

## **Planning and Licensing Committee**

**Tuesday, 21 January 2014 at 10:30**

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

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(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.

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

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

## minutes

Meeting **PLANNING AND LICENSING COMMITTEE**

Date **Friday 6 December 2013 (commencing at 11.00 am)**

### **membership**

Persons absent are marked with 'A'

### **COUNCILLORS**

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

Roy Allan  
Andrew Brown  
Steve Calvert  
Jim Creamer  
Darren Langton

Rachel Madden  
Andy Sissons  
Keith Walker  
Yvonne Woodhead

### **OFFICERS IN ATTENDANCE**

Nathalie Birkett- Solicitor  
David Forster – Democratic Services Officer  
Jerry Smith – Team Manager, Development Management  
Sally Gill – Group Manager Planning  
David Marsh – Major Projects Senior Practitioner

### **MINUTES OF LAST MEETING**

The minutes of the meeting held on 12 November 2013, having been circulated to all Members, were taken as read and were confirmed and signed by the Chairman.

### **APOLOGIES FOR ABSENCE**

There were no apologies for absence

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

None

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

None

## **DEFERRAL OF AGENDA ITEM**

With the consent of the Committee the Chairman deferred agenda item 6, Improvements to Newstead and Annesley Country Park Newstead Village, to allow further consultations regarding the possible rerouting of Traffic from the site.

## **ERECTION AND EXTENSION PEIRRPONT GAMSTON PRIMARY SCHOOL COLEDALE GAMSTON WEST BRIDGFORD**

Following the deferral from the previous Committee on 12 November it was agreed that the Committee should undertake a site visit on this item. Members viewed the site from both the site and from one of the objectors' houses

Mr Smith introduced the report and highlighted the reason for the additional accommodation is to help alleviate the problems of school places in the area.

Following the remarks of the Officer in his introduction members discussed the item and the following comments were made.

- There are benefits to meeting the school capacity constraints in the area
- Rushcliffe Borough Council Planning Officer do not object to the building
- The surface water issues are covered by the conditions attached to the application
- The issue of access to the site will be part of ongoing negotiations and forms part of the Conditions as set out in the report.

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

### **RESOLVED 2013/044**

That planning permission be granted for the purpose of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 2 attached to the report

## **RETROSPECTIVE PERMISSION FOR SAND BASED CARPET AND TEMPORARY SEASONAL ERECTION OF A MARQUEE RUFFORD COUNTRY PARK**

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

### **RESOLVED 2013/045**

That planning permission be granted for the purpose 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

The meeting closed at 11.35 am.

**CHAIRMAN**

## minutes

Meeting PLANNING AND LICENSING COMMITTEE

Date 10 December 2013 (commencing at 11.00 am)

### membership

Persons absent are marked with 'A'

### COUNCILLORS

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

Roy Allan  
Andrew Brown  
Steve Calvert  
Jim Creamer  
Darren Langton

A Rachel Madden  
Andy Sissons  
Keith Walker  
Yvonne Woodhead

### ALSO IN ATTENDANCE

Councillors Alice Grice  
Ken Rigby  
Philip Owen  
John Wilkinson

### OFFICERS IN ATTENDANCE

Nathalie Birkett- Solicitor  
David Forster – Democratic Services Officer  
Jerry Smith – Team Manager, Development Management  
Sally Gill – Group Manager Planning  
David Marsh – Major Projects Senior Practitioner  
Jonathan Smith – Principal Planning Officer  
Andy Wallace – Flood Risk Manager

### APOLOGIES FOR ABSENCE

There were no apologies for absence

### DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

None

### DECLARATIONS OF LOBBYING OF MEMBERS

None

**EXTRACTION OF COAL AND FIRECLAY LAND OFF COSSALL ROAD  
BETWEEN THE VILLAGES OF COSSALL AND TROWELL KNOWN AS  
SHORTWOOD**

Mr Smith introduced the report and informed members that the plans attached to the report had the incorrect application numbers although this would not affect the ability to make a decision. He also reported that the Council had received further correspondence both for and against the application, these were:-

- 2 from Unite Union in support for local jobs and local economy.
- E-on who welcomed the opportunity to buy locally mined coal for the Ratcliffe on Soar Power Station.
- 8 letters from the individuals, including UK Coal employees supporting the safeguarding of local jobs.
- 6 letters in support from Companies who work within the industry
- A letter from a Fire Clay Company who will benefit from the application.
- The Chair of Lodge House Liaison Group who is content with the work ethics proposed.

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

Mr Gareth Williams and Ms Donna Butler representatives of the Shortwood Farm Opencast Opposition Group (SOCO) gave a 10 minute special presentation. During their presentation they highlighted the following issues:-

- The proximity to the local school in Trowell.
- No health Impact report has been carried out.
- No landscape assessment is included in the report.
- Archaeological surveys need to be carried out.
- The potential for over 11,000 dwellings to be affected if development goes ahead in the area.
- Transport and travel issues will have an adverse effect on the area.
- The proposed HS2 route has not been factored into the proposals.
- There has been an inadequate length of time given for full consultations.
- Pollution issues need to be assessed with ground water.
- There are no references made to unrestored sites across the Country and the issues surrounding them.

There were no questions

Mr Anton Fix, Project Manager for Shortwood and Mr David Bolton Director of UK COAL Surface Mines Limited, applicants for the Planning Application gave a 10

minute special presentation. During their presentation they highlighted the following issues:-

- The consultation process has been meticulous and difficult.
- There are extremely high standards which control surface mining of coal.
- Shortwood has a long history of surface mining throughout the 20<sup>th</sup> Century prior to the M1 being built.
- There are no material planning considerations which would give reason for turning down this application.
- The Nottinghamshire based Company will recover Nottinghamshire coal for a local Nottinghamshire Power Station.
- The creation of 56 jobs including 4 apprenticeships will be good for the local economy.
- The legal agreements which need to be signed will ensure there is a good working relationships between the company and its community.
- The need for sites like Shortwood to help maintain the viability of the coal industry in the UK.
- A restoration bond will be signed for the site to be restored following mining.

There were no questions

Mrs Kathleen Little, Local resident spoke against the application and highlighted the following:-

- Air quality issue needs to be looked at more closely with dust particles being put into the air this could have a devastating effect on the community.
- The inadequate transport system for the additional lorries it will create
- The visual impact on the area and the environmental impact on the surrounding area.

There were no questions

Mr Keith Harrison Local resident spoke against the application and highlighted the following:-

- The fact this is Greenbelt land is surely a factor for developments like this.
- The destruction of a site which has returned to nature following previous mining in the area.
- The health of the communities in the vicinity
- The fact there is all this potential upheaval for the sake of 16 weeks coal supply.
- The need to ensure the Governments policy for Carbon Capture technology is adhered to.
- There is a need if the application is approved for steps to be taken to prevent further expansion of the site.

There were no questions

Mr Steve Leary, Coordinator The Loose Anti Opencast Network spoke against the application and highlighted the following:-

- The frequency of noise and dust from sites like this one has an effect on the whole community.
- The length of time to prepare the site for coal extraction is in years rather than weeks.
- The projected figure for coal consumption for power generation purposes within the United Kingdom will reduce significantly.
- Local communities are therefore being asked to bear the brunt of this intrusion against the possibilities of problems of site restoration.

There were no questions

Councillor Lyn Harley, Chair of Trowell Parish Council, spoke against the application and highlighted the following:-

- The Parish Council objects to the application and supports SOCO in their fight against opencast mining in the area.
- The potential health risks are not known especially for those who have pre-existing conditions.
- The potential destruction of the surrounding environment especially around the canal.
- The major disruption to the transport infrastructure and increased HGV traffic.

There were no questions

Councillor Ken Rigby local member for Kimberley and Trowell spoke against the application and highlighted the following:-

- The viability of the company could be called into question especially over pension's issue.
- The restoration bond needs to be looked at given the fact there are 35 sites in Scotland in need of restoration at a cost of £200m meaning approx. £6m each.
- Blasting and noise pollution is a concern and this may have an affect on residents of Trowell.
- Noise monitoring should be carried out by an independent company rather than self-monitoring.
- The community fund is derisory and should be increased from £207,000.
- HS2 is possibly coming and therefore the communities will be affected again.

Councillor Philip Owen local member for Nuthall spoke against the application and highlighted the following:-

- Having the potential of 4 new apprentices is not a reason for approving the application.
- This will have a devastating effect on all communities around the area
- The traffic route of the HGV's bringing them down to one of the busiest junctions in Nottinghamshire.



- Could there not be consideration if this application is approved to access the site through Trowell Services?
- Is 5 years really temporary for noise pollution.
- 5 years of misery for communities just for 16 weeks of coal supply.
- Dust emissions are going to cause problems across the communities for 5 years and more.

There were no questions

Mr Smith responded to the points raised in the public speaking as follows

- A dust management system has been designed to lessen the impact of any particles being airborne.
- Public Health England and the Environmental Health Officer were consultees and both had no objections to the application.
- With regard to the Greenbelt argument the extraction of Minerals does not go against Greenbelt guidelines as it is not a permanent development.
- There are strong scientific and mature landscape reasons as to why there would not be an extension to the application site in the future.
- It is considered that the bond for the reclamation of the site is sufficient.
- Conditions set out in the appendix do cover the issue of blasting and times this can and cannot be undertaken.
- The Highway Agency has been approached at Service Director level regarding access to the motorway.

Following the speakers members discussed the item and the following comments were made.

- Local County Council members are against this development.
- There could be potential for Traffic /Pedestrian conflict around the viaduct.
- Dust Vibration and Noise have to be considered.
- Restoration could be a potential issue.
- Disappointed that the Highway Agency have taken the stance they have over access.
- If coal is imported from other sites what are the CO2 impacts against locally sourced coal.
- Community fund has been agreed with further funds available during restoration.

Mr Smith responded to issues raised by members as follows:-

- Unfortunately cannot confirm how imported coal is delivered to the power station.
- The land following the extraction of coal would remain within the Greenbelt area and would not be considered a Brownfield site.
- The viaduct would be the subject of a structural survey to ensure it is structurally sound at a cost of £25,000.

On a motion by the Chairman seconded by Councillor Darren Langton and upon a show of hands it was

**RESOLVED 2013/044**

1. That the Corporate Director for Policy, Planning and Corporate Services be authorised to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 and/or Section 278 of the Highways Act 1980 to secure the provision of a community fund including the following:-
  - the setting up of a liaison meeting; the provision of £20,000 for additional anti-skid surfacing at the Balloon Wood junction;
  - for the sum of £25,000 to be set aside for the historic conservation improvements projects for a full structural survey of the Grade II\* listed Bennerley Viaduct
  - provision of £12,000 be set aside for bridleway repairs to Cossall Bridleway 16 and Trowell Bridleway 14;
  - lorry routeing agreement;
  - traffic management plans at the two site accesses;
  - the safe working through the motorway underpass;
  - the provision of signs on the bridleway to warn users of any blasting on site;
  - the employment of unskilled local apprentices;
  - the provision of an additional five years of aftercare for features of ecological interest; the carrying out of speed surveys on Cossall Road and the provision of a suitable crossing point;
  - and the addition of new rights of way onto the definitive rights of way map.
2. that subject to the completion of the legal agreement the Corporate Director for Policy, Planning and Corporate Services be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 6 of the report.

The Committee adjourned for a 10 minute comfort break at 12.20 – 12.30 pm

**ENVIRONMENTAL IMPROVEMENTS TO THE HUCKNAL TOWN CENTRE  
ANNERSLEY ROAD TO STATION ROAD HUCKNALL**

Mr Smith introduced the report and gave a slide presentation.

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

Mr B Walker, local resident spoke against the application and highlighted the following-

- Flooding is a major problem around the Thoresby Dale Estate which will be affected by this development. The main sewers flood and overflow causing great concern to residents.
- The noise issue will be a problem in the area when rerouting the traffic.
- The pollution that will be caused not only with the increased traffic but also the flood risks as its unknown if the holding tanks will suffice.
- Can the tarmac be permeable?
- if the application is approved as Mark Spencer MP has said he will speak with the appropriate government department for extra funding.

In response to a question Mr Walker replied that he had had a recent meeting with Mark Spencer MP although no written assurances have been made he will lobby for additional funding for the flooding problem in the area.

Mr Paul Horn, Project Manager, Highways Department spoke in favour of the application and highlighted the following:-

- The Public consultation undertaken with regard to this project made a difference to the design work as many felt that the transport issues needed to be addressed so they linked up in a more cohesive way.
- The objective is to make Hucknall Town Centre a more attractive centre that provides a better shopping experience for those who use it.
- The funding for the scheme is coming from Central Government.
- The changes to the watercourse have been approved by the Environment Agency.

In response to questions Mr Horn replied as follows

- With regard to drainage there will be some alleviation through the work undertaken on the Brook through Hucknall.
- There is an agreement with Severn Trent to have further discussions to look at further improvements in the future regarding drainage.

Councillor Alice Grice, Local Member spoke against the application and highlighted the following:-

- In July there were flash floods which affected the whole of this area and the improvements proposed will not alleviate these issues for those constituents who live on the Thoresby Dale Estate.
- This area has flooded 3 times in 12 years so it cannot be classed as a freak occurrence now.
- The planning of this major scheme needs to be right and it should therefore be postponed until further consultations can take place.

There were no questions.

Councillor John Wilkinson, Local Member spoke against the application and highlighted to following:-

- The effects of the flooding in July surely means that there are further investigations needed before these major changes are made.
- The potential flood risks are greatest at Thoresby Dale Estate and this needs to be resolved before further potential pressure is put onto the residents.
- Although this is a positive scheme for Hucknall, all the issues around sewerage and flooding need to be resolved before work begins.
- Although the local MP has said that he will seek extra funding will this be forthcoming to help the area?

There were no questions

Mr Marsh responded to the points raised in the public speaking as follows

- There are conditions within the report that deal specifically with the drainage and flooding issues.

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

- There will be a study undertaken regarding flood risks which will be done between March and April 2014.
- There is a coordinated approach to all aspects of the scheme and these are set out in the Conditions in the report.

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

#### **RESOLVED 2013/045**

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

## **EASTERN EXTENSION OF THE WORKING AND EXTRACTION OF CLAY AND VARIATION IN CONDITIONS 3, 13 AND 50 OF PLANNING PERMISSION – DORKET HEAD QUARRY, WOODBOROUGH LANE ARNOLD**

During the introductory remarks by Mr Smith he reminded members that this report was dealing with two applications for the same site.

Mr Simon Ingram the applicant spoke in favour and a summary of his speech is set out below –

- There is a need for new clay supply within the next two years and this extension will provide 10 more years of clay extraction.
- The company provides 5% of the country's need for bricks and employs 73 people at the site.
- This application will also have a NON landfill restoration scheme.
- The Extension will not add any traffic to the surrounding area as the clay will be moved by existing conveyor belts.

There were no questions.

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

### **RESOLVED 2013/046**

1. That planning permission is granted for Planning Ref. 7/2013/0760NCC subject to the conditions set out in Appendix 1 attached to the report and
2. That planning permission is granted for Planning Ref. 7/2013/0757NCC subject to the conditions as set out in Appendix 1 attached to the report.

## **DEVELOPMENT MANAGEMENT PROGRESS REPORT**

### **RESOLVED 2013/048**

That the report be noted.

## **WORK PROGRAMME**

### **RESOLVED 2013/049**

That the work programme be noted.

## **REQUEST FOR SITE INSPECTIONS BY PLANNING AND LICENSING COMMITTEE**

### **RESOLVED 2013/050**

That approval be given to attend formal inspections of sites at:-

Worksop Bus Station and

Rufford Country Park

On a date to be arranged prior to these applications being reported to Committee for determination

The meeting closed at 13.58 pm.

**CHAIRMAN**



**21 January 2014**

**Agenda Item:5**

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

**BASSETLAW DISTRICT REF. NO.: 1/13/00717/CDM**

**PROPOSAL: 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**

**LOCATION: LODGE FARM, GREAT NORTH ROAD, SCROOBY TOP**

**APPLICANT: LODGE FARM FISHERIES**

**Purpose of Report**

1. To consider a planning application for the extraction of sand, gravel and Sherwood Sandstone at Lodge Farm Fisheries, Scrooby Top. The key issues relate to planning policy and need for the minerals extraction and fishing lakes; landscape and visual effects; noise; hydrology and hydrogeology; transportation and traffic; airport safeguarding; ecology; and heritage. The recommendation is to grant planning permission subject to conditions.

**The Site and Surroundings**

2. The planning application site is located in the district of Bassetlaw, off the A638 (Great North Road). It is approximately 1.3km north of the village of Ranskill and 1.3km south of the village of Scrooby (see Plan 1).
3. The site is in a countryside location with the surrounding area dominated by open rural, agricultural land. In the wider area there are also various blocks of woodland planting and a number of water-bodies, often formed from restored mineral working sites.
4. To the west of the application site is the A638 which runs in a north-south direction. Beyond the A638 is an existing quarry operated by Rotherham Sand and Gravel. To the north of the application site are agricultural fields with an agricultural land classification of 3a (good) and 3b (moderate). To the south of the main part of the application site is agricultural land and Lodge Farm, which comprises a number of farm buildings and associated residences. It should be

noted that the planning application boundary includes an access route passing through the farm. Beyond the farm to the south is further agricultural land. To the east of the application site is a small area of woodland known as Hollins Holt, and a series of fishing lakes associated with Lodge Farm Fisheries. Beyond the fishing lakes, approximately 150m east of the application site, is the East Coast Main Line, a rail line that runs in a north-south orientation.

5. Lodge Farm Fisheries comprises five fishing lakes to the east and south-east of the planning application site. Four of the lakes are rectilinear and engineered in shape and adjacent to the East Coast Mainline. The fifth lake is adjacent to the south-east of the planning application site and is roughly square, but of a more natural appearance. The fishing lakes are restored former sand and gravel mineral workings. Access to Lodge Farm Fisheries is off the A638 and runs through Lodge Farm to a small car park approximately 200m east of the road.
6. The planning application site boundary is roughly rectangular in shape, interrupted in the south-east corner by Hollins Holt, a small wood, and an existing lake. The planning application measures 4.9ha in total. The application boundary includes two access points, one to the north which runs along an existing track and was until recently used to access the Scrooby North quarry, and one to the south which incorporates the existing access through Lodge Farm to the existing fisheries lakes.
7. The site has a predominantly flat topography, sloping gently from approximately 13.5m Above Ordnance Datum (AOD) at its western side to 8m AOD at its eastern boundary. Towards the south of the site there is a ridge where the land drops between 1.5-2m AOD, to an area of lower land which appears to have had some shallow mineral extraction, but has subsequently been restored to agricultural use. In terms of habitat, the site consists predominantly of poor quality semi-improved grassland. The southern planning application boundary passes through a small pond, surrounded by tall ruderal vegetation, although the pond was dried out at the time of the site visit. Also, running along the ridge to the south of the application site is a row of trees predominantly comprising stunted oak.
8. The nearest nationally designated site is Scrooby Top Quarry which is a Geological Site of Special Scientific Interest (SSSI) located approximately 40m to the west of the proposed development, at the Rotherham Sand and Gravel site. There are a number of Local Wildlife Sites in proximity to the proposed development, the nearest of which is Scrooby Sand Pit (Mosaic of swamp, marsh, grassland, scrub and developing fen communities of considerable botanical and zoological interest) which is approximately 400m north of the application site. The next nearest is Mattersey North Sand Pit (Mixed damp woodland with a notable flora) which is approximately 660m east of the application site.
9. The nearest heritage assets are the Scrooby Top Farmhouse Restaurant and Scrooby Top Cottages and attached buildings, which are located on the A638 approximately 150m south-west of the main application area, and directly opposite the proposed Lodge Farm access. These buildings are Grade II



listed. The nearest Scheduled Ancient Monument (SAM) is Manor Farm Moat located in Scrooby, approximately 1.4km north of the application site. There is also a Conservation Area within Scrooby, approximately 1.4km north of the site.

10. The nearest sensitive receptors are residential properties associated with Lodge Farm, which includes Lodge Court and Beech Croft. These properties are between 120-160m south of the main application area, although they are located either side of the access road which passes through Lodge Farm. After the Lodge Farm properties, the next nearest sensitive receptors are Scrooby Top House and Cottages which are approximately 150m south-west of the application site.
11. There are no rights of way that pass through or adjacent to the site, the nearest is a bridleway 490m to the north of the application site. The application site is not within an area of flood risk. It is also of note that the site is approximately 7.25km south of Robin Hood Airport, Doncaster.

## **Proposed Development**

### Background

12. Planning permission (Ref: 1/42/98/7) was granted for the extraction of alluvial sand and gravel and Sherwood Sandstone from an area of land at Scrooby Top in June 1999. The permission was actually a consolidation of four different planning permissions/applications: one for the extraction of sand and gravel, and sandstone; two for the consolidation of existing planning permissions for sand and gravel; and the fourth was to create a new access to the existing Rotherham Sand and Gravel processing plant.
13. Permission Ref: 1/42/98/7 includes the area that this planning application relates to; an area to the north; and the existing fishing lakes at Lodge Farm. The boundary of this permission is shown on **Plan 2**. Other than the fishing lakes, much of the area covered by this planning permission has not been subject to mineral extraction. The planning permission expires on 31<sup>st</sup> December 2015.
14. Condition 1 of the extant planning permission defines the permission as set out below:  
  
*"This permission is for the extraction of alluvial sand and gravel and sandstone from the area edged red and unhatched on the attached plan, Ref 1/42/98/7A dated 18 May 1999 and its subsequent restoration. Mineral extraction shall cease on or before 31<sup>st</sup> December 2015."*
15. It is important to note that the area that this current planning application relates to is the area that is excluded from mineral extraction as shown by the 'hatching' on Plan Ref: 1/42/98/7A referenced in the extant planning permission. It is unknown why extraction was prevented in this area, yet was still included within the planning boundary. Within historic planning files there is a plan indicating that the area has been historically worked and restored which

may account for its exclusion, however, borehole samples submitted with this application demonstrate that there are minerals reserves available.

#### Proposed Development

16. The proposed development can be split into two distinct sections; the mineral extraction phase, and the restoration of the site to fishing lakes. These two elements are described separately below.

#### *Minerals Extraction*

17. The proposed development involves the extraction of approximately 277,000 tonnes of alluvial sand and gravels, and Sherwood Sandstone. It is estimated that proportionally this would be 241,555 tonnes (87%) of Sherwood Sandstone and 35,672 tonnes (13%) of sand and gravel.
18. The depth of extraction would vary from approximately 5m at the east of the site, to 10m in the west. Extraction would be undertaken using a long arm excavator which would load dump trucks for onwards transportation. There would be one long armed excavator and three dump trucks.
19. The development is estimated to take three years to complete with the first half of the excavation taking place in the first year and the second half within years two and three.
20. The water table at the site sits at 5.2m AOD. Minerals would be extracted dry until the water table is reached, thereafter dewatering would take place with the water being pumped to the adjoining lake to the east where the water would recharge the water table.
21. No processing of minerals would take place on site, with all the material that is not being used in landscaping or shaping of the lakes being transported to the Rotherham Sand and Gravel site for processing, which is immediately to the west of the application site, on the other side of the A638. The minerals would travel by dump truck along the existing access track to the north of the excavation area, which was used for the transport of minerals from the now restored Scrooby North site.
22. Before the sand and gravel is accessed, soil stripping would have to occur, and it is estimated that a total of 9,000 tonnes of top-soil and 7,000 tonnes of overburden/sub-soils would be stripped in the course of the extraction. The majority of stripped soils would be reused within the site although it is stated that there would be a surplus of approximately 2,000 tonnes which would be taken off site. The stripped soil would be excavated using a straight edged bucket attached to an excavator.
23. The stripped soils would be placed within a storage area comprising two parallel bunds running along the west of the excavation area. The eastern bund would have a maximum height of 4m and the western of 3m.
24. The soil bunds would be grass seeded until required for the landscaping and treatment works. The soils would be used to provide lake and bank profiling.

Sub-soils would be used to provide battering within the west of the construction site and top-soils would be spread to a thickness of 0.15-0.3m on the areas of banking and the lake bottom. When all soils have been removed from the soil storage area the field would be re-graded to original levels and seeded with agricultural seed mix.

25. It is estimated that there would be 24-25 HGV trips (48-50 movements) per day associated with the excavation of the site.
26. The hours of working proposed are 07:30 to 18:00 Monday to Friday, 07:30-13:00 on Saturdays, and no working on Sundays or Bank Holidays.

### *Fishing Lakes*

27. The site is proposed for restoration to fishing lakes, which would form an extension to the existing fisheries enterprise at Lodge Farm. Two fishing lakes are proposed.
28. The larger of the two fishing lakes would be located relatively centrally within the planning application site. It would be of a rectangular shape measuring 140m in length and 60m in width. The total water surface area would measure approximately 1.4ha and provide for 38 pegs. The lake would have a water depth of 2.5m with stepped batters at the edge with a gradient between 1:1 and 1:2.
29. The smaller fishing lake would be located towards the east of the application site. It would be of a square shaped appearance with the south-east corner cut off, measuring approximately 70m by 70m (max). The total water surface area would measure approximately 0.5ha and provide for 26 pegs. The smaller lake would also have a water depth of 2.5m with stepped batters at the edge with a gradient between 1:1 and 1:2.
30. The water's edge on both lakes would be planted with marginal / reed planting. Surrounding both of the lakes would be a grassed embankment with a 1:5 slope to the water's edge. The embankment would be approximately 10m wide. There would be individual tree and shrub planting in the embankment surrounding the lakes. Beyond the embankment, surrounding both of the lakes would be an access track to provide vehicular access to all sides of the lakes. Beyond the access track to the north would be woodland planting running the length of the two fishing lakes. To the west of the fishing lakes would be an area used for soil storage which would then be restored to original levels and seeded.
31. The two lakes proposed would be stocked with tench, carp and silver fish and used for match fishing. This would allow the existing more naturally shaped lake to the south-east to be used for stock and specimen fishing.
32. Vehicular access to the fishing lakes would be off the A638, using the existing Lodge Farm Fisheries access. Approximately 250m east of the A638 a new track would be created heading in a northerly direction towards the proposed

fishing lakes. This track would pass along the western side of the westernmost existing lake.

33. The fishing lakes would be used all year round, with the exception of Christmas and Boxing Day. The proposed hours of use are between 07:00 and 21:00, or dusk, whichever is sooner, seven days a week.
34. It is estimated that the proposed lakes would generate an additional 30-40 visitors per month. The applicant states that there is an average 1.5 visitors per vehicle, which would result in an additional 25 vehicles per month, six per week or one per day.

