'oversize' material may be stored for a period of up to 12 months, during which time a temporary, hired in mobile crushing plant would be utilised on site so as to reduce the size of this material into a useable product. The size of the crushed aggregate would vary to suit market demand. The stockpiled brick/rubble would be stored for up to three years and would be utilised for site road maintenance or sold as recycled aggregate. The stockpiled soils would be stored on site for a period of up to three years and it is envisaged would be utilised for on-site restoration purposes.
41. The site has the capacity to handle up to 216,000 tonnes of imported material per annum (tpa) (as stated in the 'Recycling Area Method Statement dated February 2005). At the time, this equated to 40 loads per day and was typically split into 144,000 tonnes of concrete/rubble and 72,000 tonnes of soils. Approximately 90,000 tonnes of the 144,000 tonnes of concrete and rubble would be crushed prior to sale, with the remaining 54,000 tonnes being used either within the wider Daneshill site or sold as clean brick rubble.
42. Historically the soils have been stored on site prior to their use as and when required, as restoration materials.
43. It is confirmed by the applicant that the anticipated throughput would be approximately 100,000 tpa, but that they are seeking to retain the maximum limit of 216,000 tpa. The flexibility allowed by the maximum upper limit would allow the operations to react quickly to market demand as and when they arise. Whilst the maximum limit needs to be retained, the 100,000 tonnes per annum figure represents a reasonable estimate of annual throughput in the current climate.
44. Lorry movements would continue to be controlled by the re-imposition of extant planning conditions, which would seek to ensure that the reinstated recycling operations do not generate any additional lorry movements above the levels historically permitted for landfill operations.
45. At the time of the original application it was envisaged that the recycling operations would generate an average of 10 vehicle movements per day, but this was set against a baseline figure of 160 HGVs (320 vehicle movements) per day, which was the volume of traffic permitted to visit Daneshill landfill site. Any lorry movements associated with the recycling facility were counted in as part of this overall total figure.
46. The above seeks to give a general indication of the Daneshill recycling operations if reinstated.

Consultations

47. These comments relate to all three linked planning applications. Each of the three planning applications has been consulted on separately and the subsequent responses are summarised jointly as follows:
48. **Bassetlaw District Council** *No objection.*
49. **Anglian Water Services Limited** *No comment.*
50. *As the proposals are not related to drainage, Anglian Water Services is unable to comment on the proposed applications.*
51. **The Environment Agency (Waste) (EA)** *No comment.*
52. *It is noted that there may be implications for the Permit but this would be dealt with via other means.*
53. **Natural England** *No comment.*
54. **NCC (Nature Conservation)** *No objection.*
55. *The initial response noted that the proposal would have had the effect of delaying the site's restoration by 20 years, and hence delaying the delivery of biodiversity benefits that the restoration would bring. It was questioned whether there was a need for this site if it is mothballed and whether there was the need for it to be given such a long extension. In terms of ecology, an Ecological Constraints Plan has been provided; and this must be adhered to (and conditioned as appropriate). It is noted that the site is under regular management, and such management should continue to prevent the site undergoing natural succession and developing notable habitats, or gaining more potential to support protected species. It is suggested that such management (to be carried out at least annually) be conditioned.*
56. *Having previously queried the length of time being sought, the fact that this has been reduced from 31st December 2037 to 31st December 2023, allowing the biodiversity benefits of the restoration to be achieved much sooner is welcomed.*
57. **NCC (Countryside Access)** *No objection.*
58. *Lound Footpath No. 2 is located on the access route to Daneshill Landfill Site, but is not on the indicative site. Provided that its availability is not affected by these proposals, there is no objection.*
59. **NCC (Landscape)** *No objection.*
60. *Planning approval 1/29/93/8 relates to the permission to extend the landfill site and relocate the household waste and recycling centre at the Daneshill Landfill Site (June 1995).*
61. *Under Condition 1 of the 1995 consent, the landfill must be restored before May 2048. The extension of 20 years is therefore in compliance with this consent, albeit that the proposals*