## Consultations

35. **Bassetlaw District Council** – *The District Council has considered the application and does not wish to make any observations.*
36. **Scrooby Parish Council** – *The Parish Council has no objections to the mineral extraction application, nor have they received any objections from Parishioners. The Parish Council are happy to support this application.*
37. **Environment Agency (EA)** – *There are no objections to the proposed development. However, the EA states that opportunities should be provided for wildlife enhancements through enlargement and/or appropriate management of existing habitats.*
38. **NCC (Planning Policy)** – *The proposed development is presented as primarily a leisure development with mineral extraction as an incidental element of this. The application states that the development should be assessed against Policy 14.1 (Incidental Mineral Extraction) of the Nottinghamshire Minerals Local Plan (MLP). NCC Planning Policy consider that the mineral extraction element of the development should not be considered as incidental and should instead be considered as a standard quarry application, whereby the fishing lakes would be the form of restoration.*
39. *MLP Policies M6.2 and M6.3 provide support for sand and gravel extraction outside of allocated land (as this site is) where existing permitted reserves and remaining allocations cannot sustain a 7 year landbank of reserves and an annual production of 2.65 million tonnes (as per Nottinghamshire's local apportionment). Policies M7.1 and M7.2 reflect the situation for Sherwood Sandstone, seeking to maintain a 7 year landbank and 700,000 tonnes annual output.*
40. *Production of sand and gravel in 2011 was 1.71 million tonnes and at the end of the year the landbank stood at 7.3 years. Production of Sherwood Sandstone in 2011 was 345,990 tonnes and at the end of the year the landbank stood at 9.7 years. Generally, development contributing to the sand and gravel landbank could be supported as this will soon reach its minimum level. There is less support for additional Sherwood Sandstone extraction which is well above its required level, although it is acknowledged that extraction is approximately half annual output levels.*

41. *Provided that the expected output would be in line with the landbank and reserve requirements, and having regard to the usual environmental protection requirements, the proximity to the existing Rotherham Sand and Gravel processing facilities and the contribution to the sand and gravel landbank would present favourably for this development.*
42. **Natural England** – *The application is in close proximity to the Scrooby Quarry Site of Special Scientific Interest (SSSI). However, given the nature and scale of the proposal, Natural England is satisfied there is not likely to be an adverse effect on the site as a result of the proposal being carried out.*
43. **NCC (Nature Conservation)** – *Scrooby Top Quarry SSSI, notified for its geological interest, lies immediately to the west of the A638. Comments should be sought from Natural England.*
44. *The nearest locally designated site is Scrooby Sand Pits SINC 5/116, approximately 440m to the north. A Hydrological Risk Assessment has been produced which concluded that the development will not affect groundwater levels. On this basis, no impacts appear likely.*
45. *A Phase 1 Ecological Survey was carried out in November 2011 and, as such, is considered to be up-to-date. The field subject to this application was found to support poor semi-improved grassland used as pasture, of low ecological value.*
46. *The proposal is unlikely to have any significant effect on amphibian populations.*
47. *It is requested that the pond in the south-west corner of the site is enhanced (i.e. deepened in an effort to make it permanently or more frequently wet), especially as the local hydrology is likely to change. The details of such enhancements could be secured through a condition. Alternatively, the suggestion by Nottinghamshire Wildlife Trust that a small cluster of ponds be created on the soil storage area is supported. In addition, measures to protect this feature during construction are required and this can be secured through a suitable condition.*
48. *An inspection of trees in relation to roosting bats has been carried out and no suitable features were located.*
49. *Although no evidence of badgers was found at the site, the survey recommends that a repeat survey for badgers is carried out if mineral extraction does not commence within a year of the survey date. On this basis, a prior to commencement condition should be used to require an updated badger survey to take place.*
50. *The breeding bird survey did not identify any notable species within the application site which are likely to be significantly impacted upon by the proposals. The wintering bird survey, although covering land to the north of the application site, suggests that the presence of any notable wintering bird species on the application site is unlikely.*



51. *The lakes are angular and artificial looking and uniform in profile. The rationale for this in relation to match fishing is understood, which underlines the need to make the terrestrial elements of the site restoration/landscaping as high as possible from a biodiversity value perspective.*
52. *With regard to the grass seed mix, a fine leaved agricultural grass mix is proposed. It is recommended that a low-cost wildflower seed mix is used, at the very least along the western, southern and south-eastern boundaries.*
53. *There remains concern that the track along the northern edge of the site appears unnecessarily wide, and up to twice as wide as other tracks. It is suggested that woodland planting could be extended in this area.*
54. *There are some brief details of how planted areas will be maintained during the establishment period, no such details appear to be provided for the grassland areas. A condition should be used to require the submission of these details.*
55. *A standard condition should be used to control vegetation clearance during the bird breeding season.*
56. *In relation to the airport safeguarding report, NCC Ecology state that it is for Robin Hood Airport to confirm that they are happy with the strategy. However, there are a number of comments. Firstly, the report primarily relates to feral geese, which have no nature conservation significance. The management measures propose non-lethal, and are a combination of behaviour modification and habitat manipulation. It is queried whether thresholds need to be set in relation to waterfowl other than geese which may utilise the site in small numbers (e.g. coot, moorhen, tufted duck etc). Identifying when such species would become a 'problem' as activities carried out to displace such species would detract from the biodiversity value of the site.*
57. **Nottinghamshire Wildlife Trust (NWT) – Objection to the proposed development as submitted.**
58. *Sufficient information has been provided to demonstrate that the development would not have an unacceptable impact on Great Crested Newts. However, it should be noted that some of the woodland is suitable for frogs and toads as foraging habitat, and some of it would be lost as a result of the scheme.*
59. *There are grass snake records in the area and suitable habitat for this species and common lizards on and immediately adjacent to the site. The woodland, grassland and wetland habitat around some of the ponds is particularly suitable for grass snakes. The applicant has proposed vegetation management to deter reptiles from using the site, which should prevent harm to these animals, but would not mitigate the loss of habitat.*
60. *There would not be any direct impacts to breeding and overwintering birds. However, there would still be issues relating to the effects of noise and disturbance on these species, but this would lessen by virtue of distance.*
61. *There is concern about the loss of semi-improved grassland which would be replaced with intensively managed species-poor agricultural grassland and*

*extensive hard surfaced tracks. The loss of the small pond to the south-west and potential amphibian terrestrial habitat around the pond to the south-east , and its replacement with commercial fishponds, intensively managed, heavily stocked and lacking in marginal vegetation. The loss of several mature and semi-mature trees and section of hedge that would be replaced by a narrow belt of trees and shrubs that would take years to achieve any meaningful ecological function.*

62. *The Phase 1 survey recommends that the site be restored to suitable biodiversity habitats that would complement the SINC, it also makes several references to Biodiversity Action Plan (BAP) habitats. NWT state that the uniform shaped, intensively managed, commercial fishing lakes with no marginal vegetation, an unnatural fish population and no provision for native pond wildlife are not a BAP priority habitat, nor is it a habitat which would be encouraged in the Idle Valley Living Landscape area, as the applicant has suggested.*
63. *There is space on the site to create amphibian ponds, for example on the area of the site near the A638 which is being proposed for soil storage. Soils could be seeded with a native MG5-based wildflower mix and managed with an annual hay cut to provide suitable terrestrial habitat for amphibians and grass snake, valuable habitat for ground nesting farmland birds, and an attractive backdrop to the proposed fishing lakes. Without such measures the scheme appears to only have biodiversity losses and dis-benefits, and no gains.*
64. *With regard to the appraisal and strategy for the management of waterbird populations it is noted that the applicant is undertaking to minimise the interest of the site for wildfowl and to deter birds from foraging, breeding or overwintering at the site through the use of a range of habitat measures and behavioural modification techniques. The bird scaring mechanisms proposed would dissuade a wide range of species from using the site, including passerine birds that are of no risk to aircraft and might well reduce the use of the adjacent arable land by farmland birds. This reinforces the view that the scheme offers no habitat or species benefits to the area and would result in a net loss of biodiversity over what is there at the current time.*
65. **NCC (Landscape)** – *The site lies within Policy Zone 10 (Ranskill) of the Idle Lowlands Character Area of the Greater Nottinghamshire Landscape Character Assessment, an area in ‘good condition’ and with ‘moderate sensitivity’. Overall the recommendation is to create and conserve (i.e. to reinforce and conserve hedgerows, reinforce woodland, roadside planting and the original field pattern, and conserve ecological diversity). Views tend to be limited to the policy zone as the ground is relatively flat.*
66. *It is accepted that there is a commercial rationale behind the engineered landform, however, it is still considered that the overall impact on the landscape character will be moderate adverse. This is because the landscape action for this parcel of land is ‘conserve and create’ and the development would replace the existing field landscape with a very engineered landscape of uniform slopes, rectangular waterbodies with little associated planting.*

67. *It is accepted that the visual impact of the proposal is neutral as the ponds would be screened from the road by the proposed mixed species hedgerow.*
68. *Although alterations to the landscaping have been made, the NCC Landscape team still does not support the proposal on the grounds that the geometric and engineered layout does not support or comply with the landscape policy for the area.*
69. **NCC (Archaeology)** – *If planning permission is granted the conclusions and proposed mitigation should form a condition in the form of a scheme of archaeological work. It is further recommended that the scheme of archaeological work involves a mix of archaeological watching brief and a strip, map and sample exercise. The latter involves the removal of top-soils and possibly some sub-soils under the close supervision of a suitable experienced archaeologist, and should concentrate on the western boundary of the site, closest to the likely focus of the Roman settlement. Unless the strip, map and sampling produce unexpectedly significant results, it is suggested that the watching brief over the remainder of the site can be intermittent, concentrating on the field system and aiming at retrieving, dating and palaeo-environmental evidence. A standard two part condition is appropriate in this sense.*
70. **NCC (Built Heritage)** – *The proposals are accompanied by an ‘Archaeological and Cultural Heritage’ report. The report correctly identifies the presence of nearby designated listed buildings and concludes that the proposals will have little effect on the setting of the listed building.*
71. *Any impact on the setting of the listed building resulting from the change in character of the farmland to a less agrarian form of land use are quite minor and, at most, would constitute less than substantial harm. In accordance with Section 129 of the NPPF the proposals have been reviewed and the conclusions of the archaeological and cultural heritage report are agreed with.*
72. **NCC (Highways) Bassetlaw** – *The proposed lorry route for the extraction involves a private road/track that already has a restriction placed on it of 20 vehicle per hour, and limited in use to 07:00-17:00 hours Monday to Friday and 07:00-12:00 hours Saturday. The proposed extraction is expected to generate 50 two way HGV trips per day, with a constant flow of 5 trips per hours (significantly less than the 20 per hour restriction).*
73. *The southern access is to be used by anglers, as currently occurs. The existing 185 fishing pegs would, as a result of the proposed development, be augmented by an additional 64 pegs – an increase of 35%.*
74. *Whilst the transport assessment bases the assumption on estimated average trips per day, a more robust assessment would calculate a figure that would represent usage during peak periods. Given the number of pegs would increase by 35% it is considered that vehicular trips could increase by the same proportion (i.e. an additional 11 cars, or 22 movements per day). Thus, at peak times of the year the lake would generate a total of 43 cars or 86 movements per day. Despite the higher estimation, highway capacity is not considered to be compromised.*



75. *The application raises no highway objections subject to restrictions on the number of vehicles and hours of usage for the northern access road used by HGVs during extraction, and pruning to ensure suitable visibility at the access road that passes through Lodge Farm.*
76. **Network Rail** – *The boundary of the planning application is some 140m west of the railway fence and the extraction depth is around 7 metres. It is considered the proposed works are unlikely to impact on Network Rail infrastructure.*
77. **NCC (Noise Engineer)** – *The noise assessment indicates that there may be an exceedance of NCC permitted noise levels of 10dB above background at Lodge Farm and Beech Croft. However, the report argues that these particular locations should be considered less sensitive given the properties are owned and occupied by the applicant and his family. As such, consideration should be given to a noise limiting condition that excludes properties in the applicant's ownership. However, the applicant also owns other properties adjacent to Scrooby Top House which are tenanted and it is possible that either Lodge Farm or Beech Croft may become tenanted property during the development time period, if there is a change in family/tenancy/ownership circumstances. Tenants should be afforded the same protection as home owners in respect of noise from development, therefore, it is recommended that instead an 'in the event of a complaint' condition is used. Therefore, whilst the condition will apply to all properties (including Lodge Farm and Beech Croft), it will only be triggered in the event of a complaint.*
78. *Additional conditions to protect residential amenity are recommended in relation to earth bunds, hours of working, the machinery and plant used, reversing alarms and the speed of vehicles.*
79. **NCC (Reclamation)** – *The planning statement indicates that no off-site external sources of soil are to be used and the construction process is reliant upon soils won on site. In the event that soil materials have to be imported, these materials should be analysed to verify that they are suitable for use and free from contaminants.*
80. **Doncaster Robin Hood Airport Limited** – *The habitat modification measures set out in the appraisal and strategy for the management of waterbird populations should be the subject of conditions. It is also requested that the following is added as conditions or taken into consideration should planning permission be granted:*
- a) *Any planting of additional vegetation should discourage birds from visiting, roosting or resting as far as reasonably practicable;*
  - b) *Confirmation that water baliffs are competent in clearing and detaching wildlife with the necessary training to ensure the site is kept clear of water birds;*
  - c) *Any buildings on site currently, or in the future, are protected as to prevent birds from roosting;*

- d) *The airport reserves the right (if possible) to visit the site at any point to assess the wildlife and ensure the 13km bird survey information is up to date and that the conditions relating to flight safety are being met.*

81. **Anglian Water Services Limited** – No objection.
82. **Severn Trent Water Limited** – No objection.
83. **Western Power Distribution** – No objection.
84. **National Grid (Gas)** – No objection.
85. **NCC (Forestry and Arboriculture)** and **NCC (Countryside Access)** have not responded. Any response received will be reported orally.

## Publicity

86. The application has been publicised by means of site notice, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement. No letters of representation have been received.
87. Councillor Sheila Place has been notified of the application and has no observations to make.

## Observations

### Introduction

88. The proposed development is the creation of two fishing lakes at the existing Lodge Farm Fisheries, Scrooby Top. The creation of the fishing lakes would involve the extraction of approximately 277,000 tonnes of alluvial sand and gravel, 16,000 tonnes of soils and overburden, and would take three years to complete.
89. Lodge Farm Fisheries is an existing enterprise with five lakes, which has operated for approximately 12 years, and is open on a year round basis. The applicant states that the primary driver for the creation of additional fishing lakes is to enable further match and specimen fishing, to help consolidate Lodge Farm as a popular fishing destination.
90. The creation of the lakes would require the extraction of minerals which would be transported to the nearby processing facility immediately to the west of the application site, operated by Rotherham Sand and Gravel.

### Policy and Need Assessment

#### *National Policy*

91. 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.

92. 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. Provision should be made for the maintenance of at least 7 years for sand and gravel; longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites.
93. Chapter 3 of the NPPF provides support for economic growth in rural areas in order to create jobs and prosperity. This should be done through supporting sustainable growth and expansion of all types of business and enterprise in rural areas; promoting the development and diversification of agriculture and other land based rural business; and supporting sustainable tourism and leisure developments that benefit businesses in rural areas, which respect the character of the countryside.

#### *Nottinghamshire Minerals Local Plan*

94. Policy M6.2 of the 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. Policy M6.3 of the MLP states that proposals for sand and gravel outside allocated areas will not be permitted unless it is evident that adequate landbanks cannot be sustained.
95. Policy M7.1 of the MLP relates to Sherwood Sandstone and seeks to ensure that there is sufficient landbank to maintain at least 7 years production capacity. Policy M7.2 of the MLP relates to proposals outside of allocated areas and states that they will not be permitted unless it is evident that the remaining allocations cannot sustain an adequate landbank.
96. Policy M7.4 of the MLP allocates 9.2 hectares of land at Scrooby Top for sand extraction. The application site is outside of the allocated area, however, it is identified as having planning permission for sand and gravel extraction on the Proposals Map.
97. Policy M14.1 of the MLP relates to incidental mineral extraction stating that proposals for the extraction of minerals as an incidental element of other development proposals will be granted provided that there are no unacceptable environmental impacts resulting from the mineral extraction; there are adequate interim reclamation measures to allow for possible delays

or the non-implementation of the primary development; and the mineral extraction would be of a limited nature and short duration.

*Bassetlaw District Local Development Framework – Core Strategy & Development Management Policies DPD*

98. Policy DM1 of the Bassetlaw Core Strategy & Development Management Policies DPD (BSC) relates to economic development in the countryside. The policy supports economic development (tourist attractions; equine enterprises; rural businesses) in the countryside where the following relevant criteria can be demonstrated:
- a) The development requires the specific location proposed and there are no other suitable sites in, or close to, settlements covered by Policies CS2-CS8 or on brownfield land;
  - b) It is viable as a long term business;
  - c) The scale, design and form of the proposal will be appropriate for its location and setting and be compatible with surrounding land uses;
  - d) It will not create or exacerbate existing environmental or highway safety problems.
99. Policy DM1 also states that policies to diversify the range of activities on a farm will be supported where it can be demonstrated that they meet the above criteria and that the diversification proposal is required to support the continued viability of the existing farming enterprise.

*Minerals Local Plan Consultation Document – Preferred Approach (23 October – 4 December 2013)*

100. The purpose of the Preferred Approach consultation exercise is to set out the draft Vision, Strategic Objectives, Strategic Policies, Minerals Provision Policies (including land allocations) and Development Management Policies that will guide the future development of minerals in the County.
101. Policy MP1 of the Minerals Preferred Approach Document (MPAD) highlights the demand for aggregate minerals over the plan period (2012-2030) as 49.02 million tonnes of sand and gravel and 8.74 million tonnes of Sherwood Sandstone, and states that the County Council will make provision for the maintenance of landbanks of at least 7 years. It also states that proposals for aggregate extraction outside of the areas identified in the MPAD will be supported where there is a demonstrable shortfall in the landbank.
102. Policy MP2 relates specifically to the provision of sand and gravel identifying, in connection with proposals maps in the appendix, sites with existing reserves, potential extensions to existing sites, and new sand and gravel sites. The proposed development sits within an area identified as an existing reserve, and there are potential allocations located nearby to the north, north-west and the south.

*Nottinghamshire Minerals Local Plan - Local Aggregates Assessment (July 2013)*

103. The production of Local Aggregate Assessments is a requirement set out in the NPPF, and the first one was adopted in July 2013. The assessment covers Nottinghamshire and sets out apportionment figures for aggregate minerals for inclusion in the future Nottinghamshire Minerals Local Plan (MLP).
104. The document identifies that as of December 2011 the sand and gravel landbank stood at 7.3 years equal to 19.3 million tonnes, and the Sherwood Sandstone landbank stood at 9.8 years equating to 6.8 million tonnes.

*Policy Considerations*

105. The applicant considers Policy M14.1 (incidental mineral extraction) is the primary policy against which the application should be assessed. This policy applies where the extraction of minerals is a necessary element of other development. Clearly, the construction of the proposed fishing lakes could not occur without the extraction of minerals and for this reason, it is important to assess the development against this policy. Policy M14.1 then goes on to provide criteria against which development would be considered acceptable including: no unacceptable environmental impacts; adequate interim reclamation measures; and extraction is of a limited nature and short duration.
106. The environmental impacts of the proposed development are assessed later in this section, and conditions could suitably deal with interim reclamation measures. However, it is questioned whether the proposal is actually of a limited nature or short duration. The policy is not precisely defined in terms of quantity of mineral worked or duration, however, the supporting text to the policy states that if mineral extraction is a significant reason for justifying or proposing the development, the proposal will need to be assessed against the relevant policies applicable to the mineral being worked.
107. The applicant is very clear that the driver for the development is the fishing lakes, nevertheless, it is considered that without the opportunity to source minerals from the site, and the proximity of the existing Rotherham Sand and Gravel processing plant, this application would be unlikely to come forward. As a result it is necessary to consider the proposed levels of mineral extraction relative to Nottinghamshire's apportionment and historic extraction levels.
108. The proposed development involves the extraction of approximately 277,000 tonnes of alluvial sand and gravels, and Sherwood Sandstone. It is estimated that proportionally this would amount to 241,555 (87%) tonnes of Sherwood Sandstone and 35,672 (13%) tonnes of sand and gravel. In terms of phasing the applicant states that half the excavation would take place in the first year and extraction to the remaining depth would take place over years two and three. Estimated annual extraction rates are set out for sand and gravel and Sherwood Sandstone in Tables 1 and 2 below, compared with average Nottinghamshire extraction and apportionment:

**Table 1: Sherwood Sandstone Estimated Annual Extraction and Apportionment**

	Sherwood	Annual	Percentage	of	Average	Percentage	of
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	Sandstone	Allocation	annual allocation	production over last 10 years	average production over last 10 years
Year 1	120,777.5	700,000	17.25%	460,000	26.26%
Year 2	60,388.75	700,000	8.63%	460,000	13.13%
Year 3	60,388.75	700,000	8.63%	460,000	13.13%

**Table 2: Sand and Gravel Estimated Annual Extraction and Apportionment**

	Sand and gravel	Annual Allocation	Percentage of annual allocation	Average production over last 10 years	Percentage of average production over last 10 years
Year 1	17,836	2,650,000	0.67%	2,580,000	0.69%
Year 2	8,918	2,650,000	0.34%	2,580,000	0.35%
Year 3	8,918	2,650,000	0.34%	2,580,000	0.35%

109. In light of the above, the sand and gravel aspect of the minerals extraction is of a limited nature. However, the Sherwood Sandstone extraction would, in its first year, account for over 17% of Nottinghamshire's allocation and over 26% of its average production for the past 10 years. In fact, if just the last three years of available data is considered (0.32, 0.32 and 0.35 million tonnes in 2009, 2010 and 2011 respectively) then the proposal would account for between 35% and 38% of Nottinghamshire's entire production. Whilst it is accepted that the levels of Sherwood Sandstone extracted are relatively low compared to other minerals, the proposal would form a very significant percentage of overall production in Nottinghamshire. In addition, three years duration for extraction is a relatively short period in terms of mineral extraction, but when considered against the timescales of other development, it is a significant period. Overall, the development cannot realistically be considered as incidental and should be fully assessed against the relevant policies applicable to the mineral being worked.
110. As highlighted above, Sherwood Sandstone forms an estimated 87% of the mineral to be extracted and, as such, Policies M7.1 and M7.2 of the MLP are of primary importance in assessing this development. Given that the proposal falls outside of any site allocations in the MLP, permission should only be granted where there is a landbank of less than 7 years, in line with Policy M7.2. The most recent figures state that there was a landbank of 9.8 years as of December 2011. Unfortunately more recent data is not available, but even if apportionment rates of 0.7 million tonnes per annum were met in the last two years (which is very unlikely as this figure has not been met in any year since 2002) then the landbank would still stand above 7 years. Therefore, on this basis, the development is contrary to Policy M7.2.
111. Sand and gravel form a smaller proportion of minerals to be extracted, nevertheless, Policies M6.2 and M6.3 are still important in the determination of this application. Again, given that the proposal falls outside of any site allocations in the MLP, permission should only be granted where there is a landbank of less than 7 years, in line with Policy M6.3. The most recent figures state that there was a landbank of 7.3 years as of December 2011. Given that two years have elapsed since, taking into account the slowing of production



rates (1.27, 1.56 and 1.71 million tonnes in 2009, 2010 and 2011 respectively), using an average of the last three years (1,513,333 tonnes per annum) the landbank would now be approximately 6.1 years. It is of note that the only significant sand and gravel resources to have come on-line since December 2011 is an extension to East Leake Quarry, granted in 2013. This permission comprises an additional 390,000 tonnes which adds approximately 7.5 weeks to the landbank, taking it up to 6.25 years.

112. Based on the above, the development is acceptable from a sand and gravel policy perspective, but not from a Sherwood Sandstone policy perspective. Given that the majority of the mineral (87%) is Sherwood Sandstone it would appear that overall the development is unacceptable. However, the applicant states that through their experience of creating the existing fishing lakes the sand won in the extraction had to be washed to provide a marketable product. The washed sands perform as alluvial sand which is very different to the Scrooby Grey sands which are worked and sold dry a short distance away within the Scrooby Top Quarry on the other side of the A638.
113. Based on the claim that the Sherwood Sandstone extracted from this area would actually perform as a sand and gravel, the development would be in accordance with Policy M7.2 of the MLP in maintaining a 7 year landbank. In this case, the development would also have support from the NPPF and Policy MP1 of the MPAD.
114. It is also of note that the application site, and sites to the north and south, are shown within both the Nottinghamshire MLP and the MPAD site allocations proposals map as having planning permission for sand and gravel extraction.
115. Policy DM1 of the BCS provides support for economic development (tourist attractions, equine enterprises, rural businesses) in the countryside, provided certain criteria can be demonstrated. As the site would be restored to fishing lakes, expanding the existing Lodge Farm Fisheries adjacent to the application site, it is considered that the development provides in principle support for this application. In addition, Chapter 3 of the NPPF provides in principle support, encouraging the sustainable growth and expansion of all types of business and enterprise in rural areas and supporting sustainable tourism and leisure developments that benefit businesses in rural areas, which respect the character of the countryside.
116. Whilst the NPPF and Policy DM1 of the BCS provides in principle support, it is necessary to assess the development against the specific criteria. The development clearly requires the specific location proposed, otherwise it would not be the expansion of an existing fisheries business. The operation of the fisheries for 12 years demonstrates that the proposal is viable as a long term business. The applicant has submitted a transport assessment and, whilst discussed in more detail later, it is deemed to be acceptable. The development meets these relevant aspects of Policy DM1
117. Policy DM1 also requires the scale, design and form of the proposal to be appropriate for its location and setting and be compatible with surrounding land uses. In addition, the NPPF states that development needs to respect the

character of the countryside. Whilst this is discussed in more detail later, the development is considered out of character with the wider area and is not in accordance with this aspect of Policy DM1 of the NPPF. However, it is noteworthy that Policy DM1 is contained within the Bassetlaw Core Strategy, and Bassetlaw District Council have not objected to the proposed development.

### Ecology

118. There are no statutory ecological designations within, or covering the site. The application is in close proximity to the Scrooby Top Site of Special Scientific Interest (SSSI), which is located within the Rotherham Sand and Gravel site to the west of the application site, on the other side of the A638. The SSSI is designated due to its geological interest and the proposed development would have no material effect on it. This position is reflected by Natural England and NCC Ecology.
119. The nearest locally designated site is the Scrooby Sand Pits Site of Importance for Nature Conservation (SINC) 5/116, which lies approximately 400m to the north of the application site. NCC Ecology is satisfied that there will not be any direct or indirect impacts on the SINC.
120. The applicant has undertaken a Phase 1 Habitat Survey which identifies the site as principally comprising poor, semi-improved grassland. The southern planning application boundary passes through a small pond, surrounded by tall ruderal vegetation. Also, running along a ridge towards the south of the application site is a row of trees predominantly comprising stunted oak. All the plant species recorded within the study area were common and widespread and no protected or otherwise notable species were recorded.
121. A Habitat Suitability Index (HSI) of the site has been carried out for Great Crested Newts (GCN). The HSI assessed all water bodies on the site, and the adjacent fishing lakes. The survey concluded that all of the ponds within the locality of the development have either poor suitability for GCN or are very unlikely to support GCN. NCC Ecology and NWT are satisfied that GCN have been suitably addressed, although NWT do note that the lake immediately to the south-east of the application site may be suitable for other frogs and toads, and the surrounding woodland provides potential foraging habitat, some of which would be lost as a result of this application.
122. There are grass snake records in the area and suitable habitat for this species, and common lizards. Vegetation management is proposed to deter these species during stripping and working of the site, and this would be subject to a condition should permission be granted. However, NWT highlight that there is no mitigation for the loss of potential habitat for these species.
123. A protected species survey was undertaken for the site and no evidence was found. It is recommended that a repeat survey is conducted if mineral extraction does not commence within a year of the survey date. On this basis NCC Ecology recommend a condition requiring a pre-commencement protected species survey.



124. A roosting bat survey was carried out, which found that none of the trees within the site contained suitable features to support roosting bats. NCC Ecology is satisfied with the findings of the report.
125. The water bodies within and adjacent to the site show no evidence of use by water vole. The ponds are heavily disturbed by human activity and the regular presence of fishermen along the banks makes the habitat unsuitable. NCC Ecology and NWT raise no objection to these findings.
126. A breeding bird has been undertaken which did not identify any notable species within the application site likely to be impacted upon by the proposals. A wintering bird survey has also been undertaken which covers land to the north of the application site, although this also suggests that the presence of notable species on the application site is unlikely. NCC Ecology is satisfied with these findings. NWT considers that there would be no direct impact, although there could be indirect impacts arising from noise and disturbance.
127. Both NCC Ecology and NWT have raised concerns regarding the shape and design of the proposed fishing lakes, describing them as angular, artificial looking, uniform in profile and unimaginative. Indeed, the shape and design of the lakes was raised as a concern during pre-application discussions and no changes were made as a result of comments. Nevertheless, the applicant has sought to explain that the rectilinear shape is driven by the proposed use for match fishing. This is because a regular shape creates more consistent angling conditions making it fairer for match anglers irrespective of which peg the angler is fishing from. The introduction of spits and bays in the lake margins is in contrast to the purpose of these fishing lakes. This is evidenced in the existing fishing lakes, with the applicant stating that the oldest lake, with the most naturalistic profile, is the least popular for competitive match fishing due to its irregular shape and variability in fishing conditions. NCC Ecology accept the rationale for the design and, as a result, highlights the need to make the surrounding terrestrial habitats as high-value as possible from a biodiversity perspective.
128. NCC Ecology remains concerned that the access track along the northern boundary of the fishing lakes is unnecessarily wide. The applicant has sought to justify the width of the track stating that anglers prefer to park their cars near to the point of fishing, particularly when they have a significant quantity of kit to transport to the point of angling. This arrangement is also beneficial to disabled anglers. Whilst this is accepted, it is considered the northern access track is wider than the track around other parts of the lake, and it could suitably be narrowed to allow for increased woodland belt planting to the north. As such, a condition is recommended requiring the submission of an alternative landscaping scheme for this area.
129. Post submission amendments to the restoration scheme have enabled a position whereby NCC Ecology is satisfied with the scheme, subject to conditions relating to seed mixes, maintenance details and vegetation clearance. Attention is also drawn to Paragraph 118 of the NPPF which states that, when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles,

the most relevant in this case is encouraging the opportunity to incorporate biodiversity in and around development.