62. **Highways England** *No objection.*
63. *It is noted that the site is approximately 5km from the nearest part of the strategic road network and the continuation of consented activities would not result in any increase in vehicular traffic generated by the site.*
64. **NCC (Highways) Bassetlaw** *No objection.*
65. *Having considered the history of the site, the Highways Authority has no objection to the principle of this proposal.*
66. **NCC (Planning Policy)** *No objection.*
67. *The planning policy comments have been re-issued in light of the revisions to the NPPF published on 24th July 2018.*
68. *Policy 5.8 of the Nottinghamshire and Nottingham Waste Local Plan is of relevance to the proposal stating that temporary aggregate recycling centres will be permitted at waste disposal sites, provided that the facility is linked to the life of operations of the waste disposal facility and that the recycling operation does not create any unacceptable environmental impacts.*
69. *Extensions to existing waste management facilities is also covered under Nottinghamshire and Nottingham Waste Core Strategy (WCS) Policy WCS8, which supports the extension, redevelopment or improvement of existing waste management facilities, stating that they will be supported where this would increase capacity or improve existing management methods, or reduce environmental impacts.*
70. *The policies relating to environmental protection from impacts potentially caused by waste operations can be found in Chapter 3 of the Nottinghamshire and Nottingham Waste Local Plan.*
71. *This facility is located on hardstanding that is a remnant of the site's previous use as a munitions facility, with no remaining standing structures present and given its context could be classed as being within an area of open countryside, under the criteria stated in WCS Policy WCS7. Under this policy open countryside locations are suitable for landfill and land raise operations, however not so for aggregates recycling facilities (which are only supported on employment land). Therefore, under Policy WCS7, with a view to Policy 5.8 and WCS8, the extension in time to this facility would be acceptable in policy terms while there remains a demonstrable link between the recycling facility and the landfill, with the recycling facility being clearly tied to the life of the landfill permission which covers the area of the recycling facility.*
72. *Under these circumstances the facility would continue to meet the relevant policies within the Waste Local Plan and Waste Core Strategy. There may be a need for conditions to be attached to any planning permissions for these variation applications to enable the control of this facility and to cover the potential earlier restoration of the site.*
73. *The proposals may also reduce the need for the transport of materials to an additional site, in which case the proposals would comply with Policy WCS11 in*

respect of sustainable transport by minimising the distances travelled in undertaking waste management.

74. *In relation to national policy, the proposed continuation of the facility's operation adheres to the National Planning Policy for Waste (NPPW) in respect of moving waste up the waste hierarchy and away from disposal.*
75. **NCC (Flood Risk) Statutory** *No objection.*
76. *This Authority does not want to make any comment on the proposals in relation to flood risk.*
77. **NCC (Noise Engineer)** *No objection.*
78. *It is noted that the site is relatively remote from nearby sensitive receptors and there appears to be no history of noise complaints. There are existing noise controls in place to protect any potential affected residential receptors in the future.*
79. *In terms of conclusions and recommendations, there are no objections to make to the extension of time on noise grounds.*
80. **NCC (Reclamation)** *No objection.*
81. *The time extension would not have any significant detrimental effects from the view of contaminated land considerations, assuming that the materials being recycled are still classified as inert and that the monitoring controls and inspection routines already in place are continued.*
82. **Lound Parish Council, Nottinghamshire Wildlife Trust, Cadent Gas Limited, National Grid Company PLC PYLON, Severn Trent Water Limited and Western Power Distribution** have not responded. Any response received will be orally reported.

Publicity

83. The three applications have been publicised by means of site notices and press notice (as affecting a public right of way) and neighbour notification letters have been sent to the nearest occupiers in Daneshill Road, Lound, in accordance with the County Council's adopted Statement of Community Involvement.
84. Councillor Tracey Taylor has been notified of the applications.
85. No representations have been received.

Observations

Introduction

86. Whilst the site is currently not in active use, the applicant seeks to retain the ability to recommence operations at short notice to meet market demands, as

and when they arise. Collectively the applications seek to secure the operations at Daneshill over the short term and avoid the recycling capacity being lost at the present time, as would be the case under the current planning consents. The extension of the date by which the site must be restored would provide operational flexibility to the operator and ensure that the associated environmental benefits delivered through the recycling operations are available until the end of 2023.

87. The proposals seek to avoid the permanent loss of an Environment Agency permitted recycling facility, without which inevitably any associated recycling activities would have to be handled elsewhere. This could potentially be at more distant locations, incurring both higher carbon emissions and transport costs.
88. By allowing the proposed amendment and suspending the restoration at this stage, the Daneshill recycling facility would continue to be available at immediate notice to react quickly to market conditions and commence recycling activities as and when required.
89. The principle of using the site for waste recycling operations has been established under the previous extant planning consents, with the suitability of the site having been assessed against relevant policy criteria, with this including the physical and environmental constraints on the development; existing neighbouring land uses; and any significant adverse impacts on the quality of the local environment.
90. Reference is now made to those material considerations relevant to the determination of this planning application.
91. The overarching benefit of the proposed extension of time is that it would retain the site's recycling capacity to meet a demand in North Nottinghamshire and bring the site back into operational use in accordance with the principles of sustainable development. The proposal represents a sustainable use of resources, both in terms of conserving primary aggregates through the recycling of waste materials and their reconstituted use as secondary aggregates in the construction industry; generating residual soils for on-site restoration purposes, and maximising the use of an existing facility and associated infrastructure prior to site clearance and restoration. In principle, WCS Policy WCS8 continues to provide material support for the extended use of the facility up until the year ending 2023, provided any identified environmental and amenity effects remain capable of being effectively mitigated, and remain less than significant; and provided the aggregate recycling operations remain linked to the life of the operations at the landfill site.
92. A key consideration in determining these planning applications relates to the environmental and amenity effects arising from extending the operational life of the Daneshill recycling compound beyond December 2017. These matters have been subject to further re-assessment in the context of the updated consultee responses.
93. It is also necessary, given that the recycling facility is presently 'mothballed' to establish that there is a continuing need for this facility. This is material to this

decision in terms of assessing the acceptability of extending operations for another five years.

Need for development

94. In national planning policy terms, the proposed development is given due consideration in light of the revised National Planning Policy Framework (NPPF) (July 2018), the Planning Practice Guidance (PPG) (published on-line in March 2014 and periodically updated), and the National Planning Policy for Waste (NPPW) (October 2014). Relevant policies and direction as set out in these documents are material considerations to the determination of the applications.
95. The revised NPPF (July 2018) seeks to ensure that sustainable development is pursued in a positive way, and paragraph 11 states that in decision taking a presumption in favour of sustainable development should apply. The role of the planning system in terms of achieving sustainable development means encouraging mutually beneficial economic, social and environmental development, with this theme continuing to run through decision-taking.
96. The application has been submitted by FCC Recycling (UK) Limited to update the extant planning consents covering recycling operations at Daneshill, to remove the time constraint on the land use as a waste management activity. Whilst the recycling compound has been mothballed in recent years, it is considered that the most significant influencing factor upon the site's underuse has been the requirement to restore the site by December 2017, the condition which the above-mentioned planning applications are seeking to amend.
97. The need for the applications and reasoning behind the proposal is to overcome current restrictions on the site and to effectively reinstate its operational capacity as an inert waste recycling facility. The applicant states that a number of potential recycling operator partners for the site have expressed an interest in establishing operations within the compound to meet the recycling needs of the local market. However, the requirement for the immediate restoration of the site has been a significant constraint and has ultimately resulted in deterring operators from using the facility.
98. The capital investment required to run a modern and environmentally acceptable recycling operation is such that it is essential to have a predictable import of waste, capable of being managed through a secure facility, and this means demonstrating that the site is covered by a valid planning consent, which in this case can guarantee at least five years of operational capacity. As such, the approval of the aforementioned planning applications would remove current restrictions and allow the site to be made available again to meet the local market's recycling needs.
99. Paragraphs 80 and 81 of the revised NPPF indicate that when making planning decisions, significant weight should be placed on the need to support sustainable economic growth and productivity in a positive and proactive way. The planning system should not act as an impediment to sustainable growth; and significant weight should be placed on the need to support economic growth. The economic argument put forward by the applicant in respect of

these planning applications is therefore a material planning consideration in support of the proposal, but one which needs to be balanced against any potential adverse environmental effects which may arise from extending recycling operations beyond the end of 2017.

Extended use of the site and compliance with waste planning policy

100. The revised NPPF makes clear that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. For the purposes of this application, the Development Plan comprises the key strategic policies in the Waste Core Strategy (WCS) and relevant saved environmental protection policies in the Nottingham and Nottinghamshire Waste Local Plan (WLP) and the Bassetlaw 2011 Core Strategy and Development Management Policies DPD (BCS) (Adopted December 2011).
101. The WCS and WLP set out the County Council's policies material to the development, with a general presumption in favour of sustainable development.
102. This is directly reflected in WCS Policy WCS1, with this particular policy stating that planning applications which accord with Core Strategy policies and any other relevant policies in the other plans that make up the Development Plan, will be approved by the County Council without delay, unless material considerations indicate otherwise. It states that when considering development proposals, the County Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the revised NPPF. This policy offers principle support for these proposals.
103. Overarching policy direction for waste is set out in the NPPW with a presumption in favour of sustainable development and resource efficiency (including supporting local employment opportunities and wider climate change benefits), and supporting activities which drive waste management up the waste hierarchy.
104. The waste hierarchy which is set out in Appendix A of the NPPW and Figure 2.1 of the WCS identifies that recycling and preparing for reuse of waste material is preferred to disposal, with this being reflected in WCS Policy WCS3 which prioritises the development of new or extended waste recycling facilities. The proposals would be compliant with these principles, involving an extension of time to an existing waste recycling facility, which would increase the site's capacity to beneficially manage and process demolition and construction waste streams over a longer period of time. This would facilitate the recycling of more waste material for an extended period of time subject to there being no unacceptable environmental impacts and subject to the life of the waste management operations remaining intrinsically linked to that of the wider landfill site. As such, the extended waste recycling facility would accord with the WCS and NPPW delivering on the key objectives of maximising the recycling of inert waste streams and assisting in the process of driving waste up the waste hierarchy.