130. Despite amendments to the restoration landscaping, NWT remain heavily critical of the proposals stating that uniform-shaped, intensively managed, commercial fishing lakes with no marginal vegetation, an unnatural fish population and no provision for native pond wildlife such as amphibians and water voles are not BAP priority habitat, nor is it a habitat which would be encouraged in the Idle Valley Living Landscape area. NWT suggest that the area adjacent to the A638 which is being proposed for soil storage could be restored to an area incorporating small ponds suitable for amphibians and seeded to provide suitable habitat for amphibians, grass snakes and ground-nesting farmland birds. NWT is of the view that without such measures the scheme appears to only have biodiversity losses.
131. Policy M3.17 of the MLP relates to biodiversity and states that development which would affect the integrity or continuity of habitats or features identified as priorities in the UK and/or Nottinghamshire BAP will not be granted planning permission, unless there is an overriding need for the development which outweighs the nature conservation importance of the feature. The application site comprises predominantly poor, semi-improved grassland which is not a BAP priority habitat. There are hedgerows surrounding the site which may qualify as UK/Nottinghamshire local BAP habitat, however, the creation of the fishing lakes would not result in the removal of these, other than a small section of the hedgerow that runs along the northern boundary of the site, to allow HGVs to transport extracted mineral along the existing northern access road. This hedgerow is considered defunct and the indirect impacts (e.g. by dust) would be minimised during construction through conditions designed to provided mitigation. The southern boundary of the application also passes through a small, seasonal pond, which could qualify as BAP habitat. However, this pond falls outside of the area of extraction and a condition would be attached to provide biodiversity enhancement to this area. Overall, with suitable conditions in place the development is not considered to materially affect the integrity or continuity of UK and/or Nottinghamshire BAP habitats and is in accordance with Policy M3.17.
132. NWT state that the scheme offers no habitat or species benefit to this area and would result in a net loss of biodiversity over what currently exists. In considering this objection it is fundamental to acknowledge that this scheme is for the creation of match fishing lakes to expand an existing fishery business, and is not a biodiversity habitat creation scheme. In addition, the existing habitat that would be lost is not a UK or Nottinghamshire BAP priority habitat and, as such, the development is in line with Policy M3.17. Furthermore, the applicant has made amendments to the fishing lake landscaping during the planning application process to improve the proposed habitat by enhancing hedgerows on the western boundary with the A638; increasing individual tree planting around the waterbodies; and marginal aquatic planting at the water's edge. By virtue of this, it is considered that the applicant has sought some opportunities to incorporate biodiversity around the development in line with Paragraph 118 of the NPPF. However, biodiversity opportunities have not been maximised as the applicant has failed to incorporate any of the habitat

enhancement to the soil storage area as suggested by NWT, and the reason for this is not known. In conclusion, the landscaping scheme is in accordance with the relevant ecological planning policies, but it could be made better comparatively easily. It is for this reason a condition is suggested requiring the enhancement of the small water body to the south of the application site, and an amendment to the seeding mix from amenity grassland to a wildflower mix.

#### Landscape and Visual Impact

133. The planning application site lies within Policy Zone 10 (Ranskill) of the Idle Lowlands Character Area of the Greater Nottinghamshire Landscape Character Assessment. This character area is described as being in '*good condition*' and with '*moderate sensitivity*'. Overall the recommendation is to *Conserve and Create* (i.e. to reinforce and conserve hedgerows, reinforce woodland, roadside planting and the original field pattern, and conserve ecological diversity).
134. The applicant has undertaken a landscape and visual effects assessment for the proposed development. With regards to landscape character, the minerals extraction aspect of the development is assessed as having moderate adverse significance reducing to minor adverse with increasing distance from the development with the landscape parcel (IL35) in which the development is located. Within adjoining landscape parcels (IL18 and IL33) to the north-east and south-east there would be minor adverse significance reducing to neutral with distance. The NCC Landscape Team considers the overall impact of the proposed development during construction as being **moderate adverse**.
135. The visual impact of the proposed development has been assessed from a number of viewpoints. During the construction phase there would be an impact of **moderate adverse** significance upon viewpoints 1 and 2 (A638 and Lodge Farm Fisheries car park). Viewpoints 3 (East Coast Mainline) and 5 (A638 to the north) would experience **minor adverse** significance of effect. Viewpoint 4 (Ranskill Road to the south-east) would experience **neutral** significance of effect. NCC Landscape agrees with the construction phase predicted visual impact.
136. With regard to the final construction of fishing lakes, the landscape and visual effects assessment notes that there would be a permanent change to a small parcel of land, but overall judges the impact of the development as being neutral in both landscape and visual terms. NCC Landscape accepts that with the hedgerow planting along the western boundary of the site adjacent to the A638, the visual impact of the fishing lakes would be **neutral**. NCC Landscape acknowledge the commercial rational behind the engineered form of the fishing lakes, however, they remain of the view that the overall impact on the landscape character would be **moderate adverse** in an area where the landscape action is to conserve and create. As such, the NCC Landscape Team does not support the proposed development.
137. Policy M3.3 of the MLP states that permission will only be granted where adverse visual impact can be kept to an acceptable level, and Policy M3.4 of the MLP states that where permission is granted conditions should be attached

to require screening and landscaping to reduce visual impact. Policy DM1 of the MPAD seeks to protect local amenity through mitigating visual intrusion to an acceptable level. There would be a degree of visual impact during minerals extraction, although it is considered moderate adverse at its most significant, in the car park of Lodge Farm Fisheries and the transient views along the A638. Other than this the visual impact would be minor adverse or neutral. It should also be recognised that these visual impacts would be temporary, lasting at most three years. The visual impact of the fishing lakes is considered to be neutral. Overall, the visual impact is considered temporary and to be kept to an acceptable level and would, therefore, be in accordance with Policy W3.3 of the MLP. A number of conditions would be attached to any planning permission to assist in screening the site during construction and maintaining the landscaping to help reduce visual impact, in line with Policy W3.4 of the MLP.

138. Policy M3.22 of the MLP relates to landscape character stating that operators must demonstrate that landscape character and local distinctiveness are fully taken into consideration within development proposals. Planning permission will not be granted for minerals development which is likely to adversely impact upon the character and distinctiveness of the landscape unless there are reasons of overriding public interest or where ameliorative measures can reduce the impact to an acceptable level. The landscape character and distinctiveness have been considered and assessed by the applicant, however, their conclusions are not consistent with those of the NCC Landscape Team. Overall, the development is considered as having a moderate adverse impact on the landscape character and therefore planning permission should only be granted where there are reasons of overriding public interest. There has been very little public interest in this application, with no representations having been made by members of the public either in support or objecting to the development. The proposal is considered to conflict with Policy M3.22 of the MLP.
139. Where permission is granted for the reclamation of minerals working, Policy M4.4 of the MLP outlines what will be required in the landscaping proposals. This includes an overall landscape concept; details of the final landform; the location, form, numbers, species, size and methods of planting; and establishment, maintenance and longer term management details. The planning application contains much of the necessary details, although conditions would be required to finalise some minor planting details and aftercare arrangements.

#### Airport Safeguarding and Bird-Strike Potential

140. Sites of mineral extraction which are restored to open water often attract birds, which can increase the risk of potential bird strike events if they are near to airports. Airport safeguarding zones are designated as a 13km radius around airports. The risk of bird-strike is an important consideration given this proposed development, which involves the creation of new water bodies, is located approximately 7km south of Robin Hood Airport, Doncaster.

141. There are no policies within the existing MLP which relate to bird-strike, however, Chapter 13 of the NPPF, which relates to the sustainable use of minerals, requires that in granting planning permission no unacceptable adverse impacts are had on aviation safety. In addition, Policy DM12 of the MPAD requires the applicant to demonstrate that proposed extraction and restoration will not be hazardous to air traffic in order for proposals to be supported.
142. The applicant has undertaken an appraisal and strategy for the management of waterbird populations. The production of the report was in response to an initial objection from Robin Hood Airport. Using the data collected from the breeding and wintering bird surveys already undertaken, the appraisal identified that the area currently supports low numbers of water birds both during the breeding and non-breeding seasons, which is likely to be a reflection of the current disturbance associated with the existing fishing lakes. The report identifies Graylag Geese as the one species which may be further encouraged by the creation of additional managed and regularly disturbed water bodies.
143. The surveys conclude that small numbers of geese inhabit the proposal site, neighbouring land and surrounding areas and these are the greatest risk to aviation safety. Therefore, the management options focus on deterring geese from wintering and breeding at the proposal site through habitat and behaviour modification.
144. With regard to habitat modification, the proposals include for marginal reed planting between the angling pegs. This acts as a barrier which prevents geese from easily entering or exiting the water. The applicant states that the reeds will be managed throughout the year to ensure growth is continuous and that gaps do not appear. Areas which do not successfully colonise will receive additional planting.
145. The proposals also include tree planting around the periphery of the lakes, and an area of woodland planting to the north. As this planting matures, it provides interruption to the flight path of birds to and from the lakes, making the direct access as restricted as possible. In addition, the area to the west of the lakes, where the temporary soil stockpile would be located, is proposed to be restored and vegetation would be kept at a height which would dissuade geese and other waterbirds from foraging.
146. The applicant states that there is an existing strategy in place to deter geese and other large waterfowl from the existing lakes, and this would be extended to the proposed fishing lakes. The strategy includes the employment of water bailiffs who use a combination of bird scaring tactics including human presence, loud reports using shot guns, flag waving and driving techniques. In addition, the presence of anglers provides a constant human presence during daylight hours. The applicant states that the existing strategy is successful.
147. It is noteworthy that, in addition to aviation safety, it is in the interests of the fishery from a commercial perspective to minimise waterfowl on the lakes as



they can disturb anglers and the fish, and potentially cause damage to anglers' equipment.

148. Based on the appraisal and strategy for the management of waterbird populations, Robin Hood Airport are satisfied that the development is acceptable provided that habitat modification measures are subject to conditions. Robin Hood Airport also provide some suggest conditions and points to be taken into consideration should planning permission be granted, including:
- a) Planting of additional vegetation to discourage birds from visiting, roosting or resting at the site as far as possible;
  - b) Confirmation may be sought that the water bailiffs are competent in clearing and detracting wildlife with the necessary training to ensure the site is kept clear of water birds;
  - c) It is requested that any buildings currently onsite, or in the future, are protected as to prevent birds from roosting;
  - d) The airport reserves the right, if possible, to assess the wildlife at the site to ensure that the 13km bird survey information is up to date and that they are satisfied that the conditions are still being met in the interests of flight safety.
149. Considering the above points made by Robin Hood Airport, the planting proposals have already been demonstrated as acceptable through the management of waterbird populations strategy, however, it is considered necessary to ensure that a condition is in place to ensure that planting is managed in a way so that the lakes remain unattractive to the relevant water birds, particularly geese. It is recommended that this is included within an aftercare scheme. In addition, it is recommended that a condition is attached to require the submission of a water bird management training programme which would be rolled out to all water bailiffs employed at the site. With regard to point c), there are no buildings proposed as part of this application, as such, it is recommended that an 'informative' is attached to any permission granted reminding the applicant that if buildings are developed within the site in the future it would be desirable for them to be protected as to prevent birds from roosting. Finally, in relation to point d), it would not be possible to require through conditions the fishery to allow staff or representatives from Robin Hood Airport to review the site, however, the applicant has indicated in an e-mail that they would be willing to allow this and, as such, it is recommended that it is placed as an informative on the planning permission.
150. Based on the above, and suitable conditions being placed on any planning permission relating to behaviour and habitat modification, it is considered that the site would not be detrimental to aviation safety and is in accordance with the NPPF and Policy DM12 of the MPAD.
151. The appraisal strategy for the management of waterbird populations has also been assessed by NCC Ecology and NWT. NWT are of the view that making

the site unattractive to wildfowl and deterring birds from foraging only serves to reinforce their view that the proposal offers no habitat or species benefits and would result in a net loss of biodiversity. NCC Ecology has no significant issue with minimising the feral geese at the site, as these have no nature conservation significance, although, it is queried whether thresholds could be set in relation to waterfowl other than geese which may use the site in small numbers (e.g. coot, moorhen, tufted duck, mallard, mute swan etc), and it is commented that it would be undesirable to further detract from the biodiversity value of the site by displacing all species.

152. Given that the bird assessment states that of the species recorded in the surrounding area, Graylag Geese is the one species which may be further encouraged by the creation of additional managed, regularly disturbed water bodies, it is considered that the proposed bird scaring techniques should not prove unduly detrimental to other species, particularly given that such techniques are already used at the existing fishery lakes. With regard to suggested thresholds for other species of waterfowl, it is considered that this would be impossible to monitor and enforce.
153. The comments from the ecologists are noted, and clearly there is a conflict between ecological and biodiversity creation and managing the site to prevent any increase in risk to aviation safety. However, it must be recognised that the site is being created for the purposes of match fishing, and not for biodiversity purposes, and many of the behaviour modification techniques (human presence, loud reports using shot guns, flag waving and driving) are already carried out by water bailiffs at the existing fishing lakes. Overall, the purpose of the development is for fishing lakes and not habitat creation, and the requirement for aviation safety holds more weight than creating new habitat for waterfowl, which would likely be to the detriment of the angling business in any case.

#### Traffic and Transportation

154. Policy M3.13 of the MLP states that development will only be granted planning permission where the highway network can satisfactorily accommodate the vehicle movements likely to be generated, and would not cause unacceptable impact upon the environment and disturbance to local amenity. The NPPF appears to be less restrictive where traffic movement is concerned, stating at Paragraph 32 that development should only be prevented or refused on traffic grounds where the residual cumulative impacts of development are severe. In addition, Policy DM9 of the MPAD looks to ensure that vehicle movements can be accommodated on the highway, and would not cause unacceptable impact on the environment or disturbance to amenity.
155. The applicant has undertaken a transport assessment for the proposed development taking into account vehicle movements associated with the mineral extraction and the operation of the fishing lakes.
156. Using the Trip Rate Information Computer System (TRICS) database, the applicant has calculated the maximum two way HGV movements across a daily period as 47. There would also be up to 20 light vehicle movements

associated with staff, although it is assumed that this would be to the Rotherham Sand and Gravel site, rather than the proposed fishing lake site itself. To verify the TRICS data, trip generation calculation has been undertaken using the estimated annual mineral extraction. With a total of 277,000 tonnes of sand and gravel being extracted over a three year period this would equate to 92,333 tonnes per year. Assuming 250 working days in a year this would amount to 369 tonnes extracted per day. With each HGV taking 15 tonnes, this would amount to 24.6 HGV trips per day (between 48 and 50 movements), thus reflecting the TRICS data.

157. The Transport Statement assesses the contribution to traffic on the A638. Over the course of a 10 hour day (07:00 – 17:00) the operations would increase the baseline traffic flows by 2.1% and HGV traffic by 8.8%.
158. However, it appears that there is an error in the HGV calculation used to verify the TRICS data. The Transport Assessment appears to have evenly distributed the extraction rate over three years, however, the Planning Statement (paragraph 3.6.1) states that half the material would be extracted in the first year. Based on this extraction rate the HGV movements used to verify the TRICS data are inaccurate, and it is estimated that they could be closer to 75 movements per day in the first year, rather than the 48-50 predicted in the Transport Statement.
159. Notwithstanding the inaccuracies of the Transport Statement, distributed over a 10 hour working day, HGV movements would average 7.5 per hour, which is still significantly below the 20 movements per hour recommended in the condition from NCC Highways. As such, it is considered that the highway has the capacity to accommodate the HGV movements associated with the development.
160. HGVs transporting material out of the site would leave from the existing access road to the north of the proposed fishing lakes, turning left and making the very short journey along the A638, before turning right into the Rotherham Sand and Gravel site for processing (see Plan 3).
161. The applicant has calculated the annual visitor levels to amount to approximately 13,000, with an average 1.5 visitors per vehicle. This results in 1,083 visitors per month using 722 vehicles. On a weekly basis this is 250 visitors in 167 vehicles, and on a daily basis this is 36 visitors in 24 cars.
162. The applicant expects the proposed additional lakes to generate an additional 30-40 visitors per month, resulting in 6 cars per week or 1 car per day. The impact of this on the A638 would be an increase in traffic of 0.2-0.3%.
163. NCC Highways Team have been consulted and note that the proposed HGV movements are significantly below the movements previously allowed along the access track (20 per hour), and the northern site access has adequate visibility and satisfactory standard of design.
164. NCC Highways Team criticise the method of calculating vehicle movements associated with the proposed fishing lakes, and have adopted a more robust



‘worst case’ scenario, looking at usage during peak periods, with usage being 30% high than average trips (32 cars per day rather than 24). Given that there would be a 35% increase in pegs at the fisheries, this could lead to an additional 11 cars per day, with a total of 43 cars (86 movements) at peak times. NCC Highways Team concludes that even with a more robust vehicle movements calculation, the development does not represent a concern in highways capacity terms.

165. Overall, NCC Highways Team recommend a number of conditions relating to vehicle movements and operational hours of the minerals extraction element of the proposed development, and suitable visibility splays being in place on the fisheries access road before the lakes are brought into use. With these conditions in place, the proposed development is considered to be in accordance with the NPPF, Policy M3.13 of the MLP and DM1 of the MPAD.

### Noise

166. 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. The technical guidance to the NPPF states that authorities should aim to establish a noise limit that does not exceed background noise levels by more than 10dB(A), with a maximum of 55dB(A)LAeq, 1h (free field).
167. The nearest noise sensitive receptors are residential properties associated with Lodge Farm, which includes Lodge Court and Beech Croft. These properties are between 120-160m south of the main application area, although they are located either side of the access road which passes through Lodge Farm. After the Lodge Farm properties, the next nearest sensitive receptors are Scrooby Top House and Cottages which are approximately 150m south-west of the application site.
168. The applicant has undertaken a noise impact assessment which identifies the background noise level as being between 41.7-42.8L<sub>A90,T</sub>dB. The predicted L<sub>Aeq,1hour</sub>dB is set for each of the nearest sensitive receptors in Table 3 below:

**Table 3: Summary of Predicted Noise Levels**

Location	Predicted L <sub>Aeq,1hour</sub> dB	BS 4142 Correction	Predicted Rating Level	Limiting Level L <sub>Aeq,1hour</sub> dB
Lodge Farm	51	+5 dB	56	52
Lodge Court	40		45	
Scrooby Top House	47		52	

169. BS 4142:1997 sets out a method for rating noise sources introduced into residential areas, with background level compared to the anticipated noise source introduced into an area, with the greater the difference, the greater the likelihood for complaints. If the rating is 10dB(A) above background then complaints are likely, 5dB(A) above the background is considered of marginal significance. If the rating is 10dB(A) or more below background level this is a positive indication that complaints are unlikely. Based on the above, the predicted rating level at Scrooby Top House would be 10dB(A) above

background and at Lodge Farm would be 14dB(A) above background, indicating that complaints would be likely.

170. Table 3 above shows that the greatest noise impact would be occur at Lodge Farm, with the predicted level 14dB(A) above background, significantly exceeding BS4142 guidance and NCC daytime noise limit of +10dB(A). The noise assessment recognises that there would be an exceedance, however, draws attention to the fact that it is the applicant and his family that reside in Lodge Court and Beech Croft, who have been made aware of the potential noise levels and have raised no concerns.
171. It is also identified that the predicted noise level at Scrooby Top House would be 52dB(A), which is 10dB(A) above background levels. However, this is considered a 'worst case' scenario for a number of reasons. Firstly, the background noise monitoring position was located to the rear of Beech Croft, which is 150m east of the A638, whereas the background noise at Scrooby Top House is anticipated as being higher. This was confirmed by the NCC Noise Engineer who took noise measurements which indicated that background noise at this location is closer to 47dB(A) over a 1 hour period, the implication being that the predicted rating noise at this location would change to 5dB(A) above background, which is considered of marginal significance. Furthermore, additional information from the applicant confirmed that the predictive modelling assumed no screening, and it is therefore reasonable to assume that actual noise levels would be lower once the stripping has taken place and the soil bunds are constructed, and when extraction occurs plant and machinery would be working below ground level, with the quarry edges providing a degree of additional screening.
172. There is no adverse noise impacted anticipated from the proposed end use, angling.
173. The NCC Noise Engineer is satisfied with the findings of the noise assessment, and accepts that where there is an exceedance of background noise by more than 10dB(A) at Lodge Farm and Beech Croft, these properties are owned and occupied by the applicant and his family. Nevertheless, it is noted that the applicant owns other tenanted properties adjacent to Scrooby Top House and if Lodge Farm or Beech Croft become tenanted due to a change in circumstances, any new occupier should be afforded a suitable level of protection from unacceptable noise levels. As such, it is recommended that a condition is placed covering all properties ensuring noise does not exceed 10dB(A) above the existing background noise levels, but it will only be triggered in the event of a complaint, which is highly unlikely to arise from the occupiers of Lodge Farm and Beechcroft given the occupants include the applicant and his family.
174. The proposed development is not in accordance with the NPPF or Policy M3.5 of the MLP due to predicted noise rating levels of more than 10dB(A) at the nearest sensitive receptors. However, it is acknowledged that the noise sensitive receptors in question are owned and occupied by the applicant and his family. This is considered to be a material consideration which allows the

development to be considered acceptable from a noise perspective in spite of its apparent conflict with policy.

#### Heritage and Archaeology

175. Policy M3.25 of the MLP prevents planning permission from being granted for minerals development which would cause unacceptable harm to the character, appearance, condition or setting of listed buildings. Policy M3.24 states that permission will not be granted for minerals development which would degrade or destroy nationally important archaeological remains and their settings, whether scheduled or not. Where there are archaeological remains of less than national importance, it should be demonstrated that the importance of the development outweighs the significance of the remains and appropriate provision should be made for excavation and recording of the remains.
176. Paragraph 134 of the NPPF states that where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
177. The closest designated heritage assets are Scrooby Top Farmhouse Restaurant and Scrooby Top Cottages and attached buildings, which are Grade II listed. The applicant has undertaken a desk based heritage assessment and concludes that the development would have no effect on any listed building or its setting. There will be no direct impact to the listed building and the NCC Historic Buildings Officer is of the view that any impact on the setting of the listed buildings resulting from the change in character of the farmland to a less agrarian form of land use are quite minor and, at most, would constitute less than substantial harm. As such, the development is in accordance with the relevant section of the NPPF and Policy M3.25.
178. The desk based heritage assessment also identifies the potential for archaeology at the site. There is considerable evidence for Roman activity in the wider area, and cropmark evidence indicates the proposed development area is likely to have formed part of the field system surrounding the farmstead at Scrooby Top. The report concludes that there is no evidence of the proposed development containing below ground remains of national importance, or of sufficient importance to warrant preservation *in situ*, although there is considerable evidence of Roman agricultural activity within and around the proposed development area. It is, therefore, recommended that a programme of archaeological fieldwork is enacted prior to the development of the site.
179. NCC Archaeology is in agreement with conclusions of the heritage assessment and recommends that if planning permission is granted, it should be conditional upon the implementation of a scheme of archaeological work to include a mix of archaeological watching brief and a strip, map and sample exercise. This would involve the removal of top-soils and possibly some sub-soils under the close supervision of a suitably experienced archaeologist and should concentrate on the western boundary of the site, closest to the likely focus of the Roman settlement. This approach is considered to be fully in accordance with Policy M3.24 of the MLP, and would be subject to condition.

### Flood Risk, Groundwater and Contamination

180. The excavation would take place in two phases. Phase 1 would comprise the extraction of minerals to the water table at approximately 5.2m AOD. Phase 2 would be below the water table and require dewatering to allow extraction to 2.7m AOD.
181. The site is located in Flood Risk Zone 1, which is land having less than a 1 in 1,000 year probability of flooding. In addition, the Bassetlaw Strategic Flood Risk Assessment considers angling lakes to be water-compatible development. The construction of the two angling lakes would have a net lowering of the ground at the site, which would result in a net increase in flood plain storage capacity during operation and following completion of construction due to the volume of excavated material removed above the water table. The development is not at risk of flooding and would not lead to flooding elsewhere, therefore, it is in accordance with Policy W3.9 of the MLP.
182. The site is underlain by the Sherwood Sandstone bedrock aquifer, a principal aquifer. The site is also within a groundwater protection zone. The method of working involves the stripping and stockpiling of soils, and removal of sand and gravel. Extraction would take place using a 360° excavator. There would be no fuel or oils stored on site and site vehicles would maintain a spill response kit in case of spillages. Overall the excavation works do not increase the risk of pollution to the principal aquifer, provided that suitable conditions are attached to any permission relating to the storage of fuel and oils, and to require plant and machinery to carry spill kits.
183. With regard to groundwater levels, the excavation of sand and gravel would require dewatering. A mobile water pump would be used to dewater the working area, which would be discharged into the angling lake nearest the development to the east, where the water would recharge the water table. As pumped groundwater will remain within the localised area it is considered that there will be no significant effects of dewatering on the wider groundwater regime.
184. The Environment Agency has no objection to the development and has not raised any concerns with flood risk, contamination or impact to groundwater levels. In addition, the NCC Reclamation Team has no objection. The development would not affect groundwater levels and there are no risks of polluting ground or surface water. As such, the development is in accordance with the relevant aspects of Policy M3.8.

### Restoration and Aftercare

185. The NPPF requires authorities, when determining minerals planning applications, to provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary.
186. The proposed after-use for the site is fishing lakes, indeed, the applicant has sought to make clear that the creation of fishing lakes is the main driver for the

application. Notwithstanding the clear intention for the fishing lakes, in exceptional circumstances reclamation to the planned after use can be subject to unavoidable delay. Where this is the case it may be appropriate for interim restoration measures to be required, and the requirement for this is covered in Policy M4.7 of the MLP. As such, should planning permission be granted a condition will be attached requiring the submission of interim, or alternative, restoration scheme to be submitted on request from the MPA.

187. Policy M4.9 of the MLP states that the County Council will attach aftercare conditions to all planning permissions where reclamation is to agriculture, forestry or amenity. The purpose of aftercare is to help to ensure that newly restored land is properly cultivated, planted and managed during the first few crucial years. Whilst the primary purpose of the restored site is to create fishing lakes, the proposals include landscaping comprising tree planting, grassland, hedgerow and marginal planting. In light of the biodiversity concerns raised by ecological bodies it is particularly important that any planting does have the best chance to establish through suitable and appropriate aftercare. As such, a condition is recommended to require the submission of an aftercare scheme covering the statutory 5 year aftercare period.