105. The proposals therefore support an upward trajectory in the recycling of construction and demolition waste, giving appropriate consideration to the waste hierarchy.
106. Also of relevance is Policy WCS3 (Future waste management provision), which aims to provide sufficient waste management capacity to meet the county's needs, with priority being given to the development of new or extended waste recycling facilities. Such developments should accord with the WCS's aim of achieving a 70 per cent target for the recycling of all waste by 2025. The proposals under consideration in this report accord with the policy aims and objectives in terms of contributing towards the delivery of sufficient and appropriate waste management capacity across the county. Retaining the Daneshill recycling operation, which would be facilitated by the granting of these planning applications, would ensure that some 100,000 tpa of inert wastes (construction and demolition) would be capable of being recycled annually in this part of North Nottinghamshire. Consenting a further time extension would ensure that this facility continues to meet a local need.
107. There is a need to meet EU and national recycling targets, and the WCS's core objective is to support and encourage sustainable waste management solutions for all waste to support these targets.
108. Whilst the 70 per cent national target for recycling rates for construction and demolition inert wastes has largely been surpassed, this target is supported by more ambitious aspirational targets as reflected in table 5 of the WCS. This provides figures for indicative additional treatment capacity to meet the aspirational targets in WCS Policy WCS2 (Waste awareness, prevention and re-use). In this respect, it is indicated that the additional treatment capacity required for construction and demolition waste would equate to some 908,000tpa. Extending the time-limit on the Daneshill facility would retain its waste management capacity, and the contribution it could potentially make towards the WCS's targets, both established and aspirational, for recycled inert waste. As such, the proposals would accord with WCS Policies WCS2 and WCS3.
109. Also relevant to the proposals is WCS Policy WCS7. The criteria-based approach of this policy sets out what type of development is likely to be acceptable in which locations. Under this policy whilst open countryside locations are suitable for landfill and land raise operations, this is not the case for aggregates recycling facilities which are only supported on employment land.
110. However, whilst not strictly complying with the locational criteria listed under WCS Policy WCS7, the County Council's Waste Policy Team is satisfied that when the development is considered under this policy in conjunction with WCS Policy WCS8 (Extensions to existing waste management facilities), the extension in time to this facility would be acceptable in policy terms whilst there remains a demonstrable link between the recycling facility and the landfill, with the recycling facility being clearly tied to the life of the landfill permission which covers the area of the recycling facility. In reaching this policy position, attention is drawn to the fact that the principle of the acceptability of the development in terms of its location has been established under extant planning consents 1/29/97/10, 1/29/05/00008 and 1/29/06/00010, and the proposals do not relate

to a new facility which in principle would not be acceptable in the open countryside, but to an established, existing facility which has previously been granted planning permission. The retention of the recycling compound is tied into the timeframe for finalising the landfill restoration works. Extant planning conditions would be re-attached to control the cessation of recycling operations and ensure the removal of all associated infrastructure and material stockpiles, prior to restoring the site.

111. As stated, support is provided by WCS Policy WCS8 given that it would retain the facility for a further five years thereby supporting waste recycling capacity in this part of the county. In line with this policy, the proposal represents an economically viable and sustainable option and one which would enable the site to be brought back into beneficial use, reinstating its use as a waste management facility and retaining its recycling capacity for the handling of inert construction and demolition waste. As such, the proposal accords with WCS Policy WCS8 subject to it being demonstrated that by extending the life of the recycling operations it would not create any unacceptable environmental impacts, in terms of ecological impacts or from additional noise, increased traffic and visual impact, for example.
112. As stated, in general terms, it is noted that the suitability of the site has previously been assessed against relevant policy criteria including locational criteria, physical and environmental constraints on the development, and existing and proposed neighbouring land uses. Daneshill recycling compound is an existing site, albeit not operational and has the benefit of existing transport infrastructure and good highway connectivity. Its location in terms of the operational site being distant to residential development is significant in supporting this development. When operational it also represents a relatively large scale waste management operation, with a capacity to deal with up to 216,000 tpa of inert waste if required, and one which is expected to deal with some 100,000 tpa over the next five years. Therefore, in terms of capacity this waste management facility has the potential to make a relatively significant contribution to the local waste aggregate market in North Nottinghamshire; and without these planning applications that contribution to local waste recycling capacity in the north of the county would be lost.
113. It is concluded that the local development plan is broadly supportive of the principle of extending the life of the inert waste recycling facility at Daneshill and reinstating operations subject to the development meeting the requirements of WCS Policy WCS13 (Protecting and enhancing our environment) which requires waste facilities to demonstrate acceptable environmental effects. These effects are considered below.

Consideration of environmental and amenity impacts

114. WCS Policy WCS13 supports extended waste treatment facilities where it can be demonstrated that there would be no unacceptable impact on any element of environmental quality or the quality of life of those living or working nearby and where such development would not result in unacceptable environmental impacts.

115. NPPW Appendix B (locational criteria) sets out the potential environmental considerations that could arise from waste developments and their associated activities. Of particular relevance in the context of this application are matters relating to ecology impacts and traffic effects and any associated noise, and air emissions including dust.
116. The policy support for the development provided for by these policies is conditional upon the operation of the site resulting in no unacceptable environmental impacts.

Ecological Impact and restoration

117. Section 15 'Conserving and enhancing the natural environment' Paragraph 170 of the revised NPPF indicates that local planning authorities in determining planning applications should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 170 also places emphasis on planning decisions contributing to and enhancing the natural and local environment by way of remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
118. These proposals represent a significant improvement on the original proposals which would have seen a delay of some twenty years in terms of achieving restoration of the site, which is not insignificant. A delay of this magnitude was without justification, and broke the link between the recycling operations and the landfill operations and was contrary to WCS Policy WCS8. The County Council's Ecologist is now satisfied with the proposals and supports the fact that the biodiversity benefits of the restoration scheme would be achieved in a timely manner.
119. The amended proposals restore the link between the recycling compound and the wider landfill site operations, albeit that these operations now strictly relate to restoration operations as the landfill site moves into its final phase of restoration.
120. Under the approved restoration plan (Drawing 348R307B) the recycling compound is due to be restored to a mix of native broadleaf planting and open heathland restoration. There would be a net gain in terms of biodiversity as a direct result of the restoration scheme, and this proposal would delay those benefits for only a moderate length of time. Added to this, it is considered that the environmental benefits delivered through the operation of the recycling compound would on balance offset this delay. Those benefits would include a reduction in the demand for primary aggregates and conserving high grade aggregates for higher quality applications; and reducing the volumes of recyclable materials disposed of to landfill. The recycling operations would also conserve and stockpile soils from demolition and construction works, for restoration purposes at Daneshill. Therefore, material to the planning application are the wider environmental benefits of the proposal, which in itself lowers the impact on the natural environment.
121. Paragraph 007 of the Planning Practice Guidance (PPG) states that local planning authorities should take a pragmatic approach, where the aim should be

to fulfil statutory obligations in a way that minimises delays and burdens. The land is currently not of significantly high environmental value as previously developed land with a recycling waste management use, and an area that has been effectively managed to prevent the site undergoing natural succession and developing notable habitats with the potential to support protected species. Whilst there is some potential for suitable nesting habitat in an area of scrub within the west of the site; and the site also contains habitat suitable for use by reptiles, the indications are that subject to adopting a precautionary method of works, no significant ecological interest would develop within the site.

122. It is not unreasonable to consider that the waste management use continues to be an acceptable and effective use of the land subject to controls over resultant environmental effects. It is considered that the proposal would not give rise to significant harm to protected species and habitats, subject to planning conditions adopting a precautionary approach. Restoration of the site would continue to be implemented in a timely manner under the wider restoration scheme for Daneshill landfill site resulting in net gains for local biodiversity, with habitat restoration across the wider area.
123. It is important that existing management controls over the site continue to prevent the site from naturally regenerating and providing suitable habitat conditions for amphibians including a protected species. It is considered that the proposals would result in less than significant harm subject to planning conditions ensuring that the management regime detailed in the Ecological Constraints Plan is adhered to and is carried out annually throughout the lifetime of the extended operations. As such, it is considered that subject to appropriate controls including the on-going management of the site, the proposed development would be in compliance with WCS Policy WCS13, the revised NPPF and the NPPW.
124. Over the longer term, the ecological benefits of the wider site restoration including that of the recycling compound would be delivered in accordance with the revised NPPF and the core objective S08 of the BCS and its supporting Policy DM9 which seek to conserve and enhance Bassetlaw's biodiversity, habitats and species.

Restoration of the wider Daneshill site

125. It is noted that capping and final soil placement up to the required levels across the site will be dependent upon securing imports of suitable restoration soils. It is envisaged that reinstatement of the waste recycling operations at Daneshill would result in the generation of residual soils, as a by-product of recycling operations. There are therefore obvious benefits in retaining and reinstating recycling activities, and it is envisaged that these operations would be beneficial in helping to generate residual soils for restoration purposes. This would be in accordance with policy direction contained in the Planning Practice Guidance at Paragraph: 005 (Reference ID: 28-005-20141016 Revision date: 16 10 2014) which seeks to ensure that land raising or landfill sites are restored to beneficial after-uses (examples include agriculture, biodiversity, forestry, and amenity) at the earliest opportunity and to high environmental standards.

126. There is an agreed position that both the County Council and the applicant, require a timely restoration of the Daneshill site albeit that this Authority recognises that this is based on the current and anticipated future availability of soil materials in the area. It is envisaged that the retention of the recycling compound for a further period of time as sought under the current planning applications, would go some way to making up the present shortfall in available soils.