#### Cumulative Impact

188. Policy M3.27 of the MLP states that planning permission for minerals development will not be granted where it would result cumulatively in a significant adverse impact on the environment and/or the amenity of local communities.
189. Given that minerals extraction has, and continues to, take place in close vicinity to the proposed development it would be reasonable to assume that there would be a degree of cumulative impact associated with proposed development. However, it is important to recognise that the Scrooby North Quarry to the north of the application site has recently ceased extraction. This quarry used the same haul road and access onto the A638 that the proposed development would use for the mineral extraction phase. Also, the rate at which mineral would be extracted would be comparable. As such, because the proposed development could be seen as a continuation of the Scrooby North Quarry extraction, and would not be occurring at the same time, there would not be cumulative impacts arising from noise, traffic and dust.
190. The proposed development would result in a permanent change to the character of the area, and has been assessed by the NCC Landscape Team as being an impact of moderate adverse significance. This is less than the significant adverse impact identified in Policy M3.27.
191. It is considered that there would be a degree of cumulative impact associated with the proposed development, particularly in relation to impact on the character of the surroundings. However, it is not considered to be a significant adverse impact, and for this reason, the development would not be contrary to Policy M3.27.

#### Other Matters

192. The application has been submitted with a tree survey and arboricultural implications assessment. The survey identifies approximately 14 trees towards the south of the application which would need to be removed in order to facilitate the development. These trees are predominantly categorised as B (moderate quality), C (low quality) and U (cannot be realistically retained as living trees). Landscaping around the proposed development involves the planting of significantly more trees than would be lost through the development, and is therefore considered acceptable.
193. The arboriculture assessment also contains details of tree protection fencing for the small wooded area, Hollins Holt, to the south and west of the application area. It is recommended that the tree protection fencing is secured by condition.
194. The area proposed for mineral extraction is categorised as Grade 3b agricultural land. This falls outside of agricultural land classified as best and most versatile and is, therefore, not protected by Policy M3.16 of the MLP.
195. The proposed development does not affect any rights of way, the nearest being a Bridleway 490m to the north.
196. Mineral extraction has the potential to generate dust. In line with Policy M3.7 of the MLP, conditions could be attached to any planning permission to minimise the potential for dust impact. Conditions would relate to the use of measures such as regular use of water bowser and damping down, internal roadways being kept free of mud and debris, mobile plant not having downwards facing exhausts and the seeding of temporary soil storage mounds.

### Conclusions

197. The planning application site is not within an area allocated for mineral extraction. It is within an area which has existing planning permission for minerals extraction, although the extant permission specifically excludes the area to which this application is subject from extraction. The reason for the land's exclusion is unknown, although the land may have been excluded due to previous extraction having taken place on part of the site.
198. The applicant has demonstrated that 277,000 tonnes of sand and gravel, and Sherwood Sandstone mineral reserves are available at the site. The applicant indicates that the majority of this would be Sherwood Sandstone (87%). However, the applicant has argued that, due to its nature and composition, the sandstone would be processed and sold as a sand and gravel. This argument is accepted, and is reinforced by the fact that the existing and Minerals Local Plan and the Minerals Local Plan Preferred Approach Consultation identify the site, and areas to the north and south as having planning permission for sand and gravel extraction.
199. The most recent figures show that the County's landbank for sand and gravel was 7.3 years in December 2011. Whilst production has slowed, and new sand and gravel resources have been permitted since this time, the landbank is still considered to be below 7 years. Policy M6.3 (sand and gravel extraction in



unallocated areas) states that permission in unallocated areas should only be granted where there it is evident that existing permitted reserves and remaining allocations cannot sustain an adequate landbank. The development is in accordance with this policy.

200. The applicant states that the driver for this application is the creation of fishing lakes. This type of development is acceptable in the countryside, as a tourist attraction/rural business, in accordance with Policy DM1 of the Bassetlaw Core Strategy. In addition, the sustainable growth and expansion of existing businesses in the countryside is given support in the NPPF.
201. Notwithstanding the above, it is important to note that Policy DM1 requires the scale, design and form of a proposal to be appropriate for its location and setting, and the NPPF states that development needs to respect the character of the countryside. It is considered that the rectangular, engineered nature of the proposed fishing lakes is not in character with the surroundings, and this is echoed by the consultation from the NCC Landscape Team which assessed the development as having a moderate adverse impact on the character of the area. As such, the development is considered to be contrary to these aspects of Policy DM1 and the NPPF. The development is also contrary to Policy M3.22 of the MLP, which states that planning permission should not be granted for minerals development which would have an adverse impact on character and distinctiveness of the landscape.
202. A less engineered design for the fishing lakes has been explored with the applicant; however, the design has been justified as being necessary to ensure that proposed lakes are suitable for competitive match fishing, which requires consistent angling conditions irrespective of peg position.
203. The development has been assessed in terms of its contribution to biodiversity and the landscaping scheme includes woodland planting, individual tree and shrub planting, hedgerow planting, and marginal and aquatic grassland. It is considered that the landscaping scheme could better serve the local biodiversity needs. Notwithstanding this, the existing site is poor, semi-improved grassland with a low biodiversity value, and no significant level of BAP habitat would be affected by the development, as such, the development is considered not to be contrary to Policy M3.17 of the Minerals Local Plan.
204. The proposed development has been assessed against, and subject to conditions, found to be in accordance with the relevant environmental policies including M3.3 (visual intrusion), M3.4 (screening), M3.7 (dust), M3.8 (water environment), M3.9 (flooding), M3.13 (vehicular movements), M3.16 (protection of best and most versatile agricultural land), M3.24 archaeology), M3.25 (listed buildings, conservation areas, historic battlefields, and historic parks and gardens), and M3.27 (cumulative impact).
205. The development is technically contrary to Policy M3.5 which states that planning permission will not be granted for development where noise emissions outside of the boundary of the mineral working would exceed acceptable level. However, it is a material consideration that the nearest



sensitive receptors where noise would exceed acceptable levels are owned and occupied by the applicant and his family.

206. It is also noteworthy that this application has not received a single objection from the public.
207. Due to a moderate adverse impact on the character of the landscape, the proposed development is contrary to Policy M3.22 of the MLP, and part of Policy DM1 and the NPPF. In addition, whilst the development is not contrary to Policy M3.17 (Biodiversity), a better landscaping scheme with BAP habitat incorporated could have been submitted. However, the development brings forward a sand and gravel resource which will assist in meeting the requirement to maintain a 7 year landbank, which the County is currently below, in line with Policy M6.3. In addition, the proposal would serve to provide growth and expansion of existing businesses in the countryside, which is given support in the NPPF. On balance, the need to maintain a 7 year landbank and the rural economic benefits of the proposal are considered sufficient to recommend that planning permission is granted.

### **Other Options Considered**

208. 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**

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

### **Implications for Service Users, Financial Implications, Equalities, Safeguarding of Children, and Human Resources**

210. No implications.

### **Crime and Disorder Implications**

211. The minerals extraction element of the proposal is unlikely to attract any level of crime and disorder. The proposed fishing lakes would be patrolled by water bailiffs, as is the case with the existing fishing lakes.

## **Human Rights Implications**

212. 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 may be affected. The proposals have the potential to introduce impacts of noise, dust and increased HGV traffic upon the local environment. However, these considerations need to be balanced against the wider benefits the proposals would provide in maintaining the County's mineral resources and expanding an existing business in the countryside. Members will need to consider whether these benefits would outweigh the potential impacts.

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

213. 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, although, there would be a moderate adverse impact on the landscape character of the area.

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

214. 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 and the National Planning Policy Framework. 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; and liaising with consultees to resolve issues. Issues of concern have been raised with the applicant, such as impacts of noise, landscape and visual impact, and ecology and biodiversity, and birdstrike and airport safeguarding and have been addressed through negotiation and amendments to the proposals. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

## **RECOMMENDATIONS**

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

**JAYNE FRANCIS-WARD**

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

## **Constitutional Comments**

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[Initials and date here in square brackets]

## **Comments of the Service Director - Finance (SEM 06/01/14)**

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

## **Background Papers Available for Inspection**

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

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

Blyth and Harworth – Councillor Sheila Place

Report Author / Case Officer

Oliver Meek

0115 9696516

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

W001211 – DLGS REFERENCE

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

22 June 2013 – Date Report Completed by WP Operators



**RECOMMENDED PLANNING CONDITIONS**

**Extent of Planning Permission**

1. The development hereby permitted shall be begun within three 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 seven days, but not more than 14 days, prior to the commencement of development.

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

3. The minerals element of the development hereby permitted shall be for a temporary period only, with mineral extraction ceasing no more than three years after the commencement of development as notified under Condition 2 above.

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

**Approved Details and Plans**

4. The development hereby permitted shall only be carried out in accordance with the following documents, unless amendments are made pursuant to other Conditions:
  - a) Figure No. 001 titled 'Site Location Plan' – received by the MPA on 25 February 2013;
  - b) Figure No. 002 titled 'Planning Application Boundary' – received by the MPA on 25 February 2013;
  - c) Figure No. 003 titled 'Method of Working Plan' – received by the MPA on 25 February 2013;
  - d) Figure No. 004 titled 'Site Sections' – received by the MPA on 25 February 2013;

- e) Figure No. 005 B titled 'angling lake configuration and planting' – received by the MPA on 10<sup>th</sup> July 2013;
- f) Figure No. 006 titled 'Ground Conditions' – received by the MPA on 25 February 2013;
- g) Planning Application Forms – received by the MPA on 25 February 2013;
- h) 'Lodge Farm Fisheries, Scrooby. Development of Two Angling Lakes - Planning Statement' and associated appendices 1 to 9 – received by the MPA on 25 February 2013;
- i) Letter dated 15<sup>th</sup> April 2013 relating to 'consideration of landscape and ecology issues arising from consultation' – (received by the MPA on 15 April 2013);
- j) Letter dated 15<sup>th</sup> April 2013 relating to 'consideration of noise issues arising from consultation' – (received by the MPA on 15 April 2013);
- k) Letter dated 7<sup>th</sup> June 2013 relating to 'consideration of policy issues arising from consultation' – (received by the MPA on 7 June 2013);
- l) Letter dated 7<sup>th</sup> June 2013 relating to 'consideration of ecology and landscape issues arising from consultation' – (received by the MPA on 7 June 2013);
- m) Letter dated 10<sup>th</sup> July 2013 relating to 'consideration of ecology and landscape issues arising from consultation' – (received by the MPA on 10 July 2013);
- n) Appraisal and strategy for the management of waterbird populations – received by the MPA on 9 September 2013.

*Reason: For the avoidance of doubt.*

### **Hours of Working**

5. 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, or with the prior agreement of the MPA) the development hereby permitted shall only take place within the following hours:

<b>Activity</b>	<b>Day</b>	<b>Hours</b>
Mineral Extraction, fishing lake construction and associated activities.	Monday to Friday	07:30 – 18:00
	Saturday	07:30-13:00
	Sundays, Public or Bank Holidays	These activities shall not occur
Angling	Monday to Friday	07:00 – 21:00
	Saturday	07:00 – 21:00
	Sundays, Public or Bank Holidays	07:00 – 21:00

*Reason: In the Interest of amenity and in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan (MLP).*

### **Dust**

6. Measures shall be taken to minimise the generation of dust from operations during construction at the site. These shall include, but not necessarily be limited to, any or all of the following steps as appropriate:
- a) The use of water bowzers to dampen haul roads, material stockpiles, and other operational areas of the site;
  - b) Internal roadways, 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 arriving at or 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 the soil mounds;
  - 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 interests of the amenity of nearby occupiers and to accord with Policy M3.7 of the MLP.*

### **Noise**

7. 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 site access 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 mineral extraction travelling within the site of 12 mph (20 kph);
  - c) Regular maintenance of site plant in accordance with manufacturers' specifications;
  - d) Sequential, rather than simultaneous, start- up of plant;
  - e) Avoiding unnecessary revving of engines;



f) Switching off plant when not in use.

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

8. The earth bund on the western boundary shall be constructed in accordance with Figure 003 titled 'Method of Working Plan' received by the MPA on 25 February 2013. An increased temporary daytime noise limit of up to 70dB(A) LAeq 1hr (free field) is permitted at the nearest noise sensitive property during the soil stripping and bund construction/removal phases of the works for a maximum of 8 weeks in a calendar year only.

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

9. The machinery and plant to be used on site shall be limited to that identified within the noise assessment, as set out in the table below:

Plant	Max Sound Power Level
1 No. Tracked Excavator	Lw = 115dB
1 No. Dozer	Lw = 115dB
1 No. Generator	Lw = 108dB
3 No. Dump Trucks	Lw = 115dB

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

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

*Reason: To mitigate noise impact in accordance with Policy M3.5 of the MLP.*

12. In the event that a complaint is received regarding noise from the operation which the MPA considers may be justified the operator shall, within 1 month of a request from the MPA, undertake and submit to the MPA for its written approval a BS4142:1997 noise survey to assess whether noise from the development exceeds the daytime criterion of 10dB(A) above the existing background noise level after the addition of the 5dB(A) penalty to reflect tonal, discrete or impact noise as advised in BS4142:1997. In the event of the daytime criterion being exceeded, the report shall include further measures to mitigate the noise impact so as to ensure compliance with the noise criterion and a timetable for their implementation. The noise assessment shall be undertaken as agreed with the MPA. Any additional mitigation measures which the report identifies as necessary shall be implemented in accordance with the details and timetable approved by the MPA.

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

## **Contamination**

13. 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 tank plus 10%. If there is a multiple tankage the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents gages and sight glasses must be located within the bund or have separate 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 line with Policy M3.8 of the MLP.*

14. 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 line with Policy M3.8 of the MLP.*

### **Ecology**

15. Any site clearance operations that involve the destruction or removal of vegetation, including felling, clearing or removal of trees, shrubs or hedgerows on site, shall not be undertaken during the months of March to August inclusive unless otherwise agreed in writing by the MPA.

*Reason: To avoid disturbance to breeding birds.*

16. 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 in accordance with the method statement hereby approved.

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

17. 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 in the interests of nature conservation.*

18. Prior to the commencement of development details of protection measures for the small pond, labelled 'existing wet feature to be retained' on plan 005 Ref B, shall be submitted to, and approved in writing by, the MPA. Development shall be carried out in accordance with the approved details.

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

### **Archaeology**

19. Prior to the commencement of development details of a scheme for archaeological mitigation shall be submitted to, and be approved in writing by, the MPA. The scheme shall include an archaeological watching brief and a 'strip, map and sample' programme including timings and frequency. The scheme shall be implemented in accordance with the approved details and findings shall be promptly reported to the MPA.

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

### **Bird Management**

20. The behaviour modification and habitat modification measures set out in paragraphs 4.4 – 4.15 of the 'appraisal and strategy for the management of waterbird populations', received by the MPA on 9 September 2013, shall be implemented and maintained for the life of the development.

*Reason: In the interests of aviation safety in line with Paragraph 144 of the National Planning Policy Framework (NPPF).*

21. Prior to the commencement of development a bird deterrent training document shall be submitted to, and approved in writing by, the MPA. Thereafter, all water bailiffs employed at the site shall be trained in bird deterrence in line with the approved training document.

*Reason: In the interests of aviation safety in line with Paragraph 144 of the NPPF.*

### **Landscaping**

22. Prior to the commencement of development a revised final landscaping scheme shall be submitted to, and approved in writing by, the MPA. The revised landscaping scheme shall include the following revisions:

a) A widened tree belt along the northern boundary of the application site;

- b) Enhancement of the existing 'wet feature' as shown on Figure 005 Rev B. The enhancement of the feature is to include deepening to allow the feature to become more permanent;
- c) Alternative seeding mix to include a simple wildflower mix.

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

### **Traffic and Transportation**

- 23. The number of Heavy Goods Vehicle (HGV) movements associated with the permitted construction works shall not exceed 20 vehicle movements (10 in and 10 out) per hour.

*Reason: To minimise traffic impact on the surrounding areas in accordance with Policies M3.13 and M3.14 of the MLP.*

- 24. The fishing lakes hereby approved shall not be brought into use until the junction visibility relating to the northern side of the southern access has been maximised by the pruning back of the trees and vegetation at the rear of the highway boundary to the satisfaction of the MPA. Suitable visibility shall be maintained thereafter for the life of the development.

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

- 25. Measures shall be employed to prevent the deposit of mud, clay and other deleterious materials on the surrounding public highway during construction. 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 accord with Policies M3.13 and M3.14 of the MLP.*

### **Soil Placement**

- 26. 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 inspection of the area before further restoration of this part is carried out;
  - b) When subsoil has been prepared ready for topsoil replacement to allow an 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 the 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.*

27. Soils and overburden shall only be placed when they and the ground on which they are to be placed are in a dry and friable condition.

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

28. Plant and vehicles shall not cross any area of placed and loosened ground or replaced soils except where essential and unavoidable for 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.*

29. Prior to the placement of soils and any overburden, the final profile of the area to the west of the fishing lakes, used during the construction phase for soil stockpiling, 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 at a depth of not less than 2 metres below the final contours.

Decompaction shall be carried out in 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.*

30. Only low ground pressure machinery shall work on re-laid soils 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.*

### **Aftercare**

31. Following completion of the fishing lakes 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.*

32. 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.*

33. Within six months of the date of commencement of the development hereby permitted, as notified under Condition 2 above, 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 analysis;
- e) Keeping of records and an annual review of performance and proposed operations for the coming year, to be submitted to the MPA between 31 March and 31 May each year;
- f) Management practices such as cutting vegetation, to include measures to deter waterbirds that are a potential threat to aviation safety;
- g) Tree protection;
- h) Remedial treatments;
- i) Irrigation; and
- j) Fencing.

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

34. 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 in Condition 33(e) above, having regard to the conditions 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.*

#### **Alternative Restoration**

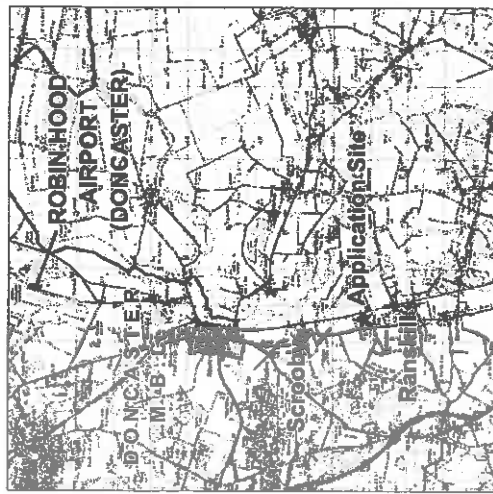
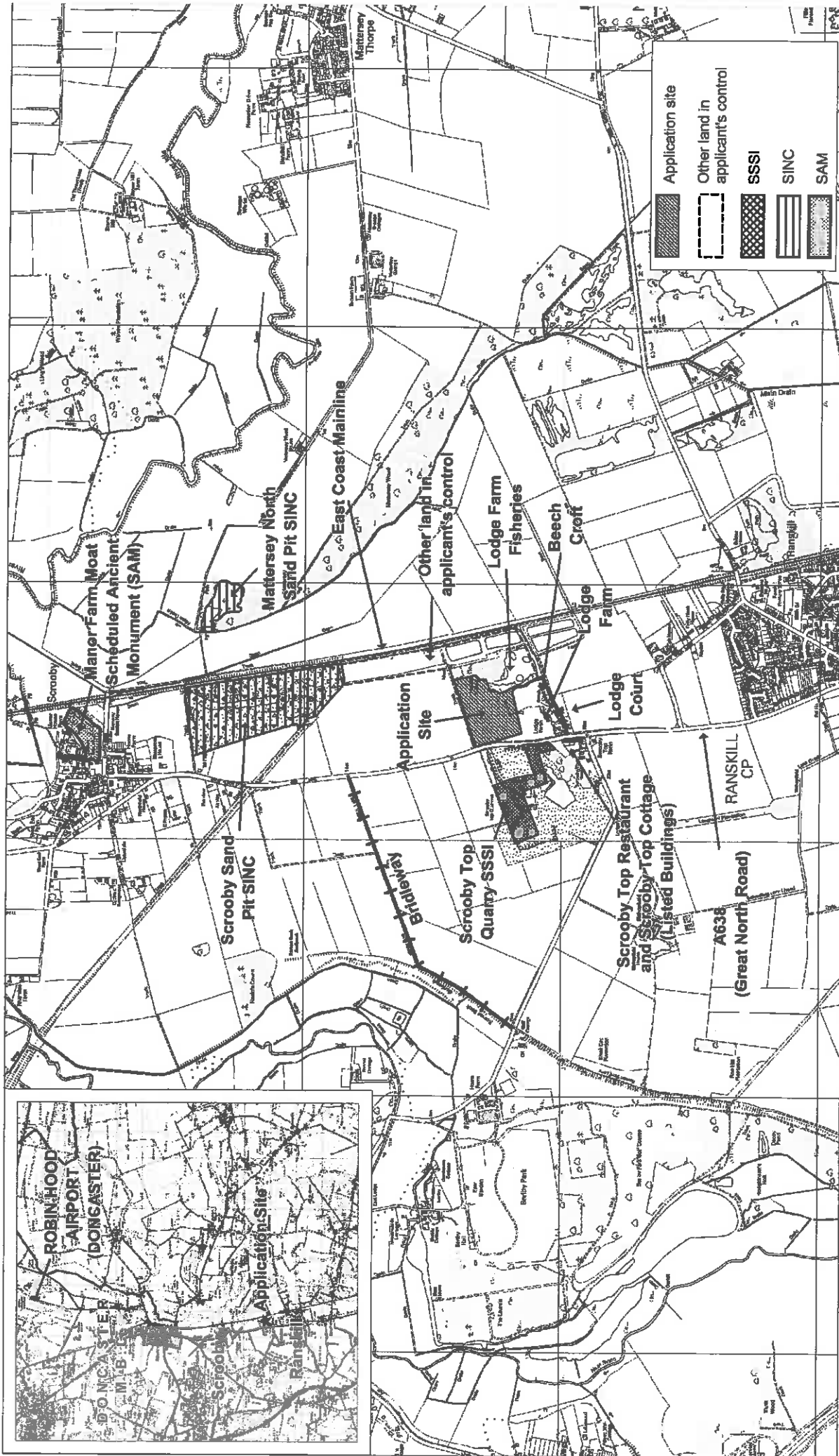
35. Should for any reason mineral extraction cease for a period in excess of 6 months, then, within 3 months of the receipt of a written request from the MPA, a revised scheme for the restoration of the site shall be submitted to the MPA for its approval in writing. Such a scheme shall include details of the final contours, waterbody or bodies, provision of soiling, sowing of grass, planting of trees and shrubs, drainage and fencing in a similar manner to that submitted with the application and modified by these Conditions and also provide details of the aftercare proposals in a similar manner to Condition 33 above. 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.*



## INFORMATIVES

1. With reference to Condition 19, the archaeological 'strip, map and sample' exercise should involve the removal of topsoils and possibly some subsoils under the close supervision of a suitably experienced archaeologist, and should concentrate on the western boundary of the site, closest to the likely focus of Roman settlement. Unless the strip, map and sample produces unexpectedly significant archaeology, then the watching brief over the remainder of the site can be intermittent, concentrating on the field system and aiming at retrieving, dating and palaeoenvironmental evidence. The work will not be considered complete, and the condition fully discharged, until it has been reported on and approved by the NCC Archaeologist.
2. With reference to Condition 22(c), it is suggested that an appropriate wildflower seed mix would be Naturescape's NLM Landscape Meadow Mixture, Emorsgate Seed's EM1 Basic General Purpose Meadow Mixture or something similar.
3. Robin Hood Airport, Doncaster request the right to visit the site at any point to assess wildlife to ensure that their 13km bird survey information is up to date and that the attached conditions are being maintained in the interests of flight safety. In addition, the airport requests that any buildings on site, or erected in the future are protected so as to prevent birds from roosting.
4. The Applicant's attention is drawn to the attached letter from the Environment Agency dated 28<sup>th</sup> March 2013, relating to abstraction, dewatering and the requirement for consent from the EA under the Salmon and freshwater fisheries act 1975 prior to stocking lakes with fish.



# PLAN 1



Scale 1:20,000

Produced by: JW

Date: 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.  
Lodge Farm, Scrooby Top, Nottinghamshire.  
Planning Application No. 1/13/00717/CDM

**Nottinghamshire  
County Council**

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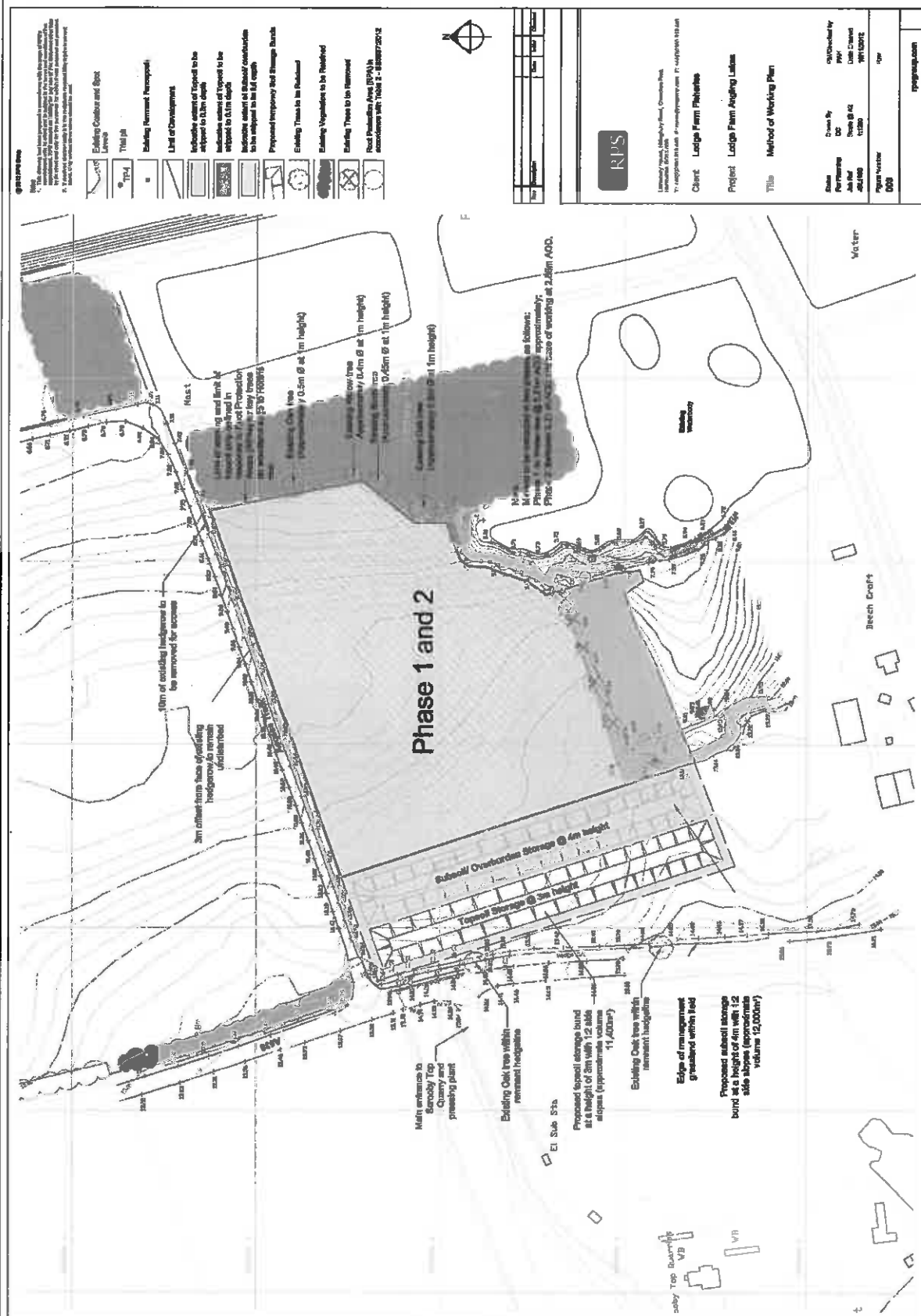
Development and use of land for two angling lakes, with access and landscaping with associated excavation and exportation of mineral and surplus soils during construction.

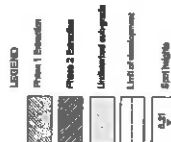
Lodge Farm, Scrooby Top, Nottinghamshire.

Plannin Application No. 1/13/00717/CDM

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# Nottinghamshire County Council





- NOTES**
1. For notations of numbers refer to standard notes.  
JMS.1000101 and 204.
  2. All levels in evidence Above Conference Datum (in ACS).  
All dimensions in meters.

Year	Count	Outs	WHL	Shutouts

RPS

UNIVERSITY OF MICHIGAN, HARBURY ROAD, CHICHESTER, PO14 3BA  
 ENGLAND

Client: Lodge Farm Fisheries

**Client:** Lodge Farm Fisheries**Client:** Lodge Farm Fisheries**Project: Lodge Farm Angling Lakes****Project: Lodge Farm Angling Lakes**

**Title** **Old Eastern**

**Title** **Old Eastern**

By \_\_\_\_\_

By \_\_\_\_\_

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**Not to Scale**

Produced by: JW

Date: 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.

Lodge Farm, Scrooby Top, Nottinghamshire.

Planning Application No. 1/13/00717/CDM

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# Nottinghamshire County Council

Development and use of land for two angling lakes, with access and landscaping with associated excavation and exportation of mineral and surplus soils during construction.

Lodge Farm, Scrooby Top, Nottinghamshire.

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Produced by: JW

Date: JANUARY 2014

Not to Scale

PLAN 4

Legend

Existing conditions

Proposed changes

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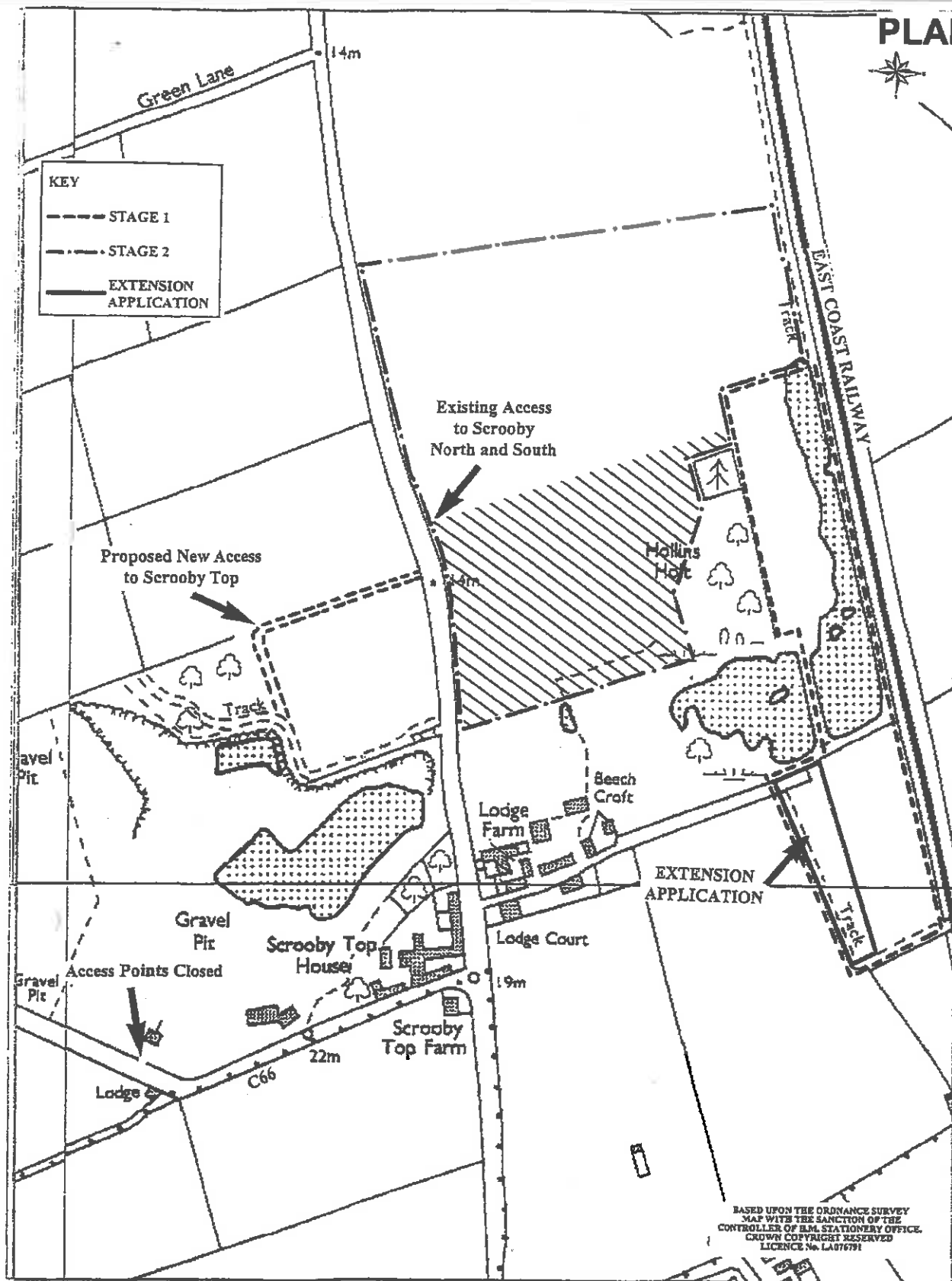
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**Nottinghamshire  
County Council**  
Environment  
Director: Louise Victory  
Trent Bridge House, Fox Road  
West Bridgeford, Nottingham, NG2 6BJ  
Tel: 0115 982 3823

**EXTENT OF PLANNING  
PERMISSION 1/42/98/7  
REF: 1/42/98/7/A**

**DATE : 18 / 05 / 99  
SCALE 1 : 5,000**



**Nottinghamshire  
County Council**

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.  
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Produced by: JW  
Date: JAN 2014**





**21<sup>st</sup> January 2014****Agenda Item: 6****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND  
CORPORATE SERVICES****BASSETLAW DISTRICT REF. NO.: 1/13/01144/CDM**

**PROPOSAL: USE OF LAND AND PREMISES AS WASTE TRANSFER STATION,  
INERT MATERIALS RECYCLING FACILITY AND DISMANTLING OF END OF LIFE  
VEHICLES, AND RETENTION OF OPEN-FRONTED ROOFED AND SHEETED STORAGE  
AND SORTING BAY.**

**LOCATION: RETFORD WASTE LTD, ACCESS ROAD, RANSKILL, RETFORD**

**APPLICANT: RETFORD WASTE LTD**

**Purpose of Report**

1. To consider a planning application for the use of land and premises as a Waste Transfer Station (WTS), inert materials recycling facility and for the dismantling of end of life vehicles (ELV) at Retford Waste Ltd, Access Road, Ranskill. The application is part-retrospective and includes the retention of an open-fronted storage and sorting building. The key issues relate to the associated traffic accessing the site; the impacts of vehicles on public rights of way; impacts on nearby wildlife sites; and the adequacy of site drainage arrangements. The application falls to committee for determination due to the quantity of the proposed throughput. The recommendation is to approve the application, subject to the attached conditions.
2. The application relates to an established waste processing and skip hire business at a site on part of the wider industrial estate at Ranskill. The applicant seeks to regularise certain waste activities associated with the existing skip hire business and the processing of inert waste. In addition the application seeks to add to the site the operation of a waste transfer station, associated with the skip hire business and add the dismantling of end of life vehicles. The site and applicant has been subject to previous planning enforcement action by this authority and this application represents a resubmission of a previously withdrawn application.

## The Site and Surroundings

3. The village of Ranskill is situated on the Great North Road, five miles north of Retford in the district of Bassetlaw. The functional centre of the village lies at the crossroads of the Great North Road, with the B6045 Blyth Road, to the west and Station Road to the east. A post office/general store, fish and chip shop and a former public house are located at this junction. Station Road is a residential street leading to the railway crossing over the East Coast Main Line, this railway running north-south forms the eastern boundary to the village. The Access Road industrial estate is situated east of the railway line, as accessed by Station Road, Common Lane and Access Road. The general location can be seen on Plan 1.
4. Upon crossing the level crossing, Station Road continues as Common Lane running eastwards and from that point onwards is no longer adopted highway and instead is classed as a public right of way (Ranskill Footpath No. 4). 200 metres east from the railway, Common Lane intersects with Access Road running south towards the industrial estate. An industrial manufacturer is located at this turning. Running north from this junction is an unnamed track leading eventually to the Mattersey Road (B6045). Access Road as with Common Lane is not an adopted highway and is designated as a public right of way (Ranskill Footpath No. 8). The local rights of way are shown on Plan 2.
5. The industrial estate covers approximately 11 hectares within a defined rectangular area, which is then subdivided into a complex mesh of businesses comprising automotive dismantlers and spares, tyre recycling, building materials, haulage etc. Historically the surrounding area formed part of a Royal Ordnance Factory. The application site is located in the north-east corner of the industrial area on a site area of 0.8 hectares and is accessed along an un-metalled perimeter track, leading off Access Road. The site is shown on Plan 3.
6. The nearest residential property, Lakeside View is 400 metres to the west of the application site on Access Road. Properties adjacent to the level crossing and at the end of Willow Avenue are approximately 550 metres distant.
7. To the east of the site alongside an access track runs the Main Drain tributary of the River Idle, which flows from south to north. A narrow corridor along the drain is identified as being at risk of flooding and is classed as being in Flood Zone 3.
8. A series of designated wildlife sites and reserves are within proximity and influence of the application site. This patchwork of sites has formed as a legacy of historical gravel workings, landfill and wartime industrial activities in the area. Directly north and north-west of the site is a local wildlife site (Ranskill Wetlands Site of Importance for Nature Conservation (SINC)), comprising a mix of woodland and wetland. The hedgerow and trees bounding the access track form part of this site, which also extends across land on the east side of the Main Drain. Mattersey Hill Marsh Site of Special Scientific Interest (SSSI) lies 300 metres to the east of the application site beyond a field of pasture. South of the industrial area is the Daneshill Lakes and Woodland SINC and Local Nature Reserve. Ranskill Sandpit Spoil SINC

is also adjacent to the south-east corner of the wider industrial area. A further SINC site, Ranskill Birch Woodland, lies between Common Lane and Mattersey Road. These sites are shown on Plan 4.

9. The perimeter of the application site is defined by steel palisade fencing and steel sheeting at around 2 metres high, with a main vehicular gate on the northern boundary. Within, is an open yard, largely of unmade ground with some areas of concrete surfacing around the site entrance and various on-site buildings. The yard is used for the open storage of skips and vehicles associated with the existing skip hire operation and for the processing of inert waste resulting in various piles of such material and processing machinery. At the entrance to the site is a weighbridge. Several storage containers can also be found on site, along with stacks of skips. A series of buildings are positioned along the western side of the yard. The layout is shown on plan 5.

#### *Site office*

10. A raised site office, which comprises a portable building stacked on a container lies next to the site entrance in the north-west corner.

#### *Open-fronted sorting bay*

11. The first building next to the site office is an open-fronted steel-framed and sheeted sorting bay. This building measures some 14 metres by 20 metres with walls formed by grey steel sheeting above concrete blockwork. It has an open front on its eastern elevation looking out across the yard. The floor is formed by concrete and has a drainage sump. The structure has been present for a number of years, however a mono-pitch roof was added in 2012, taking its maximum height to 6 metres. The building does not benefit from planning permission and therefore the application also includes the retention of this building.

#### *End of life vehicle de-pollution building and workshops*

12. Abutting the storage bay to the south are two interlinked workshops, the first of which would be used for the proposed vehicle dismantling. These workshops are 5 metres high formed with concrete blockwork and with roller shutter doors.

### **Proposed Development**

13. The application seeks to operate or regularise three types of waste and recycling operations, all of which would take place in distinct areas of the site.

#### *Waste Transfer Station (WTS)*

14. The applicant currently runs a local skip hire business from the site and has done so to varying degrees since 1998. Whilst the storage of empty skips would be permitted under a historical planning permission benefiting the site, the importation and processing of skip waste, which has been taking place on a limited basis so far, results in a change of use to a waste transfer operation, requiring planning permission. The applicant therefore wishes to undertake the

importation and sorting of skip wastes on the site, recovering materials for recycling and bulking up the resultant sorted waste for onward recycling and disposal.

15. The firm currently has up to 150 skips in use and three skip lorries for their transportation, two of which (18 tonne type) are used on the general skip collection rounds. This situation is not due to change. Currently the two skip lorries leave the site each day, both carrying 4 or 5 empty (stacked) skips and then undertake the rounds making up to 5 outbound and 5 inbound trips per day (each). Full skips are routinely taken straight to a licensed tip or facility except when it is closed, resulting in full skips being brought to the site overnight. Inert material is also currently brought in for processing.
16. Under the proposed WTS operation the skip lorries would depart the site each day, each carrying 4 or 5 empty (stacked) skips and then undertake the rounds making up to 6 outbound and 6 inbound trips per day (each), bringing in full skips for sorting.
17. On entering the site, lorries would first pass over the weighbridge and then skips would be unloaded and tipped within the open-fronted sorting bay, where waste would be sorted by means of hand, loaded shovel/grab and deposited into various other skips for onward recycling and disposal to licensed facilities. The application seeks permission for a maximum annual throughput of 15,000 tonnes through the WTS.

#### *Inert waste processing*

18. The application seeks to regularise the crushing, screening and sorting of construction and demolition waste, within an open area along the eastern portion of the site. The application proposes a maximum throughput of 20,000 tonnes per annum of this waste stream. The material is stockpiled before being processed through a mobile crusher and a screener, resulting in various grades of stockpiled material. The height of stockpiles of inert materials would be limited to 4 metres. Various pieces of mobile plant are used to move this material including a 360 excavator.
19. The larger (32 tonne) of the three skip lorries is used to take a single daily load of processed inert waste for disposal. This single round trip is not proposed to change.

#### *Dismantling end of life vehicles*

20. The applicant also wishes to undertake some limited dismantling of end of life vehicles, which would be undertaken within one of the two workshop buildings beyond the sorting bay. This would become a dedicated de-pollution building where vehicles can be drained with oils and fluids captured in drums for off-site disposal. Oily parts would be stored externally on an expanded area of concrete apron with a new sealed drainage system (as detailed below), whilst non-oily parts such as car bodies would be stored on an unsurfaced area in the south-east corner of the site. Serviceable parts which can be sold on would be stored within two existing portable cabin containers located along the

western boundary. There would be no sale of parts to visiting members of the public, these instead being sold via postal/internet means.

21. The proposed ELV operations would require the addition to the fleet of an 18 tonne vehicle, possibly of the flat bed type, and which would typically undertake a single round trip from and to the site per working day.

*Total vehicle movements*

22. Taking all three aspects of the proposed development together and compared with the current operations, the proposed operations would generate up to 14 in-bound lorries and 14 out-bound per working day, with fewer movements on Saturdays. This is compared against the present levels of up to 11 in-bound and 11 out-bound movements. Peak periods tend to occur between the hours of 08.30 to 16.30. There would also be around four or five staff cars at the site each day.
23. All vehicles access the site via Access Road, Common Lane and Station Road to its junction at the Great North Road.

*Hours of operation*

24. The proposed hours of operation are 07.00-18.00 Monday-Friday and 07.00-13.00 Saturdays. No working is proposed on Sundays or Bank Holidays, except for emergencies.

*Associated drainage and surfacing works*

25. In order for the proposed operations to meet the environmental standards required as part of a permitting application from the Environment Agency, a series of drainage and hard surfacing works are proposed.
26. The open-fronted sorting bay already benefits from a concrete floor, however additional mitigation to prevent the escape of fluids is proposed in the form of a 150mm high raised hump at the opening and the reinstatement of a drainage sump, which would collect any fluids for subsequent off-site disposal. The internal blockwork would also be rendered up to 450 mm high.
27. The workshop to be used for ELV dismantling also benefits from a concrete floor and a 150mm high raised hump will again be added at the entrance, the walls rendered and an internal door bricked up.
28. Areas of external concrete apron would be extended around the existing buildings, which would also provide an extended area for circulation and space for the storage of car parts. The surface would be graded to direct water and any possible oil contamination towards a new gully system which would be installed along the edge of the concrete area. East of this concrete area, the site would remain unsurfaced for the processing of inert materials.
29. Highway type gullies attached to a new buried drain would direct surface water flows from the vehicle parts storage area into a full-retention separator, where oil contaminants can be captured. Surface water from outside the sorting bay and entrance area would be drained into the system beyond the separator,

where it would meet the clean water from the end of the separator. Finally, the clean rain water from the roofs of the storage bay and workshops would be directed via new rainwater downpipes into a new surface water drainage pipe which would run around the perimeter of the site, before meeting the combined flows of surface water and then into a new buried storage/attenuation tank. This 10m<sup>3</sup> storage tank and its orifice plate is designed to produce a steady outflow of water which would finally be piped to a new outfall into the Main Drain to the east. This outfall would have a brick headwall with a non-return flap valve.

#### *Retention of open-fronted sorting building*

30. In addition to the proposed operations/uses, the application also seeks to retain the open-fronted storage/sorting bay which has been completed without the benefit of planning permission. This is described in paragraph 11. Some adjustments to the drainage are required and these are detailed above.

#### **Planning history**

31. The site and applicant has a planning history of relevance to the current application.
32. The wider area has the benefit of a long-standing planning permission for 'storage of commercial vehicles, steel etc' dating back to 1991 as granted by Bassetlaw District Council (ref. 39/91/00004).
33. In 2000 the County Council, as the Waste Planning Authority (WPA), granted planning permission to Retford Waste for the use of the site as a Waste Transfer Station (ref. 1/39/98/5) subject to conditions including a cap on vehicle movements. Operations commenced and continued without the pre-commencement conditions being discharged, mainly due to the non-implementation of impermeable surfacing and other measures. The continued operations were subject to subsequent enforcement action with enforcement notices being served in 2003, which were appealed and subsequently withdrawn when agreement was reached with the applicant to provide the necessary measures. However, these details were not forthcoming and the permission subsequently lapsed.
34. A new planning application was invited which was submitted to the WPA in 2011 (ref. 1/39/12/00001), however this application received objections from the Environment Agency and NCC Countryside Access Team, whose concerns were unresolved and the application was subsequently withdrawn.
35. The current application provides a drainage assessment and drainage plans (as detailed above) to overcome the Environment Agency objection. The site area has also been extended, within the estate area.

#### **Consultations**

36. **Bassetlaw District Council** - *Does not wish to make any observations.*



37. **Ranskill Parish Council** - No objection. The increased number of daily HGV movements to/from Retford Waste on Station Road should not exceed the number stated on the applicant's revised traffic submission and should be capped at a maximum tonnage per day/month.

*The Council wishes to raise its concern about the likely future increase in HGVs along the Great North Road and at its junction with Station Road/Bylth Road/Mattersey Road, in the village, as a result of possible new quarries in the Barnby Moor area as well as with Retford Waste. Significant numbers of heavy vehicles through an already busy and constricted residential zone raises concerns for the safety of pedestrians, the control of traffic and the potential for damage to the structure of adjacent buildings.*

38. **Environment Agency** - No objection. The infrastructure currently in place would allow the potential for waste operations to place on site provided some modifications were made. The site would need to ensure that drainage works are complete prior to waste operations taking place, these are currently not in place. The sorting, storage and treatment of mixed waste can only take place on impermeable surfaces with sealed drainage running to enclosed tanks, interceptor or with consent to drain to foul sewer. Inert waste processing does not need to be on such impermeable surfaces, but should though take place on hardstanding. Due to the proximity to a SSSI, the operator will need to secure a bespoke permit from the EA.

39. **Natural England** - No objection. The site is in close proximity to Mattersey Hill Marsh SSSI, however Natural England are satisfied that the proposed development being carried out in strict accordance with the submitted details, would not damage or destroy the features for which the site has been notified. Natural England understand that the flow direction of the adjacent Main Drain is northwards. Therefore even if a contamination event was to occur, it would not flow in the direction of the SSSI. Any such event though, should be notified to Natural England. They further advise that an assessment of possible impacts on local wildlife sites, habitats and biodiversity should be made. The application may provide opportunities to incorporate biodiversity enhancements into the development.

40. **NCC (Nature Conservation)** – The site lies adjacent to the Ranskill Wetlands SINC (within 15 metres to the north and east). Mattersey Hill Marsh SSSI and SINC is circa 300 metres to the east and Ranskill Sandpit Spoil SINC is circa 200 metres to the south. All are designated for their botanical interest, but are likely to be of value to other groups, including breeding birds.

*An Extended Phase 1 Habitat Survey of the site has been undertaken, which has confirmed, as expected, that the site has negligible ecological value, being dominated by hardstanding and containing no semi-natural habitat. In addition, the adjacent Main Drain was surveyed and although no notable species were identified, the feature was considered to be of district value due to its linking role between the Ranskill Wetlands SINC and the Ranskill Sandpit Spoil SINC. Impacts may potentially occur on the adjacent designated sites as a result of noise, dust, artificial lighting, and changes to hydrology/water quality. A basic assessment of these potential impacts has been carried out, and no impact on the adjacent designated sites has been predicted, on the basis that*



*the proposals will not result in any significant change from the current situation.*

Concern was raised over the lack of information on noise from the on-site machinery. Further details of noise arising from the crusher was subsequently provided and subsequent comments were made:

*The supplied technical specification for the crusher, has a sound power level of 75dB(A) at 20m when running, but without material passing through being crushed (it is therefore assumed that the noise level would be higher when actually crushing). This equates to a sound level of approximately 60dB(A) at 100m and 55dB(A) at 200m, although this doesn't factor in any attenuation which the corrugated sheet fencing may provide. This suggests that there will be a zone around the site, within which disturbance effects of noise might occur as a result of masking effects (e.g. of bird song).*

*In the absence of any surveys, whether or not this would result in a significant impact is a matter of opinion; however, it appears unlikely that any particularly noise-sensitive species would be present in the vicinity of the site, and given that the plant is already used at the site, it appears that no additional impact would occur.*

41. **NCC (Countryside Access)** – *The site plan includes two public footpaths - a section of Ranskill FP4 along Common Lane and Ranskill FP8 along Access Road. Both of these are on metalled roads, which are unadopted, with ownership unknown. No formal right of vehicular access appears to have been recorded along these routes, but it is acknowledged that Retford Waste and a number of other businesses use this route for access purposes.*

*Note that the hours of operation for Retford Waste are limited to weekdays and Saturday mornings, so they are largely operating outside of most people's leisure time. However to ensure the continued safe use of these footpaths by legitimate right of way users, (pedestrians with the usual accompaniments such as buggies, dogs and mobility scooters), the following recommendations are made.*

*Suggest that a cap is put on the number of HGV movements entering and leaving site each day.*

*It is envisaged that more laden HGV movements will take place, resulting in extra wear to the path surface. A baseline survey of the current condition of the lane is suggested, with Retford Waste undertaking a schedule of maintenance and repairs as appropriate to ensure a surface to the current standard remains available for legitimate footpath users.*

*Recommend that mitigation measures, including the 10mph speed limit, damping of dust or sweeping to remove mud and debris and litter picking is applied to sections of Common Lane and Access Road.*

*Recommend signage advising vehicles entering Common Lane and leaving the Retford Waste site, that they are driving along a public right of way, and should give way to pedestrian users.*

42. **NCC (Highways) Bassetlaw** - *No objection, subject to the development being operated in accordance with the details submitted.*

*The revised traffic information submitted is not particularly clear but suggests that there is a potential for up to 50 empty skips to be delivered each day (these can be stacked for delivery). If each skip was to be brought back to the site individually when full for waste processing then there would be a significant increase in traffic movements which would be likely to be resisted by the Highway Authority.*

*However, the applicant has suggested that the proposal will, in fact, result in up to 14 lorry movements into the site and 14 lorry movements out of the site per day.*

*It is understood that a previous consent restricted the number of waste carrying vehicles into the site to a maximum of 12 per day. In the opinion of the Highway Authority, should planning permission be granted for this current proposal then this form of condition should be attached. An increase in the total number of waste carrying vehicles entering the site per day from 12 (as previously authorised) to 14 (as proposed) could not be resisted by the Highway Authority on highway safety grounds as the additional vehicle movements would have a minimal impact on the highway network.*

43. **Isle of Axeholme & North Notts Water Level Management Board** – *No objection. Main Drain, an open watercourse is located along the eastern boundary and is maintained by the Board. The Board's formal Bylaw consent will be required prior to the proposed outfall being constructed. In addition any works in, over, under or within 9 metres of the watercourse will require the prior Bylaw consent. Consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse.*
44. **National Grid** – *Advises that they have no record of apparatus in the vicinity.*
45. **NCC (Reclamation), Network Rail, Severn Trent Water, Western Power Distribution, and Anglian Water** have not responded. Any response received will be orally reported.

## **Publicity**

46. The application has been publicised by means of two site notices, a press notice in the Retford Times and 15 neighbour notification letters sent to neighbouring businesses and the nearest residential occupiers in accordance with the County Council's adopted Statement of Community Involvement. No letters of representation have been received.
47. Councillor Liz Yates has been notified of the application.
48. The issues raised are considered in the Observations Section of this report.

## Observations

### Principle of the development

49. A starting point is the previous grant of planning permission in 2000 which established the principle use of a waste transfer station operation on this existing employment site. This planning permission specifically permitted the importation, stockpiling and recycling of construction waste, concrete, rubble, wood, paper, cardboard, plastic, metals and batteries. Planning conditions were imposed to require the installation of impermeable surfaces and drainage systems to separate foul and contaminated water so to protect local surface and ground waters. However, these works were not completed and enforcement action was subsequently taken. A condition was attached limiting daily HGV arrivals and operating hours. Conditions were also attached to mitigate a wide range of environmental impacts. Whilst this is a somewhat dated permission which subsequently lapsed (although operations continued), the principle of the WTS operations has been established. It is worth noting that the planning policy context at the time of this decision was arguably more restrictive and in particular the Access Road industrial estate was subject to Bassetlaw District Local Plan Policy 2/9 restricting the enlargement of the site and resisting significant additional lorry traffic. This Local Plan has now been superseded by the Bassetlaw District Core Strategy and Development Management Policies Document. The other aspects of the current development plan comprise the newly adopted Nottinghamshire and Nottingham Replacement Waste Local Plan-Part 1-The Waste Core Strategy (WCS) and the saved elements of the Nottinghamshire and Nottingham Waste Local Plan (WLP).
50. Policy WCS4 of the WCS directs the broad locations for varying sized waste facilities in order to meet the needs of population centres. As the WTS element of the development is proposed to process up to 15,000 tonnes per annum (tpa), appendix 2 of the WCS indicates that this would be a medium sized facility. The 20,000 tpa relating to the inert waste processing operations would fall as a small scale operation. Taken together with the third ELV element, the development could be regarded as a medium sized, recycling facility. Policy WCS4 directs medium sized facilities to the built up areas of Mansfield/Ashfield, Nottingham, Newark, Worksop and Retford.
51. Clearly the site is some five miles distant of Retford and therefore the next element of the policy is relevant. This states that the development of facilities in the open countryside will be supported where there is a clear local need, particularly where it would result in enhanced employment and/or the re-use of existing buildings. The wider Access Road industrial estate lies outside of the built up area of Ranskill as defined in the Bassetlaw Core Strategy and is therefore technically within open countryside.
52. Bassetlaw Policies DM1 and DM3 dealing with economic and general development in the countryside respectively, are also relevant to this site. Policy DM1 generally applies to stand-alone economic development in the countryside, but guides that such development should ideally re-use existing buildings, with buildings and operations being of an acceptable scale and compatible with surrounding land uses. Policy DM3 specifically supports the

re-use of previously developed land in rural areas for the existing permitted use. Proposals should not create or exacerbate existing environmental or highway safety problems.