Visual Impact

127. WLP Saved Policy W3.3 seeks to minimise the visual impact of waste management facilities and associated activities by siting them in locations which minimise impacts to adjacent land, providing appropriate screening and minimising building and storage heights. Similarly, WLP Saved Policy W3.4 seeks to secure both the retention and protection of existing features which have value in terms of screening, and the appropriate use of screening and landscaping to minimise visual impacts, including earth mounding, fences, and/or tree and shrub planting.
128. By virtue of the site's location, it is naturally well screened from local residential receptors and road users. Any views of the site are substantially ameliorated due to the extensive screening provided by established tree planting and vegetation, and blocks of woodland. Views from the east, north and west are restricted by the existing topography.
129. The visual impact of the development is assessed as being low to insignificant. With regards to surrounding sensitive receptors, it is anticipated that there would be negligible views of the recycling compound from any surrounding residential location due to a combination of distance from the site and mitigation screening. In this respect, the site is not visible from Daneshill Cottages due to existing vegetation along the access road; and similarly a travellers' site which is relatively distant to the recycling compound, has restricted views towards the site by virtue of existing woodland to the south of the site.
130. Views are substantially filtered by existing vegetation, the topography of the land, and distance from the site. As such, the development accords with WLP Saved Policies W3.3 and W3.4 in terms of visual amenity impacts. It is noted that the County Council's Landscape Team is satisfied that the restoration of the landfill would not be prejudiced by extending the use of the recycling facility.

Traffic and Highways

131. WLP Saved Policy W3.14 indicates that planning permission will not be granted for activities associated with waste management facilities where the vehicle movements likely to be generated cannot be satisfactorily accommodated on the highway network or where such movements would cause unacceptable disturbance to local communities. This is the key policy against which to assess the traffic impact of the development. Paragraph 109 of the revised NPPF states that development proposals should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe.

Paragraph 102 of the revised NPPF seeks to ensure that the potential impacts of the development on the transport networks are addressed. Also of relevance is WCS Policy WCS11 (Sustainable Transport) which aims to make the best use of the existing transport network and minimise the distances travelled in undertaking waste management.

132. At the time of the original application it was envisaged that the development would generate an average of 10 vehicle movements per day. The volume of traffic permitted to visit Daneshill landfill site is set at 160 HGVs (320 vehicle movements) per day. However the applicant provided evidence of traffic movements during 1997 to demonstrate that the average number of vehicles was significantly below that level at 54 HGVs per day (108 vehicle movements). The development was expected to divert some of the loads originally destined for landfill disposal to the inert waste recycling facility and it was envisaged that this element would not create any significant additional traffic movement.
133. It was envisaged that some element of additional traffic would be generated firstly through the importation of materials for recycling and secondly from exporting processed materials. In addition the development would require the periodic movement of mobile plant in and out of the site. It was considered that the hauliers bringing in waste for recycling would make loaded return trips. Extant planning conditions attached to the waste recycling permissions restricted lorry movements to those permitted for the landfill site, so that the recycling operations in themselves did not generate any extra lorry movements above and beyond the 160 HGVs per day permitted to visit the Daneshill site.
134. Having considered the historical context of the site, the Highways Authority does not object to the principle of the proposals, and there are no further recommendations. It is noted that neither of the highways authorities by way of the County Council or Highways England seek to impose alternative arrangements with regards to highways traffic, nor place any further controls over lorry numbers. There is nothing to indicate that the historical controls over vehicles numbers would no longer be acceptable, and it is considered prudent to continue to link lorry movements to recycling waste operations so that at no time do vehicle numbers exceed 320 lorry movements per day. It is anticipated that in actuality that figure would be significantly lower, being associated with the waste recycling operations and restoration operations across the landfill site only.
135. Subject to the re-imposition of the existing extant planning conditions controlling vehicular traffic, it is considered that the reinstatement of recycling operations for a further five years would not generate significant adverse impacts either in terms of highway capacity or on residential amenity at the properties known as Daneshill Cottages, nearest to the entrance to Daneshill landfill site. It is not anticipated that vehicular traffic would go back to historical levels. It is noted that the occupiers at Daneshill Cottages were notified of the planning applications and no objections have been raised. It is considered that the proposals, subject to planning conditions placing controls over vehicular traffic, would accord with WLP Saved Policy W3.14 and the revised NPPF which makes reference to the fact that development should only be refused on transport grounds when associated residual cumulative impacts are assessed as being severe.

136. It is considered that the development would not result in a significant material impact on the local highway network in terms of highway capacity or highway safety; or on residential amenity. The site benefits from having good connectivity, with Daneshill Road (off which is the access haul route to the waste recycling site) having direct access to the A638 Great North Road and onward to the main local urban centres of Worksop and Retford to the south-west and south-east respectively; and to Newark. In this respect, the proposal would accord with WCS Policy WCS11 in that it would support the reinstatement of a waste management facility within close proximity to the main urban centres of north Nottinghamshire. This would help to deliver a reduction in waste miles and associated carbon emissions.

Public Rights of Way

137. Whilst it is identified that Lound Footpath No. 2 is located on the access route to Daneshill Landfill site, it does not fall within the constraints of the indicative site. The proposal would therefore not impact on the availability and access to this footpath. As such, there would be no direct impacts on this part of the network nor would there be any impacts on the amenity of rights of way users.

Noise Impact

138. WLP Policy W3.9 seeks to ensure that when planning permission is granted for waste management facilities conditions are imposed to reduce potential noise impacts. Such conditions may include the enclosure of noise generating uses; stand-off distances between operations and noise sensitive locations; restrictions over operating hours; using alternatives to reversing beepers and setting maximum noise levels.
139. The original planning application was informed by a Noise Assessment in 1997 including background noise modelling, which took into account a worst-case scenario in the case of the only sensitive locations within 500 metres of the recycling compound, at Daneshill Cottages and the travellers' site. The results for the worst-case scenario revealed readings of 50.9 DBA LAeq at the travellers' site and 52.6 DBA at Daneshill Cottages. However, on the application of adjustments, in terms of distance and attenuation screening, noise levels were reduced to 46 DBA and 40 DBA, at the travellers' site and Daneshill Cottages respectively. Such noise readings were well within acceptable limits.
140. It was envisaged that attenuation measures such as aggregate stockpiles and planting would further ensure effective screening from noise. The development would also only be worked periodically and planning conditions would limit the hours of operation at the site including the operating times of the crushing and screening processes.
141. Since then, there has been substantial restoration of significant parts of the landfill site, with the establishment of tree belts and the ceasing of landfill operations, which have provided further attenuation in terms of the proposed reinstatement of recycling operations at Daneshill compound.

142. In terms of the current proposals, the County Council's Noise Consultant notes that the site is relatively remote to nearby sensitive receptors and that there is no apparent history of noise complaints. Subject to the existing noise controls being re-imposed on any new planning consents, the Noise Consultant is satisfied that there would be adequate protection in place for any potentially affected residential receptors in the future. Such measures would include the sound proofing of fixed and mobile plant; and noise levels associated with the site operations not exceeding 55dB (A) LAeq 1 hour at any time when measured at the nearest boundary to the travellers' site and Daneshill Cottages.
143. Subject to the re-imposition of extant planning conditions, it is concluded that noise from the operation of the site would be satisfactorily controlled to ensure it is not intrusive at the nearest sensitive receptors, in accordance with the objectives of WLP Saved Policy W3.9 and in compliance with WCS Policy WCS13.

Air Quality/Dust

144. Waste operations including associated HGV movements have the potential to cause a dust nuisance to any sensitive receptors to the site. Saved WLP Policy W3.10 identifies that dust emissions from waste processing facilities are capable of being managed and reduced by implementing appropriate dust mitigation practices.
145. Further policy direction is provided under Appendix B (Locational Criteria) of the NPPW where it states that the extent to which adverse air emissions, including dust, is capable of being controlled through the use of appropriate measures, is a material consideration. It is considered that subject to the re-imposition of extant planning conditions covering dust mitigation measures, such as the sheeting of lorries, the enclosing of dust generating fixed plant and machinery; and the use of water bowsers to dampen haul roads, stockpiles and the site area, adverse dust emissions from the proposed waste recycling operations are capable of being suitably controlled in line with the NPPW and WLP Policy W3.10.
146. Nuisance from fugitive dust emissions released to the atmosphere is therefore not anticipated and the pollution control authorities (Environmental Health and the EA) have not raised any concerns relating to environmental impacts such as dust and air quality that could potentially affect public health.

Odour

147. WLP Saved Policy W3.7 seeks to reduce the amenity impact of odour associated with the proposed development. It encourages the use of controls to reduce the potential for odour impacts from waste management facilities, and identifies a series of mitigation measures. Such measures could include: the sheeting of lorries, restrictions on temporary storage of waste, enclosure of waste reception and storage areas, and the use of contingency measures such as odour masking agents or removal of malodorous material.

148. Odour is not considered to be a significant issue associated with these proposals given that the waste being handled consists of inert materials (construction and demolition waste) which is not malodorous. Notwithstanding this, an extant planning condition covering malodorous materials would be re-imposed, placing a requirement on the operator to inspect all incoming loads upon receipt and not to accept or stockpile any putrescible or potentially odorous waste. This would ensure that odour emissions continue to be satisfactorily controlled and do not result in amenity impacts. As such, the proposal would comply with Saved WLP Policy W3.7.
149. Attention is drawn to the fact that a waste permit covering on-site waste operations would be the primary regulator with regards to odour management control.

Ground and Surface Water/Flood Risk

150. WLP Saved Policies W3.5 and W3.6 seek to restrict development that would cause unacceptable risk of pollution to groundwater or surface water, or where the development would adversely impact upon a floodplain, in terms of its integrity or function.
151. The County Council as the Lead Flood Risk Authority has no concerns regarding the proposals in relation to flood risk. It is noted that the site is located within Flood Zone 1 and as such, given that the proposed waste use is classed as being 'less vulnerable' development, the proposed development would continue to be acceptable as an appropriate type of development over an extended period of time of five years, within its existing location. This accords with the PPG and the NPPW's policy direction.
152. It is noted that all surface water produced on the site would be encouraged to run off into existing and any future perimeter drainage ditches in such a way as to discourage the presence of suspended solids.
153. The proposal is in compliance with WLP Saved Policies W3.5 and W3.6 subject to the reinstatement of extant planning conditions controlling the discharge of foul or contaminated surface water from the site to prevent its drainage into the groundwater system or indeed, into any other surface waters.