53. Policy WCS7 of the WCS sets out the general site criteria for waste facilities. Transfer stations and aggregate facilities are classed as suitable on employment land. Policy WCS8 also supports the principle of expanding existing waste management facilities, recognising that improved methods or capacity at such sites can help improve the sustainability of waste management. In terms of the waste hierarchy, PPS 10 (Planning for Sustainable Waste Management) supports the movement of waste up the waste hierarchy and backs investment in facilities to enable greater reuse and recycling of waste. Policy WCS3 of the WCS prioritises the development and extension of waste recycling facilities.
54. Against the relevant locational and strategic policies it can be concluded that whilst the location is technically within the open countryside, it is sited on an established industrial area containing a long-standing collection of compatible industrial/storage and waste sites which is well contained and screened from the wider countryside by surrounding woodland. The site is also remote from residential receptors. The application proposes the reuse of existing buildings within the site and would support the small growth of a local employer with their core business in local skip hire.
55. Subject to the development according with the environmental and amenity impacts, it can therefore be concluded that there is a strong policy presumption in favour of the proposed development, albeit that ideally medium sized facilities should be nearer to the main population areas. The addition of the WTS element would, however, improve the recycling operations of this existing skip hire business, which in general is suitably located on existing employment land and which has an established (albeit not entirely authorised) waste and recycling business. Policy WCS1 also reiterates the national policy presumption in favour of sustainable development.
56. In looking further at the environmental and amenity impacts of the proposed development, particular consideration is required against matters of heavy goods traffic through Ranskill village; access arrangements over definitive rights of way; impacts on local wildlife sites and habitats in the vicinity; and the need to protect local water resources from pollution or contamination. These are addressed as follows.

#### Traffic and access

57. A key consideration is the impact of vehicle movements both existing and proposed to and from the site and the impacts on local residential amenity, and on definitive public footpaths.
58. Access to the site and the other businesses on the industrial estate is via Station Road and its junction with the Great North Road. Station Road is a residential area leading to the railway crossing and the industrial area beyond. The Parish Council in their representations and discussions with officers of the County Council have raised concerns over the current situation with traffic and

heavy goods vehicles turning at the junction of the Great North Road with Station Road/Blyth Road and Mattersey Road. This junction is at the heart of the village and is sometimes subject to inconsiderate parking by people frequenting the local shop or takeaway. The Parish Council is continuing to seek highway improvements or parking restrictions at this junction and wish to reiterate this issue to the County Council. They do not, however, object to the planning application, but seek control on the number of lorries associated with the development and suggest a cap based on imported tonnage.

59. The issue of highway measures at the main junction in the village is a wider issue for the Highways Authority to consider. The very small increase in vehicular movements proposed as part of this application (as detailed below) would not in itself require mitigation at this point. Highways officers are continuing to liaise with the Parish Council on this matter.
60. Reference has been made by the Parish Council about the feasibility of using the back lane leading north from Common Lane towards Mattersey Road as an alternative route for some trips, avoiding the village centre, however the applicant has no intention of using this lane and it has been assessed that it is not a suitable route for vehicles. It is not an adopted road and is in part a public footpath. Furthermore there is notably very poor visibility at the junction with Mattersey Road.
61. The application proposes a very small increase in vehicular trips to and from the development. In-bound lorry movements, relating to skip lorries and the ELV carrier, would rise from 11 to 14 per working day, whilst out-bound trips would similarly rise from 11 to 14 per working day. There would also be around 4 or 5 staff cars. Activity would reduce on Saturdays. As part of the grant of the 2000 planning permission, a condition was placed restricting the number of waste carrying vehicles entering the site each day to no more than 12.
62. During the course of the application, the supplied traffic figures have been questioned and clarification sought on the operations. Revised traffic figures were provided which showed a small increase to in-bound and out-bound trips as a result of the anticipated operations. It was also clarified that the existing skip lorry fleet would not increase, the only addition being a new vehicle to transport end of life vehicles. The County Highways Officer notes that if the two main skip lorries left the site each day with five stacked empty skips and each returned five times before leaving again with five more empty skips, then this could result in 50 empty skips leaving and therefore the stated figure of 12 full skip lorries entering the site looked conservative. However, whilst the firm does have a large inventory of skips, the current operations are dictated by demand and this theoretical scenario is not borne out in reality and it remains the proposal that only up to 12 general skip lorries would enter the site per day. A larger 32 tonne skip lorry taking inert waste, and the ELV vehicle would each undertake one round trip per day, bringing the combined total to 14 trips. Based on these figures, the Highways Officer raises no objection but wishes to cap the traffic levels, as per the previous planning approval.



63. Whilst in the past Bassetlaw District Council had a fairly restrictive policy applying to the area, this is no longer the case and there is no objection to the proposed development from the District Council.
64. In terms of residential amenity, this small increase in traffic, comprising of mainly standard 18 tonne skip lorries, along Station Road is considered to have a negligible impact on local amenity. Impacts on local users of the rights of way is separately considered below. Therefore the proposed development, by means of its traffic generation, is assessed and considered to be acceptable and can be accommodated safely on the local roads. There would be no unacceptable level of disturbance to local residents. The development therefore accords with Saved Policy W3.14 (vehicular movements) of the WLP and Policies DM4 (amenity criteria), DM1 and DM3 of the Bassetlaw Core Strategy. The vehicle movements would not create significant environmental or highway safety problems. A condition to cap the numbers of waste carrying vehicles entering the site is recommended by Highways and Rights of Way officers and a cap of 14 per day is considered reasonable. The condition would also serve to satisfy the concerns of the Parish Council and provides certainty all round.

Impacts on public rights of way

65. Both Common Lane and Access Road are definitive public rights of way for users on foot and are not adopted roads. Vehicular passage over these 'footpaths' is only lawful if such users or occupiers/owners of the various businesses at the industrial area, possess a legal right of private vehicular access. It is however understood, that due to the historic way the estate has developed, such legal requisites have not been secured by the applicant or other neighbouring businesses and the title ownership of some land is also unclear. Indeed the emergence of the industrial uses out of the former legacy of the former Royal Ordnance Factory and historical mineral extraction has in part created this land use and access anomaly.
66. Although Common Lane and Access Road are technically 'footpaths' it is unclear how well used some parts of these roads are used by lawful walkers, however Footpath No.8 leading down Access Road does offer a route to the popular Daneshill Lakes and nature reserve and the proximity of these routes on the edge of the village boundary could be expected to be popular with evening dog walkers.
67. Notwithstanding the legal situation under rights of way legislation, in terms of planning policy the relevant policy is W3.26 (Public Access) of the WLP. This states that:

*Planning permission for a waste management facility which would temporarily or permanently disrupt public rights of way will not be granted unless alternative routes of at least equivalent interest or quality are available.*

68. Consultation with the County Area Rights of Way Officer has resulted in no objection being raised, despite the legal non-compliance. Instead the officer recognises the unique situation which has arisen from the historical development of the estate and which has resulted in the long term use of

these routes by vehicles. Indeed Access Road and Common Lane are both of a road character being 6.5 metres and 5.5 metres wide respectively, with Common Lane featuring a one metre wide footway on the northern side. Both routes are metalled surfaces and although exact ownership is unknown, they appear to be privately maintained by the businesses themselves.

69. The wording of Policy W3.26 and its supporting text is directed more to a scenario whereby a right of way would have to be diverted. However the proposed development would generate only a small increase in vehicular activity and this would be in the context of other commercial traffic. It can be seen that this traffic is generally compatible with local walkers on these 'footpaths' and it has been assessed that the working hours of the proposed development would likely avoid the more popular times for local walkers in the area, such as in the evenings and at weekends. Mitigation measures have been identified in terms of signage to make drivers aware and be mindful of the possible presence of walkers on a right of way, an advisory speed limit, measures to control dust, mud and litter and possible arrangements for the upkeep of the road surface. Accordingly it is considered that the proposed development, involving an expansion of operations on this existing site, and which would generate a small increase in associated traffic, would not disrupt the operation of the public rights of way and would accord with Policy W3.26.
70. Notwithstanding if the application is granted, any such grant of planning permission would not confer a legal vehicular right of access and it is for the NCC Countryside Access Team and Rights of Way Committee to enforce the relevant rights of way access. However as discussed a realistic approach is favoured and therefore the status quo is expected to remain for the foreseeable future.

#### Ground and surface water drainage

71. Part of the reason for the withdrawal of the previous planning application was due to the inadequacy of the site drainage arrangements and other measures required by the Environment Agency to protect the local environment from possible pollution arising from the waste transfer station and in particular from the dismantling of end of life vehicles. Measures such as impermeable surfaces and the separation of polluted water from the drainage system are a requirement for the applicant in applying for an operating permit from the Agency.
72. This present application provides the necessary details within a drainage assessment which has been drawn up with the advice of the Agency. In their consultation response the Agency raise no objection, subject to the measures being fully implemented. The proposed works are set out at paras 25-29 above and include an outfall for clean surface water into the adjacent Main Drain. Separate consent from the local drainage board will be necessary in order to construct this and an advisory note is suggested.
73. Any liquid residue from the skips tipped within the sorting building would be captured in a buried sump for collection and offsite disposal. The depollution of vehicles would take place in a dedicated workshop building, where again oils, fuels and other liquids would be captured and placed in drums for offsite



treatment. The drainage plans include a full retention separator in the drains to capture any residual oily liquids from washing off the external vehicle part storage area. The final discharge into the Main Drain would be clean, surface water run-off.

74. The plans, subject to conditions securing the necessary measures, are therefore in accordance with Policy WCS13 (Protecting and enhancing our environment) of the WCS and Policies W3.5 (Water Resources-Pollution Issues) and W3.6 (Water Resources-Planning Conditions) of the WLP.

*Impact on ecology, habitats and designated wildlife sites*

75. The application site and the wider industrial area are set in a context of various wildlife sites and reserves, forming a cluster of woodland and wetland habitat, many of which have been formed from the legacy of gravel extraction or war time industrial activity.
76. In terms of statutory importance, the Mattersey Hill Marsh SSSI is nationally protected and is approximately 300 metres east of the application site, beyond the Main Drain and a field. Natural England confirms in their response that the development should not impact on this site and in particular that should there be an unintended pollution incident that the Main Drain does not connect or flow towards the Marsh.
77. The remaining sites in the locality are locally designated wildlife sites, with Ranskill Wetland SINC immediately north of the application site and including the hedgerow along the access drive. Ranskill Sandpit Spoil SINC and Daneshill Lakes and Woodland SINC are due south-east and south respectively.
78. A habitat survey has been submitted with the application which confirms that there is no habitat on site, it comprising hardstanding and bare earth. A survey of the Main Drain was also undertaken, in particular checking for the presence of any protected species, which returned no such occurrences.
79. Consultation with the County Nature Conservation Officer has led to broad agreement with the findings of the survey. It is apparent that the Main Drain has a role in linking the various SINC sites and wetlands (with the exception of the SSSI) in the locality as it flows northwards, eventually to the River Idle. However, the proposed drainage arrangements make satisfactory provision for the prevention of pollution to the watercourse.
80. Further information was sought on the noise output of the two pieces of machinery used in the processing of inert construction waste and some partial data was submitted based on the manufacturer's specification of the crusher and a brief assessment was made by officers of noise dispersion, which has led to the view that some disturbance to wildlife from operational noise may occur. However, this would be limited to common bird species and it is not thought that there are particularly noise sensitive species in the vicinity. Furthermore, due to this element of the development already being operational, it is assumed that there would be no additional noise or

disturbance impact and the site fencing should also attenuate the impact to a degree.

81. The development is therefore assessed to accord with Policy WCS13 (Protecting and enhancing our environment) of the WCS, Policies W3.22 (Biodiversity) and W3.23 (Nature Conservation Sites) of the WLP and Policy DM9 of the Bassetlaw Core Strategy. There would be no unacceptable impact on elements of environmental quality, conditions on drainage will protect the local water environment, but there is no realistic opportunity to provide enhancements for wildlife on this occasion.

#### Dust, mud and litter

82. The applicant has proposed standard mitigation measures to remedy any on or off site environmental impacts.
83. The inert waste processing operation has potential to give rise to airborne dust issues during periods of excessively dry and windy weather and also from vehicular movements along the access roads. It is proposed to limit the height of stockpiles to 4 metres and to damp them down during unfavourable conditions, such as during high winds. The internal surfaces and roads can similarly be dampened as necessary. This would accord with WLP Policy W3.10 (dust). A 10 mph speed limit is proposed within the site and this can be extended in an advisory nature to include Access Road and Common Lane.
84. Circulation areas within the site would be kept clean, however a mechanical sweeper can be deployed when required to deal with any mud or other material deposited along Access Road or Common Lane in accordance with WLP Policy W3.11 (Mud).
85. The applicant intends to control any litter and to collect any which escapes out into the yard or beyond. Regular checks would also be made to curb vermin, including use of traps/poisons as necessary. This would accord with WLP Policy W3.8 (litter).
86. Reasonable conditions can be made to cover these issues and which can extend to include Access Road and Common Lane to keep these routes clean and suitable in their role as public footpaths.

#### Operating hours

87. The proposed operating hours of 07.00-18.00 Monday-Friday and 07.00-13.00 Saturdays are considered acceptable. There would be no working on Sunday or Bank Holidays, except for emergencies and a suitable condition can be made to define these times.

#### Other issues

88. A noise assessment has not been requested on this occasion due to the remoteness of the site from sensitive residential areas. The main noise creation is from the current screening and crushing of inert waste and associated plant movements. The impacts of such noise has though been assessed on wildlife.

89. The design of the site buildings and perimeter fencing is of a varying quality, serving a functional need. No element is, however, out of character with the surrounding industrial uses, which together are well grouped and defined within a discrete location.
90. The applicant is a local employer, providing a local waste service. The additional activities would help sustain the sustainment of employment numbers with the possibility of one additional full time driver/operative being employed.
91. The applicant/operator would require a bespoke permit from the Environment Agency to lawfully undertake the proposed waste operations and a suitable informative is made to provide the relevant point of contact to initiate this process, should planning permission be approved.

### Conclusions

92. This application seeks to regularise the current waste operations whilst providing some additional and closely related waste activities. It has been assessed that whilst new recycling facilities of this scale would ideally be located in larger population centres, such as in Retford itself, that this particular site is an established operation which, whilst technically within the open countryside, is in fact a discrete location, screened from the open countryside and distant from residential receptors. The plans make use of existing buildings and brownfield employment land. Principle policy support exists to favour the plans and support what is a local economic generator, providing an important recycling service.
93. Key impacts relating to the vehicular movements along Access Road and Common Lane, which are rights of way, have been considered. Whilst a small uplift in trips is proposed, a refusal on the basis of incompatibility with lawful users would be difficult to justify in the context of the current situation and history of land use and without an objection from the Rights of Way Officer. Similarly, the small adjustment to current vehicle movements does not justify a refusal on grounds of highway safety or amenity impacts within the village.
94. The development has been assessed for impacts on the local wildlife and habitats and a suitably designed drainage system is planned to protect the local environment.
95. Accordingly any adverse impacts which may result from the proposed development would not significantly or demonstrably outweigh the principle support in favour of the sustainment of this waste business and a favourable recommendation is made.

### **Other Options Considered**

96. 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**

97. 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

98. The site is a secure compound with CCTV linked to off-site monitors, perimeter fencing and outer and inner gates securing the access drive and site perimeter and it is considered there are no crime and disorder implications.

### Human Rights Implications

The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol may be affected. The proposals may generate a minor uplift in heavy vehicle movements over and along public rights of way requiring due care and attention from all users. However, this needs to be seen in the context of an established local business and an established industrial estate serviced via this road and impacts balanced against the wider benefits the proposals would provide in terms of sustainable waste management, sustaining local employment by allowing some additional recycling activities at this site and regularising current operations. Members will need to consider whether these benefits would outweigh the potential impacts.

### Implications for Sustainability and the Environment

99. The addition of a waste transfer station to the existing skip hire business will aid in the sorting, separation and recycling of skip waste, helping to reduce materials to landfill in accordance with national waste policy. The processing of inert materials results in a product which can then be reused in construction schemes or for cover material at landfill. The dismantling of end of life vehicles in a controlled manner will allow for serviceable parts to be sold for reuse and for the onward recycling of materials. Suitable arrangements are planned to install a drainage system which will protect local water resources and the environment from pollution.
100. There are no financial, equalities, human resources or safeguarding of children implications. There are no implications for service users.

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

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

discussion; assessing the proposals against relevant Development Plan policies; all material considerations; consultation responses and any valid representations that may have been received. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

## **RECOMMENDATIONS**

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

**JAYNE FRANCIS-WARD**

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

### **Constitutional Comments**

Committee have power to decide the Recommendation. (SHB.03.01.14)

### **Comments of the Service Director - Finance (SEM 14/01/14**

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

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

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

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

Misterton - Councillor Liz Yates

Report Author/Case Officer

Joel Marshall

0115 9696512

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

W001197.doc – DLGS REFERENCE

**PSP.JS/PAB/EP5936.DOCX**

10/1/2014

## RECOMMENDED PLANNING CONDITIONS

### Time limit for commencement

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

*Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).*

### Scope of permission

2. The development hereby permitted is for: a) the importation, stockpiling, and processing of inert construction and demolition waste and soils, b) retention of open fronted and roofed sorting bay, c) the importation, sorting, storage and transfer of general skip waste, d) the controlled dismantling and recycling of end of life vehicles. This permission relates to the site outlined red on the submitted site plan (Ref. RW/ACC/13/2, dated July 2013).

*Reason: For the avoidance of doubt and to define the permission.*

### Notification of commencement

3. The Waste Planning Authority (WPA) shall be notified in writing of the date of commencement of the operation of the waste transfer station and/or the end of life vehicle dismantling 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.*

### Copy of permission

4. The applicant shall be responsible for ensuring that, from the commencement of the development, a copy of this permission, including all plans and documents hereby approved and any plans or documents subsequently approved in accordance with the permission, shall always be available at the site for inspection by the WPA during normal working hours.

*Reason: To ensure the development hereby permitted is carried out in accordance with the approved details.*

### Approved details

5. Unless otherwise agreed in writing by the WPA, or where amendments are made pursuant to the other conditions attached to the permission, the development hereby permitted shall be carried out in accordance with the following plans and documents:

- (a) Completed planning application forms and certificates received by the WPA on 13/09/13.
- (b) Drawing titled 'Location Plan', no. RW/ACC/13/1, dated June 2013 and received by the WPA on 13/09/13.
- (c) Drawing titled 'Site Plan', no. RW/ACC/13/2, dated July 2013 and received by the WPA on 13/09/13.
- (d) Drawing titled 'Operational Site Layouts', no. RW/ACC/13/3, dated July 2013 and received by the WPA on 13/09/13.
- (e) Drawing titled 'Open Fronted Storage Bay', no. RW/ACC/13/4, dated September 2013 and received by the WPA on 13/09/13.
- (f) Drawing titled 'Site Plan', no. BF/326/SP, dated 15/04/10, and received by the WPA on 13/09/13.
- (g) Drawing titled 'Drainage Layout', ref RT3/D/1a- Rev 1a, dated 01/08/13 and received by the WPA on 13/09/13.
- (h) Drainage Assessment by Stevenson Associates, received by the WPA on 13/09/13.
- (i) Design and Access Statement and Supporting Statement, received by the WPA on 13/09/13.
- (j) Ecological Assessment by Rob Frith & Associates, dated December 2011, and received by the WPA on 13/09/13.
- (k) Revised traffic forecasts received by the WPA via email on 06/01/14.
- (l) Drawing titled 'Site layout- Existing Lighting Locations', ref RW/ACC/14/1, dated January 2014 and received by the WPA on 09/01/14.

*Reason: For the avoidance of doubt and to define the permission.*

### **Site layout**

- 6. The site layout arrangements shall be maintained in accordance with the 'proposed site layout' on the submitted operational site layouts plan (Ref. RW/ACC/13/3, dated July 2013) and for the lifetime of the operations.

*Reason: For the avoidance of doubt and to define the permission.*

### **Annual throughput**

- 7. The inert waste processing operation hereby permitted shall have a throughput of no more than 20,000 tonnes per annum.

*Reason: To ensure impacts on local amenity and on local biodiversity are minimised and to ensure compliance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy.*



## Drainage

8. Prior to the commencement of the end of life vehicle dismantling, the drainage measures including provision of impervious concrete surfaces and drainage gullies connected to a full retention separator shall be fully implemented in accordance the details of the drainage layout plan (Ref. RT3/D/1a- Rev 1a, dated 01/08/13). The outside storage of oily car parts shall thereafter be restricted to areas 4 and 5 as marked on the drainage layout plan.

*Reason: To provide satisfactory drainage in order to minimise the risk of pollution to ground or surface water and in the interests of the protection of a nearby Site of Importance for Nature Conservation, in accordance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy and Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan.*

9. The development hereby permitted shall be operated in strict accordance with the drainage details set out in the approved drainage assessment by Stevenson Associates and drainage layout plan (Ref. RT3/D/1a- Rev 1a, dated 01/08/13). Specifically only unpolluted surface water shall be discharged to ground or watercourse. Drainage from within the sorting bay and vehicle de-pollution buildings shall be captured within a sealed unit and transported off-site for disposal.

*Reason: To provided satisfactory drainage in order to minimise the risk of pollution to ground or surface water and in the interests of the protection of a nearby Site of Importance for Nature Conservation, in accordance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy and Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan.*

## Hours of operation

10. Except in case of emergency where life, limb and property are in danger, which shall be notified to the WPA in writing within 48 hours of its occurrence and unless otherwise agreed in writing by the WPA, the site shall not be operated except between the following permitted hours:

07.00 hours to 18.00 hours on Mondays to Fridays; and between  
07.00 hours to 13.00 hours on Saturdays.

No activities shall be carried out on Sundays, Public or Bank Holidays.

No operations involving the importation, movement, processing or exportation of waste materials (including end of life vehicles) by means of vehicle, plant or machinery shall be carried out and there shall be no servicing of plant and machinery except between these permitted hours.

*Reason: In the interests of the amenity of nearby occupiers and to accord with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy and Policy W3.14 and Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

## **Access arrangements**

11. No more than 14 waste carrying vehicles shall enter the site per working day, including the importation of end of life vehicles. Records of daily waste carrying vehicle movements shall be kept by the operator and made available to the WPA within 7 days of a written request.

*Reason: In the interests of the amenity of nearby occupiers and users of the local access roads and to accord with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy and Policy W3.14 and Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

12. Within one month of the date of the permission hereby permitted, a sign shall be positioned at the exit of the site or alternatively at the point where the access drive meets Access Road, advising vehicles to proceed with caution at a speed no greater than 10 mph along Access Road and Common Lane and to give way to pedestrians on these routes which are public footpaths. In addition, written instructions shall be given to drivers and employees making them aware of the status of these footpaths.

*Reason: In the interests of maintaining a safe right of way for lawful pedestrian users, in accordance with Policy W3.26 of the Nottinghamshire and Nottingham Waste Local Plan.*

13. No vehicles shall access/egress the site using the unnamed track between Common Lane and Mattersey Road.

*Reason: In the interests of highway safety and in accordance with Policy W3.15 of the Nottinghamshire and Nottingham Waste Local Plan.*

## **Deleterious material**

14. Measures shall be employed to ensure that mud and any other deleterious material from the site and from any associated vehicle movements is controlled and prevented from being deposited on public rights of way, including Access Road and Common Lane, or the public highway. Such measures shall include the sweeping and cleaning of internal circulation areas; the inspection and if necessary, sweeping of Access Road and Common Lane.

All waste carrying vehicles entering the site (with the exception of those carrying end of life vehicles) shall be sheeted and/or enclosed to prevent dust and debris.

In the event that these measures prove inadequate, then within one month of a written request of the WPA additional steps or measures, previously agreed in writing by the WPA, shall be taken in order to prevent the deposit of materials upon the public highway/public rights of way.

*Reason: To reduce the possibility of deleterious material being deposited on public footpaths or the public highway in accordance with Policy W3.11 of the Nottinghamshire and Nottingham Waste Local Plan.*

## **Dust**

15. Measures shall be employed to ensure that dust emissions from the site are controlled and fugitive dust prevented from leaving the site. This shall involve taking all or any of the following steps as appropriate:
- a. The use of water bowzers to dampen stockpiles, the site and access track
  - b. The regular sweeping and cleaning of internal hard surfaces
  - c. The sheeting of waste carrying vehicles (with the exception of those carrying end of life vehicles)
  - d. Upon the request of the WPA the temporary cessation of waste importation, screening and processing during periods of excessively dry and windy weather.

In the event that these measures prove inadequate, then within one month of a written request of the WPA additional steps or measures, previously agreed in writing by the WPA, shall be taken in order to prevent dust leaving the site.

*Reason: To minimise dust contaminating nearby designated wildlife sites and to ensure compliance with Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan.*

## **Controls on litter**

16. Any materials escaping from the sorting bay building (referenced as '2' in the operational site layout, ref. RW/ACC/13/3, dated July 2013) shall be promptly captured and returned, and the site otherwise kept litter free. In addition regular checks shall be made in the vicinity of the site and along access routes for fugitive litter which shall then be promptly removed and recovered to the site.

*Reason: To prevent the airborne spread of litter leaving the site and in accordance with Policy W3.8 of the Nottinghamshire and Nottingham Waste Local Plan.*

## **Controls on storage**

17. The tipping and sorting of general waste shall only be undertaken within the dedicated sorting bay building (referenced as '2' in the operational site layout, ref. RW/ACC/13/3, dated July 2013) and all skips containing waste (other than skips containing inert waste) shall be kept within this building.

*Reason: To minimise the risk of pollution to ground or surface water in the interests of the protection of a nearby Site of Importance for Nature Conservation, in accordance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy and Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan.*

18. External stockpiles of inert waste shall not exceed 4 metres in height above adjacent ground level and any stacks of skips shall not exceed 3 metres in height above ground level.

*Reason: In the interests of visual amenity and to minimise dust contaminating nearby designated wildlife sites and to ensure*

19. 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 tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, of the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges, and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land, or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

*Reason: To prevent pollution of the water environment in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.*

**Other matters**

20. No waste or other materials on site shall be burnt or otherwise incinerated.

*Reason: To prevent contamination of a nearby Site of Special Scientific Interest, in accordance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy.*

21. Prior to its installation, details and specific locations of any external lighting proposed shall have been submitted to and approved in writing by the WPA. The external lighting shall thereafter be installed and maintained in accordance with the approved details unless any variation is subsequently agreed in writing by the WPA.

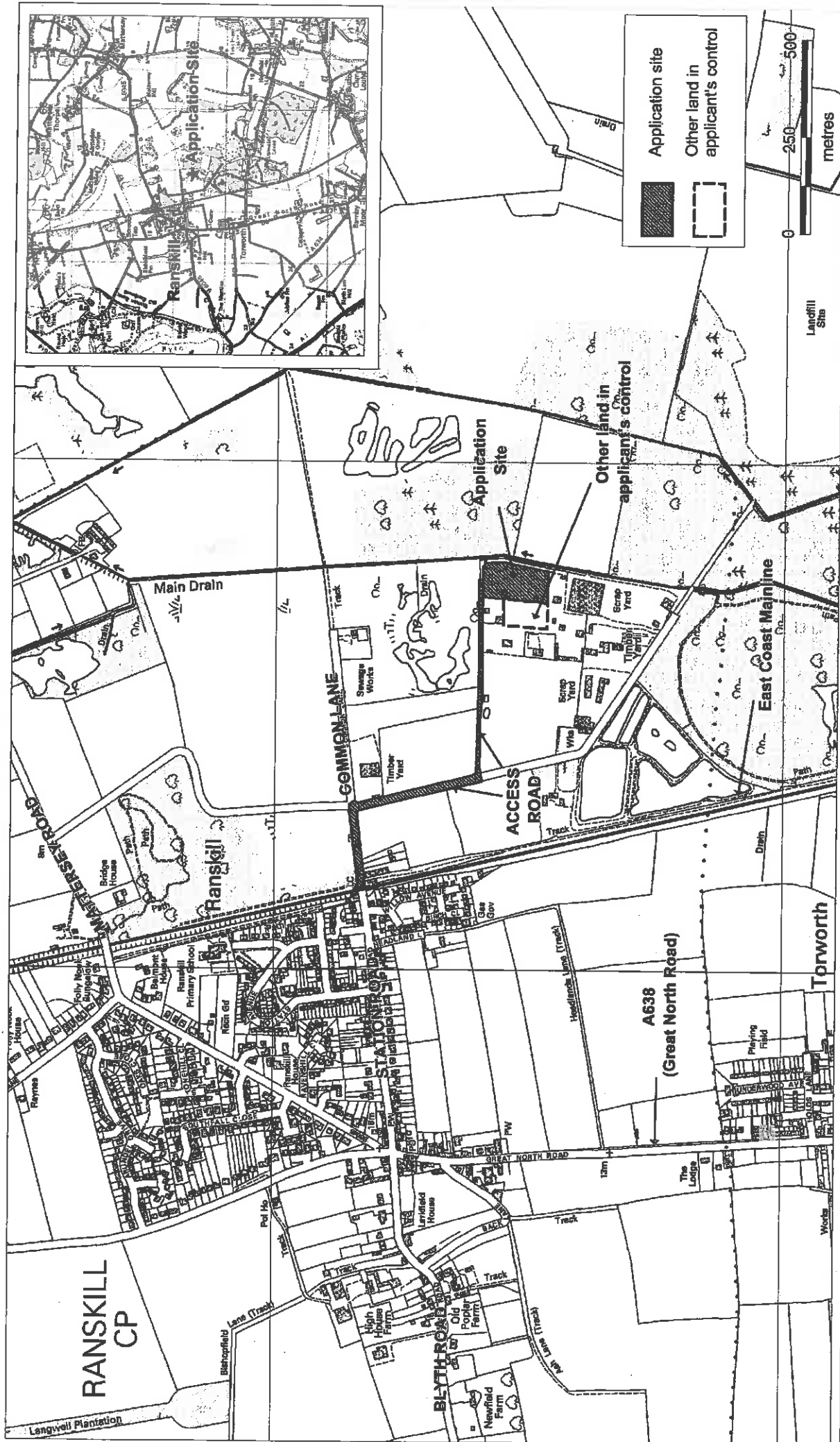
*Reason: To assess the impact of light spill on adjacent wildlife sites and species and to accord with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy*

**Informatives/notes to applicant**

1. Your attention is drawn to the letter attached from the Environment Agency, dated 4<sup>th</sup> November 2013, advising you on the necessary regulatory and permit requirements. For further advice please contact Graham Aspinall on 01427 729161.
2. Your attention is drawn to the letter attached from the Isle of Axholme and North Notts Water Level Management Board, dated 30<sup>th</sup> September 2013. This advises that prior written Bylaw consent will be required from the Board in order to construct the proposed outfall into the Board maintained Main Drain.
3. Common Lane and Access Road are both definitive public rights of way (Ranskill Footpaths 8 and 4). It is understood that these are privately maintained

by the applicant and other local businesses and it is advised that these upkeep arrangements and regular inspections should continue, so to provide a safe surface for users of these public footpaths and to ensure that the development does not lead to a deterioration of the surface. The grant of planning permission does not afford you the legal right of vehicular access over definitive public rights of way,

4. The grant of this planning permission does not permit waste sorting, processing or recycling operations within the land edged blue on the approved site plan.
5. You are advised that the safe height clearance for vehicles over the Station Road level crossing is 16 feet, 6 inches (5.03 metres), due to the presence of overhead wires.



# PLAN 1

Scale 1:10,000

Produced by: JW

Date: JANUARY 2014

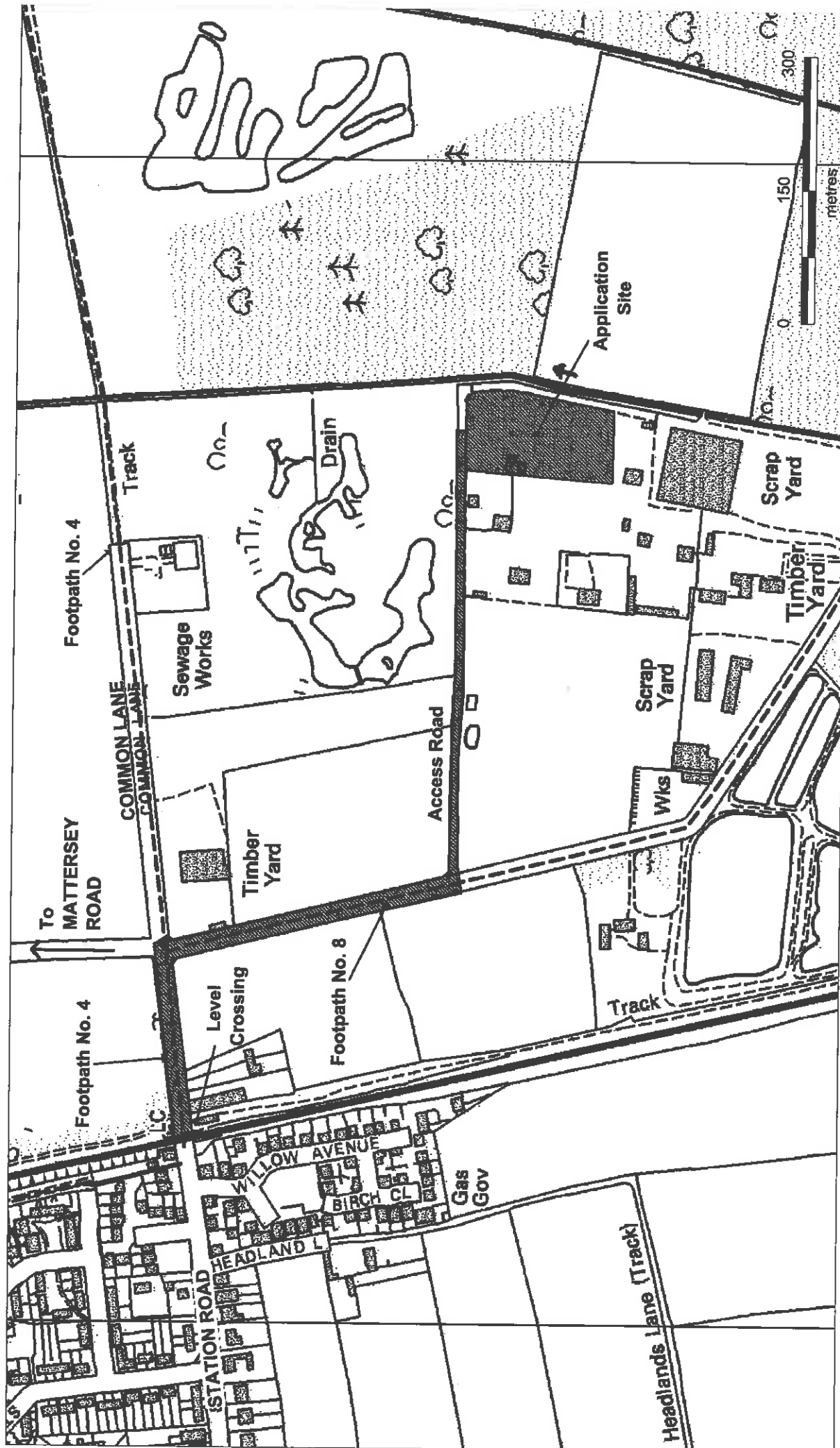
Use of land and premises as Waste Transfer Station, inert materials recycling facility and dismantling of end of life vehicles, and retention of open-fronted roofed and sheeted storage and sorting bay.

Retford Waste Ltd., Access Road, Ranskill, Retford.

Planning Application No. 1/13/01144/CDM

**Nottinghamshire  
County Council**

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## PLAN 2



Scale 1:5,000

Produced by: JW

Date: JANUARY 2014

Use of land and premises as Waste Transfer Station, inert materials recycling facility and dismantling of end of life vehicles, and retention of open-fronted roofed and sheeted storage and sorting bay.

Retford Waste Ltd., Access Road, Ranskill, Retford.

Planning Application No. 1/13/01144/CDM

**Nottinghamshire  
County Council**



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Rev.	Date	Description

All measurements to be checked on site and not relied from this drawing

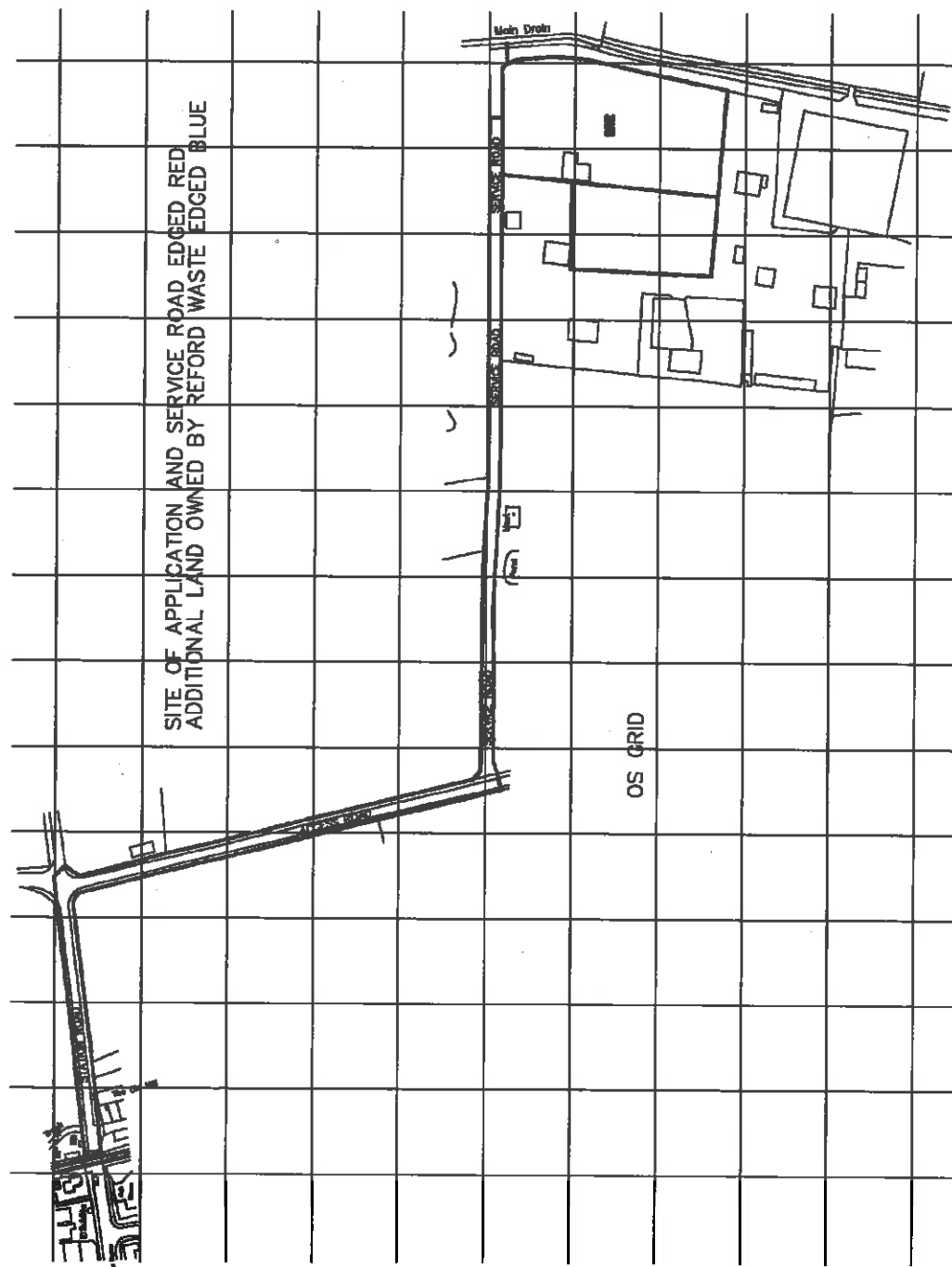


BRYAN J. FREWIN AND ASSOCIATES  
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LAMPUGH HOUSE  
15 LAMPUGH ROAD  
BRIDLINGTON YO15 2JU  
TEL 01262 605605

Job Title  
**PROPOSED WASTE TRANSFER STATION**  
**RETFORD WASTE LTD.**  
**ACCESS ROAD**  
**RANSKILL, RETFORD**  
**NOTTS**  
**DN22 8LW**  
Drawing Title  
**LOCATION PLAN**  
**- Planning**

Client  
**RETFORD WASTE LTD.**  
Scale  
**1:2500 AT A3**  
Drawn  
**BJF**  
Date  
**JUNE 2013**

© Bryan J. Frewin M.R.T.P.I



SITE OF APPLICATION AND SERVICE ROAD EDGED RED  
ADDITIONAL LAND OWNED BY RETFORD WASTE EDGED BLUE

OS GRID

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## PLAN 3



Not to Scale  
Produced by: JW  
Date: JANUARY 2014

Use of land and premises as Waste Transfer Station, inert materials recycling facility and dismantling of end of life vehicles, and retention of open-fronted roofed and sheeted storage and sorting bay.

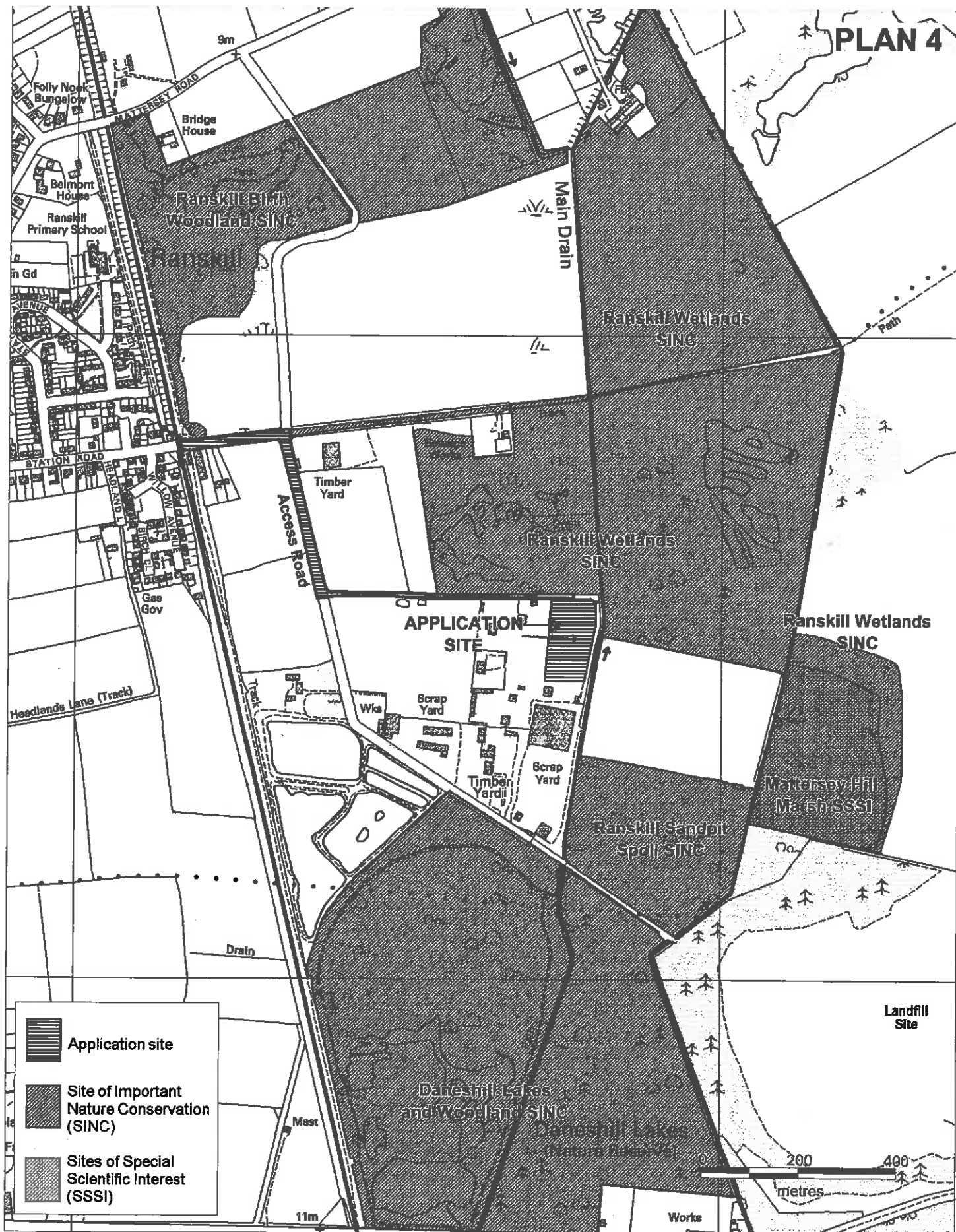
Retford Waste Ltd., Access Road, Ranskill, Retford.

Planning Application No. 1/13/01144/CDM

**Nottinghamshire**  
**County Council**



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**Nottinghamshire  
County Council**

Use of land and premises as Waste Transfer Station, inert materials recycling facility and dismantling of end of life vehicles, and retention of open-fronted roofed and sheeted storage and sorting bay. Retford Waste Ltd., Access Road, Ranskill, Retford.

Planning Application No. 1/13/01144/CDM

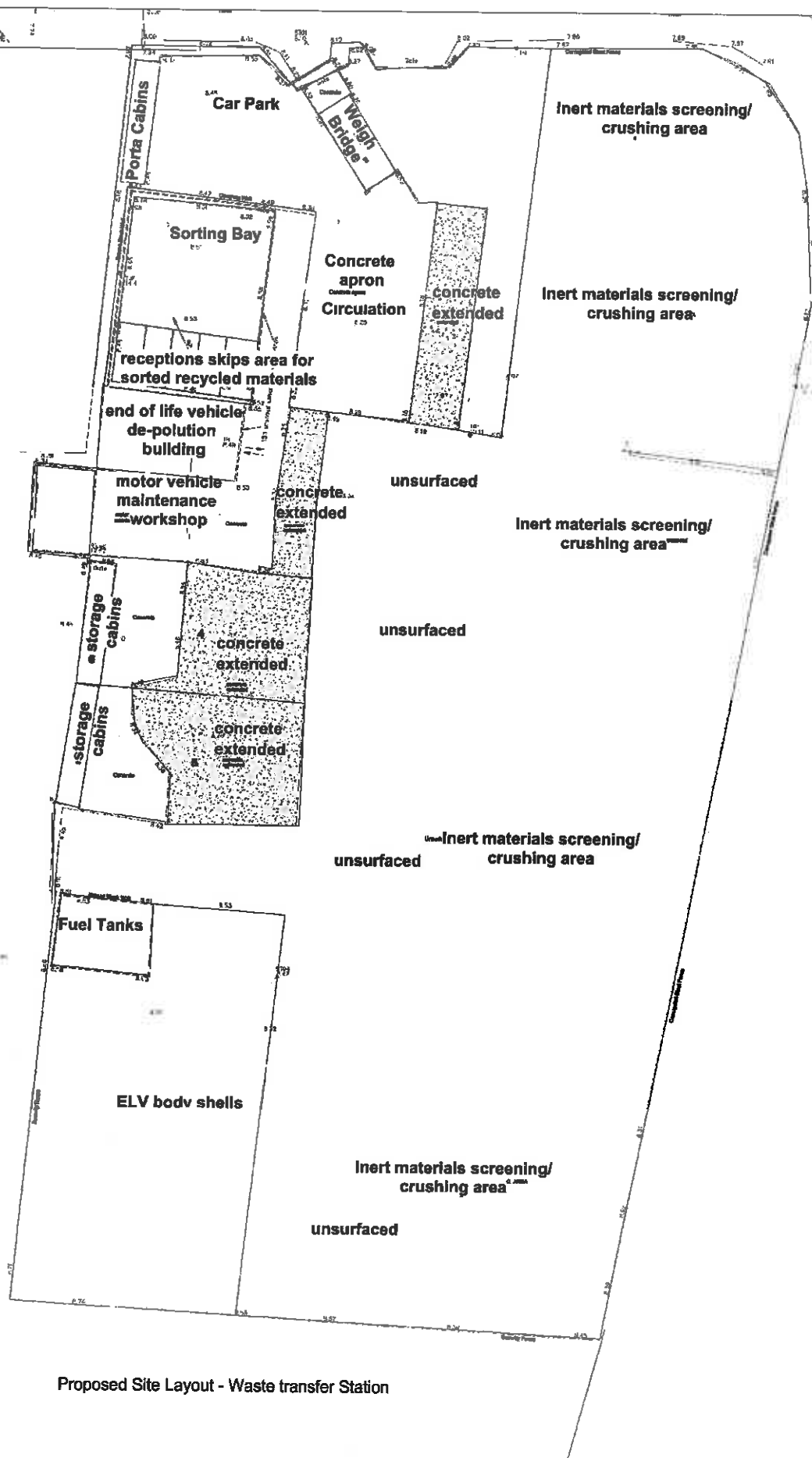
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Scale 1:7,500

Produced by: JW


Date: JANUARY 2014



Proposed Site Layout - Waste transfer Station





 <b>Nottinghamshire County Council</b>	<b>Report to Planning and Licensing Committee</b>
	<b>21 January 2014</b>
	<b>Agenda Item:</b>
<b>REPORT OF CORPORATE DIRECTOR POLICY , PLANNING AND CORPORATE SERVICES</b>	
<b>ADOPTION OF THE COUNCIL'S GUIDANCE ON THE VALIDATION OF PLANNING APPLICATIONS</b>	

## **Purpose of the Report**

1. To advise Members of the results of the consultation exercise undertaken on the proposed changes to the County Council's 'Guidance Note on the Validation of Planning Applications' and to seek Committee approval and adoption of the Guidance.

## **Information and Advice**

2. Since 2008 Local Planning Authorities have been required to publish a list of information they require to "validate" the planning applications they receive. This Validation list forms two components, the national requirements (which includes the completed standard planning application form, the submission of a fee, a certificate confirming ownership, a design and access statement where required and relevant plans), and secondly, specific local validation requirements known as the "local list". The local list sets out what further information and assessments need to be undertaken and submitted with the application depending on the nature and scale of the proposal, such as Heritage Impact Assessments, Flood Risk Assessments, Transport Assessments etc. Following a period of consultation with agents, statutory consultees and other relevant stakeholders the County Council adopted its Validation guidance in April 2008. This has been used for development management purposes as the basis on which applications have been validated since this time.
3. In January this year, in a consultation document entitled "Streamlining the planning application process", the Government advocated a new approach to validation. Whilst acknowledging Local Lists as helpful guides in assisting applicants to establish the information needed to validate applications, the current system was considered to be a "tick box" exercise with little consideration as to whether information requested was genuinely necessary. Also, applicants currently have no opportunity to challenge validation information requests from local authorities.  
Paragraph 193 of the National Planning Policy Framework (NPPF) states;

*“Local Planning Authorities should publish a list of their information requirements for applications, which should be proportionate to the nature and scale of development proposals and reviewed on a frequent basis. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question”.*

This requirement for information being proportionate to the scale and nature of the development proposed is further reiterated in the Growth and Infrastructure Act 2013.

4. To address the above issues, the Government has brought in amendments to the Development Management Procedure Order 2010 (DMPO). Amendment No.3 in 2012 requires local planning authorities to operate a local list that is no more than **two** years old. Since August 2013 if the list has not been reviewed within this period then only national validation requirements apply. As Nottinghamshire County Council’s Local list was published over five years ago it is considered imperative that the list is reviewed and republished as soon as possible. A further amendment to the DMPO introduced a new provision enabling applicants to challenge the LPA’s decision not to validate an application. If the applicant and the LPA cannot reach agreement through negotiation as to whether a piece of information is required to validate an application the applicant has the right to appeal against non-determination once the statutory timescales have elapsed.

### **The Review Process**

5. The most recent Government guidance on information requirements and validation was published in 2010 and suggests the review process should follow 4 steps:
  - i) review the existing list,
  - ii) produce a summary report of the proposed changes,
  - iii) consult on the proposed changes for no less than 8 weeks, and
  - iv) finalise and publish the revised Local list.
6. Notwithstanding the Government’s requirement for Local Lists to be no more than 2 years old it is considered timely to review the existing Local List to ensure that it refers to up to date planning legislation, policy and guidance. Following an internal review significant changes to the list are proposed, these are summarised below. The proposed updated Guidance Note on the Validation of planning applications forms Appendix B to this report.

### **Proposed changes**

7. The main changes comprise:
  - The removal of all references to Planning Policy Guidance Notes and Planning Policy Statements and replacement with references to the National Planning Policy Framework which was introduced in March 2012.
  - The inclusion of a new section on the right of applicants to challenge the County Council’s request for validation information and the new appeals process against non-validation.

- The insertion of a new paragraph encouraging the electronic submission of planning documents and the national standards for such documents.
- An amended section setting out the reduced circumstances where Design and Access Statements must accompany planning applications in accordance with current legislation.
- Amendments to all sections to make reference to current legislation, guidance and standing advice, such as Environmental Impact Assessment regulations, heritage assets and the County Council's reviewed Statement of Community Involvement.
- Some formatting changes are included, together with the introduction of a new local validation criterion on landscaping and visual impact assessments.
- All website references have been updated where necessary.

## **Consultation**

8. Following approval of the proposed changes at Planning and Licensing Committee on 12<sup>th</sup> November 2013 officers have undertaken an extensive consultation.
9. The consultation period ran for eight weeks from 18<sup>th</sup> November until 13<sup>th</sup> January 2014. Consultations included Nottinghamshire and adjoining District and Borough Councils, Nottinghamshire Parish Councils, and County Councillors. In addition over 100 letters and emails were sent to statutory and non-statutory consultees and to interested parties. The views of a selection of internal and external applicants and agents were sought. Consultation letters and emails provided a link to the County Council's website where copies of the adopted and draft Validation Guidance could be viewed and downloaded.
10. Nine responses were received. This low level of response was expected given the relatively limited and non-controversial extent of the proposed changes to the Validation Guidance. A summary of the responses received and any proposed action forms Appendix B to this report. The proposed updated Validation Guidance (including the changes made as a consequence of the consultation exercise ) forms Appendix A. Members should note that the further minor changes proposed as a consequence of the consultation are not considered to materially amend to Validation Guidance to such an extent that would warrant a further round of consultation.

## **Other Options Considered**

11. No other options were considered.

## **Next steps**

12. If Members at Policy Committee approve the proposed changes to the Validation Guidance set out in this report then this will replace the original version adopted in April 2008 and will become Council Policy. It will be known as the County Council's Guidance Note on the Validation of Planning Applications and will be retained as an on online document on the County Council's website available to



view and download. It will form the basis on which applications are validated by the Council.

### **Reason for Recommendation**

13. To inform Members of the results of the recent consultation exercise and to seek Members' endorsement of the updated Validation Guidance to Policy Committee for adoption as Nottinghamshire County Council Policy.

### **Statutory and Policy Implications**

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

### **Implications for Service Users**

15. It is considered that the proposed changes to the Validation Guidance will assist users of the document by containing more current and accurate information.

## **RECOMMENDATIONS**

- 1) It is RECOMMENDED that Members note the results of the consultation exercise undertaken on the proposed changes to the Guidance Note on the Validation of Planning Applications.
- 2) It is RECOMMENDED that the revised Validation Guidance be submitted to Policy Committee for approval and adoption as Council Policy.

**JAYNE FRANCIS-WARD**

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

### **Constitutional Comments [SHB.09.01.14]**

Committee have power to approve and adopt the Draft Guidance if they so choose.

### **Financial Comments (SEM 10/01/14)**

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

**For any enquiries about this report please contact: Jane Marsden-Dale  
Tel. 0115 969 6505**

### **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

**Electoral Divisions and Members Affected**

All

## Guidance Note on the Validation of Planning Applications

### Introduction

In order for the County Council to deal properly and efficiently with the planning applications it receives, it is essential that the correct information is submitted from the outset.

This guidance note sets out what “**minimum**” **requirements** applicants need to submit to enable the proper validation and determination of applications. This will ensure that applications are “fit for purpose” and minimise the need for the submission of information at a later stage. This in turn will enable the County Council to provide an efficient planning service and help to achieve targets for the determination of planning applications.