Contamination

154. The recycling facility in terms of its waste management function, only manages inert waste streams (construction and demolition waste), which are not contaminant hazardous waste streams. Extant planning conditions would be re-imposed to place suitable controls over biodegradable, putrescible or potentially odorous or polluting wastes, which may inadvertently be brought into the site within incoming loads of inert waste. As such, the development would not unacceptably impact on environmental quality, and would remain compliant with WCS Policy WCS13.
155. It is noted that the County Council's Contaminated Land Consultant is satisfied with the time extension for the recycling operations, and considers that there

would be no significant detrimental effects from the view of contaminated land considerations, provided the materials being recycled are still classified as inert and that the monitoring controls and inspection routines already in place are continued.

Sustainability

156. This proposal represents a sustainable approach to the supply of aggregates. It is important that any recycled aggregates are technically, economically and environmentally acceptable as substitutes for primary materials; and therefore, there has been an onus on using demolition and construction waste. This affords the saving of raw materials and can reduce the areas worked for new materials, as well as pushing waste higher up the waste hierarchy. National and local policy therefore encourages the use of secondary and recycled materials in construction, and there has been a commitment to increasing the level of such use. This objective has been increasingly strengthened through the NPPW and WCS.
157. The applications have been considered against the revised NPPF (July 2018), the NPPW, the WCS and the WLP, all of which are underpinned by the objective of achieving sustainable development. The proposed development would deliver sustainable development by reinstating the capacity of a sustainable waste management operation to recycle inert waste streams of construction and demolition waste, and extending its use for a further five years.
158. The proposal accords with the principles of sustainable development, and in line with this policy direction, delivers on core objectives in terms of supporting an existing waste materials recycling operation, albeit non-operational; and restoring the facility's economic viability to bring it back into use.

Other Issues

159. The environmental permit authorised by the Environment Agency would also control waste operations, and the WPA is satisfied that the waste management facility would be appropriately regulated to ensure that it meets current environmental standards.

Other Options Considered

160. The report relates to the determination of three Section 73 planning applications. The County Council is under a duty to consider the planning applications as submitted. Accordingly no other options have been considered. Notwithstanding this, following on from negotiations between this Authority and the applicant, agreement has been reached to reduce the extension of time being sought to retain the recycling facility from twenty to five years, and the three Section 73 planning applications have been amended accordingly.

Statutory and Policy Implications

161. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and sustainability and the environment, 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

162. The development is located within a secure compound benefiting from perimeter security fencing to its boundaries, within a wider landfill site.

Data Protection and Information Governance

163. Given that no representations have been received from the public, it is considered that no data protection issues have been raised.

Human Rights Implications

164. 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. The proposals have the potential to reintroduce increased levels of traffic and associated noise and dust particularly upon those occupiers within Daneshill Road, nearest the entrance to Daneshill Landfill site. However, these potential impacts need to be balanced against the wider benefits the proposals would provide in retaining the recycling compound's role in terms of beneficially managing local inert waste streams (construction and demolition) and contributing to the overall waste management capacity in North Nottinghamshire. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Public Sector Equality Duty Implications

165. The report and its consideration of the planning applications have been undertaken in compliance with the Public Sector Equality duty and there are no identified impacts to persons/service users with a protected characteristic.

Implications for Sustainability and the Environment

166. These have been considered in the Observations section above.
167. There are no financial, human resource, safeguarding of children and young adults at risk or implications for service users.

Statement of Positive and Proactive Engagement

168. In determining these three planning applications the Waste Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the revised National Planning Policy Framework (July 2018).

RECOMMENDATIONS

Recommendation 1

169. It is RECOMMENDED that planning permission be granted for planning application 1/18/00217/CDM subject to the conditions set out in Appendix 1.

Recommendation 2

170. It is RECOMMENDED that planning permission be granted for planning application 1/18/00218/CDM subject to the conditions set out in Appendix 2.

Recommendation 3

171. It is RECOMMENDED that planning permission be granted for planning application 1/18/00219/CDM subject to the conditions set out in Appendix 3.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments [SJK 31/08/2018.]

The recommendation falls within the remit of the Planning and Licensing Committee by virtue of its terms of reference. Responsibility for the regulatory functions of the Council in relation to planning, monitoring, enforcement and licensing.

Comments of the Service Director - Finance [RWK 29/08/2018]

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

Background Papers Available for Inspection

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

Electoral Division(s) and Member(s) Affected

Misterton

Cllr Tracey Taylor

Report Author/Case Officer

Deborah Wragg

0115 9932575

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

V/3763

W001847.doc