The County Council recognises that the scale and type of applications vary and this will require the submission of differing levels of information and supporting documentation. This guidance note takes this into account in the scope of information needed for the various types of applications dealt with by the County Council. The National Planning Policy Framework (NPPF) states that “*Local planning authorities should publish a list of their information requirements for applications, which should be proportionate to the nature and scale of development proposals and reviewed on a frequent basis. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question*” (para.193).

### Pre-Application Advice

The County Council encourages applicants and their agents to seek pre-application advice. This is particularly relevant for larger, more complex or potentially controversial proposals. This should help applicants identify the information and details that needs to be submitted with their application. Such an approach can help minimise delays later in processing the application and identify whether other consents may be required. The NPPF also encourages pre-application discussions; it states early engagement has the potential to improve the efficiency and effectiveness of the planning application system. In 2011 the Localism Act introduced a new requirement for applicants to engage with local communities before submitting applications. The details about which applications this applies to will follow once announced by the Government.

### The Validation Process (including the right to appeal against non-validation)

All applications received by the County Council will be checked against the **Statutory national information requirements**, and the **Local information requirements (Local List)**. Most minor applications will be validated within 3 to 5 working days from the date of receipt and most major applications within 10 working days.

### Invalid applications

Where an application does not contain all the information listed in the **Statutory national information requirements** the application will be deemed invalid under the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The applicant will be informed in writing the requirements necessary to validate it. There is no right of appeal against the

Council's decision to invalidate the application; any challenge to the decision must be made through a judicial review.

Where an application does not include information (in sufficient detail) listed in the **Local information requirements (Local List)** that the Council considers should be provided, then the application will be treated as invalid and the applicant will be informed in writing what information is required to validate the application. In the event of a disagreement with the Council, the applicant may submit a written justification (using an Article 10A Notice, which may be submitted at any time during the course of the application) explaining why the information requested is not required in the particular circumstances of their application. The Council will consider any written justification and either agree that the information is not required and validate the application or invalidate the application where it can be demonstrated that the additional information **is** necessary to determine the application. If the dispute cannot be resolved the applicant has the right of appeal against non determination on grounds of invalidity once the 8/13 week determination period has elapsed. The Planning Inspectorate will determine these cases.

### **Electronic submission**

The County Council's preferred method of receiving applications is electronically via the Planning Portal.

The national standards for on-line submission of electronic planning documents are as follows:

Maximum single file size is 5 Mbytes;

Maximum 25 Mbytes file size (the sum of all document file sizes). Where these maxima are exceeded the information should be submitted off-line using CDROM/DVD;

Portable Document Format (PDF) is the recommended file format to ensure that they are accessible to consultees;

All drawings shall be saved in a single layer;

All drawings shall specify the printing page size for which the scale applies;

All drawings shall be correctly orientated for on-screen display

All drawings shall include a scale bar and key dimensions;

All documents and drawings shall be named in accordance with the Royal Institute of British Architects' naming conventions.

Scanned documents must be a minimum of 200 dpi resolution for black and white and 100 dpi for colour;

All photographs in PDF file format and no larger than 15 cm x 10 cm.

### **Information required for planning applications**

**Part One- Statutory national information requirements)** that must be submitted with all applications, and

**Part Two- Local information requirements (Local List)** that must be submitted with planning applications depending on their type and scale.

### **Part One- Statutory national information requirements**

The following forms, plans and information are compulsory and **must** be submitted with all applications unless otherwise stated.

**The planning application form:** Planning applications should be submitted electronically via the Planning Portal at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). If you prefer to submit paper copies please provide one original, plus 3 additional copies. All

applications (except those for Minerals applications) must be made on the standard planning application form (1APP). Forms must be signed and dated with all relevant sections completed. All planning application forms, including Minerals forms, are also available to download at [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk).

**The application fee:** cheques should be made payable to "Nottinghamshire County Council". See Nottinghamshire County Council or Planning Portal websites for current fee schedule and exemptions. The Planning Portal's fee calculator can be used to calculate the correct fee.

**Ownership certificates:** A completed, signed and dated ownership certificate A, B, C or D confirming the ownership of the application site. These certificates are part of the standard 1APP form. For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years. A notice to owners of the application site must be completed and served in accordance with Article 11 of the Development Management Procedure Order (DMPO), 2010.

**Agricultural Land Declaration:** A completed, signed and dated Agricultural holdings certificate should be submitted whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application. This certificate is not required if the application is for reserved matters, renewal of a temporary planning permission, or for the discharge or variation of conditions, a lawful development certificate or a non-material amendment to an existing planning permission.

**Location plan:** Unless submitted electronically, the original, plus three copies of the location plan are required. The County Council will require 8 copies for all minerals and waste applications for consultation purposes. The location plan should be at a scale of 1:1250 or 1:2500, based on a metric, OS map, indicate north point and give a drawing reference number. In exceptional circumstances, such as a development covering a large area, location plans of a smaller scale may be more appropriate to enable the application site to be identified. The application site should be edged clearly with a red line. It should include all land necessary to carry out the proposed development – for example, land required for access to the site etc. A blue line should be drawn around any other land owned by/under the control of the applicant, close to or adjoining the application site. The location plan should wherever possible show at least two named roads, surrounding buildings and features.

**Site Plan:** Unless submitted electronically the original, plus three copies of the site plan should be submitted at an appropriate scale for the development proposed. Plans should accurately show the direction of North and the proposed development in relation to the site boundaries and other existing buildings, with written dimensions including those to the boundaries. The site plan should also show the following, unless these would NOT influence or be affected by the proposed development; all the buildings, road and footpaths adjoining the site including access arrangements, all public rights of way, the position of all trees on the site and those on the adjacent land, the extent and type of any hard surfacing and any boundary treatment.

**Other plans:** Unless submitted electronically the original plus 3 copies of all other plans, the County Council will require 8 sets of plans for all minerals and waste applications. For details of specific plans required see the Guidance notes

accompanying the planning application forms. This will vary according to the type of development proposed. All plans should be at an appropriate scale and include a unique drawing reference number and a title. Plans which state do not scale are not acceptable.

**Updated and superseded plans:** If plans or supporting documentation submitted via the Planning Portal need to be replaced, the updated document should be clearly labelled and the County Council informed of the replacement document.

**Design and Access Statement:** A Design and Access Statement (DAS) must accompany applications for all **major\*** developments (\*as defined by the Development Management Procedure Order, 2010 see the definition towards the end of this document) excluding those for waste development and mining operations. A DAS is also required for applications in Conservation Areas where the floor space created is 100sqm or more.

Design and Access Statements should explain the design concepts and principles that have been applied to the proposed development and demonstrate how context has informed the scheme. Statements should also explain the approach to access and state how any consultation on access issues have been taken into account. (refer to article 8 of the Development Management Procedure Order, Amendment 2013 -SI 1238, for full details of DAS submission requirements). The level of detail required in a statement will depend on the scale and complexity of the application.

*Further information*

*Town and Country Planning (Development Management Procedure) (England) Order 2010, and subsequent amendments*

*National Planning Policy Framework*

*DCLG: Guidance on information requirements and Validation, March 2010, and Streamlining the Planning Application Process- Government consultation Jan 2013 and Response June 2013*

[www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk), [www.planningportal.gov.uk](http://www.planningportal.gov.uk) and [www.communities.gov.uk](http://www.communities.gov.uk)

## **Part Two Local information requirements ( Local List )**

In addition to the national requirements above, the list below sets out further information and assessments that must be submitted with planning applications depending on their type and scale. This information is required to enable the validation of the application. As requirements will vary from case to case you are advised to contact us at an early stage if you are unsure about what information you will need to submit.

If not submitted electronically the original, plus 3 additional copies of all documents should be submitted, although more copies may be requested where a significant amount of consultation is to be carried out. All sections include references where further guidance may be found.

**[A checklist is attached which should be completed and submitted with your application identifying the information that has been provided.]**

### **1. Supporting Planning Statement**

A statement required for **all** applications explaining the need for the proposed development and demonstrating how it complies with policies in the Development Plan and other relevant documents. Where a proposal does not comply with policy a statement must be provided to justify the need or set out overriding reasons as to why the proposal should go ahead. It should also include details of any consultation with Development Management or other County Council officers and wider community/statutory consultees undertaken prior to submission.

### **2. Environmental Statement**

An Environmental Statement will be required if your proposal is likely to have significant effects on the environment. The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 require a developer to prepare an Environmental Statement for all Schedule 1 projects and some Schedule 2 projects. For detailed guidance, including indicative criteria and thresholds for proposals requiring environmental assessment, see documents listed below. A “screening opinion” can be obtained from the County Council as to whether the proposed development falls within the scope of the Regulations. The Regulations provide a checklist of matters to be considered for inclusion in the Environmental Statement and require the applicant to describe the likely significant effects of a development on the environment and to set out the proposed mitigation measures. You are entitled to receive a “scoping opinion” as to the key environmental issues the Environmental Statement should cover. Early consultation with Development Management Officers is recommended prior to making your application.

#### *Further information*

*The Town and Country Planning (Environment Impact Assessment) Regulations 2011*  
*Circular 02/99 Environmental Impact Assessment*  
*[www.gov.uk](http://www.gov.uk)*

### **3. Transport Assessment**

A Transport Assessment (TA) will be required for all major developments (see definition at end of this document) and any other application where the proposed development has significant transport implications. The coverage and detail of the TA should reflect the scale of the development and the extent of the traffic



implications. Information should include all existing and proposed vehicular and pedestrian movements to and from the site. Loading areas and arrangements for manoeuvring, servicing and parking of vehicles should also be clearly identified. The assessment should describe and analyse existing transport conditions and explain how the development would affect those conditions and measures proposed to overcome any problems. A sustainable approach to transport should be explored for all proposals and the TA should give details of proposed measures to improve access by public transport, walking and cycling. For smaller developments such as school extensions a TA might still be required because thresholds are not solely based on the size of the proposed development but also the sensitivity of the location; for example development which is likely to increase accidents or conflicts among motorised and non-motorised users, particularly vulnerable road users such as children, people with disabilities and elderly people. Government guidance on the indicative thresholds for carrying out transport assessments has been published by the Department for Transport. Applicants should submit details of employee numbers, an assessment of accessibility by non-car modes and an estimate of both vehicle and cycle parking spaces prior to the submission of an application in order that the County Council can advise on the level of assessment required.

*Further information*

*The National Planning Policy Framework – Promoting Sustainable Transport (paras 29 – 41).*

*Guidance on Transport Assessment, - March 2007 published by the DfT*

*Highways 6C Design Guide – November 2011, updated 2012 and 2013*  
*[www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)*

#### **4. Draft Travel Plans**

Where a development will generate a significant amount of movement a travel plan should be provided (NPPF para. 36). A travel plan is a long term management strategy that seeks to deliver sustainable transport objectives. It will normally be prepared alongside the transport assessment (see above). Draft Travel Plans should outline the way in which transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. The draft travel plan should have a strategy for its implementation that is appropriate for the development proposal under consideration. It should identify the travel plan coordinator, the management arrangements and the timetable of the plan.

School Travel Plans will be required for all planning applications involving new schools or significant extensions to existing schools - these should address parent, staff and pupil parking as well as vehicular and pedestrian access. For minerals and waste developments details to be submitted should include the amount of traffic movements that will occur during operating hours etc.

*Further information*

*The National Policy Planning Framework (as above)*

*Using the planning process to secure Travel plans: Best Practice Guidance for local authorities, developers and occupiers - ODPM and DfT, 2002.*

*School Travel Plan officers, Road Safety Team, Environment and Resources Department, Nottinghamshire County Council.*

## 5. Planning Obligations – Draft Heads of Terms

Where relevant, the draft heads of terms for a Section 106 agreement or unilateral undertaking should be provided with the submission of the planning application. Applicants should specify the County Council's requirements as established in any pre-application discussions.

### *Further information*

National Planning Policy Framework – Planning Conditions and Obligations (paras 203 – 206)

Planning Obligations: Practice Guidance – July 2006 [www.gov.uk](http://www.gov.uk)

The Planning Inspectorate Advice Note 16 – Submitting Planning Obligations [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

## 6. Flood Risk Assessment

### **Flood Risk Sequential Test**

***The NPPF states that development should not be permitted if there are reasonably available alternative sites appropriate for that development in areas at a lower risk of flooding.***

***Where a site has not been allocated, or sequentially tested by the Local Planning Authority, it is the responsibility of the developer in consultation with the LPA to demonstrate that the Sequential Test is passed. The requirements for the flood risk sequential test are set out in paragraphs 3 and 5 of the NPPF Technical Guidance.***

Planning applications for proposals for new development in Flood Zones 2, 3a and 3b and for proposals of 1 hectare or greater in Flood Zone 1 should be accompanied by a Flood Risk Assessment (FRA). Information about these zones and their implications for development can be found in the Technical Guidance to the National Planning Policy Framework and on the Environment Agency's website. The FRA should identify and assess all forms of flooding to and from the development and demonstrate how these flood risks will be managed now and in the future, taking climate change into account.

Where a FRA is required this should be prepared by the applicant in consultation with the Local Planning Authority, the Environment Agency **and Internal Drainage Board where appropriate.**

### *Further information*

National Planning Policy Framework – Meeting the Challenge of Climate Change, Flooding and Coastal Change (paras 93 – 108).

Technical Guidance to the National Planning Policy Framework – Flood Risk (paras 2 – 19).

Flood Risk Standing Advice - [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

***Association of Drainage Authorities - [www.ada.org.uk/](http://www.ada.org.uk/)***

## 7. Land Contamination Survey

A desktop survey to establish the extent of contamination and proposed remedial works will be required in support of all planning applications involving sites which have previously been used for industrial purposes, landfill or other potentially

contaminating uses. Where contamination is known to exist more detailed investigation will be required this should be able to demonstrate whether the site is suitable for the proposed use taking into account pollution from previous uses and any measures for mitigation.

*Further information*

*National Planning Policy Framework – Conserving and enhancing the natural environment (paras 120 – 122)*

*Landscape and Reclamation Team – Environment and Resources Department, Nottinghamshire County Council.*

*A guide to developing land in Nottinghamshire – 2009*

## **8. Tree Survey/Arboricultural Implications**

Where a proposal involves works that affect any trees or hedgerows within the application site, the position, species, spread and roots of trees should be illustrated accurately on the site plan. This must indicate any trees which are to be felled or are otherwise affected by the proposed development. For large scale proposals, or those on sites with significant tree coverage, it may be appropriate to submit further information during the course of the application following a detailed tree survey. The location of any trees within adjacent sites, including street trees, which may be affected by the application, should also be shown. Information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a suitably qualified and experienced arboriculturist.

***The felling of trees (thresholds apply) could constitute “deforestation” under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999 (Statutory Instrument No. 2228/1999) for which the Forestry Commission is the competent authority, and may therefore require consent from the Forestry Commissioners. For further advice refer to the guidance issued by the European Commission in 2008 as detailed below.***

*Further information*

*BS5837; “Trees in relation to design, demolition and construction”, 2012*

*Nottinghamshire County Council - Tree Conservation and Maintenance Policy- July 2000*

***EIA Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment 2008-022***

***Forestry Commission East and East Midlands Area, [www.forestry.gov.uk/midlands](http://www.forestry.gov.uk/midlands)***

***Natural England’s Standing Advice on Species Protection and standing advice tools, [www.naturalengland.org.uk/](http://www.naturalengland.org.uk/)***

## **9. Heritage Impact Assessment**

A Heritage Impact Assessment should be submitted with all proposals affecting Heritage assets. ‘Heritage Assets’ include Listed Buildings, Conservation Areas, and Scheduled Ancient Monuments, Registered Parks and Gardens and sites of Archaeological Interest and assets identified by the local planning authority.

The Heritage Impact Assessment should describe the significance of the heritage asset affected, including any contribution made by its setting and the

effect of the development on the asset. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the Nottinghamshire Historic Environment Record should have been consulted along with specialist officers at the County Council and at the relevant District Council.

*Further information*

*National Planning Policy Framework – Conserving and enhancing the historic environment (paras 126 – 141)*

*PPS5 Practice Guide (PPS5 itself now replaced by NPPF)*

*DETR Circular 01/2001.*

*Conservation Officers – Nottinghamshire County Council and relevant District Council.*

*[www.english-heritage.org.uk](http://www.english-heritage.org.uk)*

## **10. Archaeological Assessment**

Applicants submitting proposals on sites of archaeological interest will be required to undertake an archaeological assessment and where necessary carry out further archaeological investigations to allow the significance of the archaeology, as well as the impact of the development, to be understood. The results of this work will need to be included in the Heritage statement submitted with the application. The level of assessment required will depend on the archaeological sensitivity of the site. Advice should be sought from Archaeological Officers at the County Council. Documentation to support the application must be submitted in accordance with policy advice set out in the National Planning Policy Framework and PPS5 Practice Guide.

*Further information*

*National Planning Policy Framework – Conserving and enhancing the historic environment (paras 126 – 141).*

*PPS5 Practice Guide*

*Archaeological Officer – Nottinghamshire County Council.*

*[www.english-heritage.org.uk](http://www.english-heritage.org.uk)*

## **11. Biodiversity and Geodiversity Assessment**

Where a proposed development may have potential impacts on biodiversity and/or geodiversity, an assessment of these potential impacts should be carried out. For major development, this should take the form of an Ecological Impact Assessment (EclA).

Such assessments should include a desktop study (to include consultation with the Nottinghamshire Biological and Geological Records Centre) and the results of surveys to determine the presence/absence of notable habitats, protected species or species of principle importance for the conservation of biodiversity in England. Such work must be undertaken by a suitably qualified person, following nationally recognised guidelines.

When considering impacts on biodiversity and/or geodiversity, consideration should be given to both direct impacts (such as habitat loss) and indirect impacts (such as changes to hydrology, air quality, noise and disturbance). Where proposals include mitigation and/or compensation measures, information to

support those measures will be needed. Proposals should seek to provide ecological enhancements wherever possible, and make provision for the maintenance and management of retained or created biodiversity/geodiversity features.

In addition, where proposals have the potential to affect a Special Area of Conservation or a Special Protection Area, then a Habitats Regulations Assessment (HRA) must also be undertaken.

For further advice please contact the County Council's Conservation Team.

**Where appropriate, early consultation with Natural England is recommended, including use of the agency's Discretionary Advisory Service (DAS), together with its standing advice and detailed guidance.**

#### *Further information*

*National Planning Policy Framework – Conserving and enhancing the natural environment (paras 109 – 125).*

*Circular 06/2005 Biodiversity and Geological Conservation- Statutory obligations and their impact within the planning system and the accompanying guide- Planning for Biodiversity and Geological Conservation: A Guide to good practice 2006)*

*BSI: PAS 2010 Planning to halt the loss of Biodiversity*

*Association of Local Government Ecologists: **Template for Biodiversity and Geological Conservation Validation checklists**, [www.alge.org.uk](http://www.alge.org.uk)*

*Natural England - [www.naturalengland.org.uk/](http://www.naturalengland.org.uk/)*

*Nottinghamshire Wildlife Trust [www.wildlifetrust.org.uk/nottinghamshire](http://www.wildlifetrust.org.uk/nottinghamshire)*

***DEFRA**, <http://guidanceanddata.defra.gov.uk/habitats-regulations-assessments/>*

## **12. Noise Assessment**

A Noise Impact Assessment should be submitted with all applications for potentially noisy developments and uses where these are likely to raise issues of disturbance to the occupants of nearby existing buildings. Proposals for noise sensitive uses close to existing sources of noise should also be accompanied by a Noise Impact Assessment. These should be prepared by a suitably qualified acoustician and should include information on existing and proposed noise levels (including night-time noise levels where relevant) and where appropriate should recommend a scheme of measures to mitigate noise impact. Guidance is provided in the National Planning Policy Framework with specific guidance for minerals development, which can often be used to assess the noise impacts of waste development, in the Technical Guidance to the National Planning Policy Framework.

#### *Further information*

*National Planning Policy Framework – Facilitating the Sustainable Use of Minerals (paras 142 – 149) and para 123.*

*Technical Guidance to the National Planning Policy Framework – Noise Emission (paras 28 – 31).*

*BS4142 Method for rating noise affecting mixed residential and industrial areas 1997.*

*Noise Policy Statement for England, DEFRA 2010*

*Environmental Protection Act 1990.*

## **13. Air Quality Assessment**

Proposals that impact on air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures. Specific guidance on the impacts of dust emissions from minerals development, which can often be used to assess the dust impacts of waste development, is provided in the Technical Guidance to the National Planning Policy Framework.

*Further information*

*National Planning Policy Framework– Conserving and Enhancing the Natural Environment (paras 109 – 125).*

*Technical Guidance to the National Planning Policy Framework – Dust Emissions (paras 23 – 27).*

*A Breath of Fresh Air for Nottinghamshire- Nottinghamshire Environmental Protection Working Group, 2008.*

*District Council Environmental Health Officers.*

**Air Pollution Information Service (APIS) [www.apis.ac.uk](http://www.apis.ac.uk)**

**14. Sunlighting / Daylighting / Lighting Assessment**

Sun lighting/day lighting assessments are to be undertaken and submitted for all applications where there is a potential adverse impact upon current levels of sunlight/daylight enjoyed by adjoining properties or buildings, including their gardens or amenity space.

Where significant external lighting is proposed as part of a development (for instance, floodlighting of a multi-use games area) the application must include a layout plan with beam orientation, a schedule of the proposed equipment and the proposed measures to reduce any impact on neighbouring sites/properties.

*Further information*

*British Research Establishment (BRE): Site layout planning for daylighting and sun lighting; a guide to good practice 2011*

*Lighting in the countryside; Towards good practice (1997)*

**15. Statement of Community Involvement**

Where relevant, applications need to be supported by a statement detailing how the requirements for pre-application consultation set out in the Council's adopted Statement of Community Involvement Review has been met. In particular this should demonstrate that the views of the local community have been sought and taken into account in the formulation of development proposals.

*Further information*

*Nottinghamshire County Council Statement of Community Involvement Review – adopted April 2013 (see [www.nottscc.gov.uk](http://www.nottscc.gov.uk))*

**16. Sustainability Appraisal**

A statement, proportionate to the scale of the proposal should be submitted for **all** applications setting out the three dimensions to sustainable development;



economic, social, and environmental (see NPPF para.7). It should include details of where a development will create jobs, lead to a net gain for nature, deliver better design and improve living conditions. Where relevant, the statement should consider ecology and biodiversity considerations, choice of construction materials, sustainable drainage systems, sustainable waste management, energy consumption - minimisation, supply and generation as well as any other relevant sustainability issues.

*Further information*

*National Planning Policy Framework – Achieving Sustainable Development (paras 6 – 16).*

**17. Rights of Way (footpaths, bridleways and byways)**

Proposals which affect a public right of way, even temporarily during construction phases, within or adjacent to the application site should indicate this on the submitted plans. A statement should be submitted outlining the details, including, where appropriate, the steps to be taken to comply with any legal requirement to stop up or divert the right of way. Early consultation with the County Council's Countryside Access Team is advisable.

*Further information*

*Countryside Access Team, NCC (countrysideaccess@nottsccl.gov.uk).*

*Nottinghamshire County Council: Rights of Way Improvement Plan- 2007*

**18. Landscape and Visual Impact Assessments (LVIAs)**

Landscape and Visual Impact Assessments should be provided for all major developments which are subject to the Environmental Impact Assessment process and for all other development which, in the view of Nottinghamshire County Council, are likely to result in significant adverse effects on the landscape or visual amenity. This applies to applications in both rural and urban settings. This assessment should include photographs and/or photomontages as appropriate. Early consultation with the County Council's Landscape and Reclamation Team **and Natural England** is advisable.

*Further information*

*"Guidelines for Landscape and Visual Impact Assessments" The Landscape Institute and Institute of Environmental Management and Assessment, April 2013*

*Landscape Institute Advice Note 01/11: Photography and photomontage in Landscape and visual impact assessment.*

*EIA Regulations, 2011*

*Landscape and Reclamation Team, Nottinghamshire County Council*

*Natural England's **website (in particular sections on Landscape, National character Areas, Accessible Green Space Standards and Linking People with their natural environment)** – [www.naturalengland.org.uk](http://www.naturalengland.org.uk)*

***DEFRA: Construction Code of Practice for the Sustainable Use of soil on development sites***

**Definitions**

**Definition of major applications**, (based on Town and Country Planning (Development Management Procedure) (England) Order 2010), development involving:



- the winning and working of minerals or the use of land for mineral-working deposits;
- waste development (ie operational development designed to be used wholly or mainly for the purpose of, or material change of use to treating, storing, processing or disposing of refuse or waste materials);
- the provision of a building or buildings where the floorspace to be created by the development is 1,000 sq metres or more; or
- development carried out on a site having an area of 1 hectare or more.

**Definition of large-scale major applications,** (based on DCLG Guidance issued August 2007 and DCLG Consultation on Planning Performance Agreements issued May 2007), development involving:

- provision of a building where the floorspace to be created is 10,000m<sup>2</sup> or more,

### **Contacts**

Further information and advice is available from the Development Management Team on 0300 500 80 80 or [development.management@nottsc.gov.uk](mailto:development.management@nottsc.gov.uk)

Useful websites: [www.nottsc.gov.uk](http://www.nottsc.gov.uk) and [www.gov.uk](http://www.gov.uk)

<b>CHECKLIST</b>			
<b>Planning Application address:</b>			
	Yes	No	Notes/why information is not required for this application
• Essential Information as required by Part One			
1. Supporting Planning Statement			
2. Environmental Statement			
3. Transport Assessment / TAPA			
4. Draft Travel Plan			
5. Planning Obligation – Draft Heads of Terms			
6. Flood Risk Assessment			
7. Land Contamination survey			
8. Tree Survey/Arboricultural implications			
9. Heritage Statement			
10. Archaeological Assessment			
11. Biodiversity and Geodiversity Assessment			
12. Noise Assessment			
13. Air quality Assessment			

14. Sun lighting/day lighting/lighting Assessment			
15. Statement of Community Involvement			
16. Sustainability Appraisal			
18. Landscape and Visual Impact Assessments			

**Please return this checklist with your planning application confirming which documents have been submitted.**

## SUMMARY OF RESPONSES TO CONSULTATION

## Appendix B

Consultee	Summary of comments	Council's response	Proposed action / amendment to Validation Guidance
Anglian Water	Welcomed the opportunity to comment and confirmed that they have no comments to make.	Comments noted	No changes proposed
Environment Agency	<p>Requested that the following requirement be added to the Local List:</p> <p><i><u>Flood Risk Sequential Test</u></i>  <i>The NPPF states that development should not be permitted if there are reasonably available alternative sites appropriate for that development in areas at a lower risk of flooding. Where a site has not been allocated, or sequentially tested by the Local Planning Authority, it is the responsibility of the developer in consultation with the LPA to demonstrate that the Sequential Test is passed. The requirements for the flood risk sequential test are set out in paragraphs 3 and 5 of the NPPF Technical Guidance.</i></p>	Request noted	Insert new wording within section 6 headed Flood Risk Assessment.
Marine Management Organisation	Welcomed the opportunity to comment and confirmed that they have no comments to make.	Comments noted	No changes proposed

## SUMMARY OF RESPONSES TO CONSULTATION

## Appendix B

NCC- Property Group	Confirmed the Property Group has no adverse comments to make.	Comments noted	No changes proposed
Forestry Commission	Advised that the text does not make it clear around the issue of afforestation and deforestation and the process for an EIA (forestry). They added the felling of trees (thresholds apply) could constitute “deforestation” under the Environment Impact Assessment (Forestry) (England and Wales) Regulations 1999 (SI No. 2228/1999) for which the Forestry Commission is the competent authority, and may therefore require consent from the Forestry Commissioners. Their comments relate to Section 2 Environmental Statement and 8. Tree survey/ Arboricultural Implications.	Comments noted	New text added to the Guidance within section 8 headed Tree survey/ Arboricultural Implications to cover these comments. Also Forestry Commission details listed as a contact for further advice within the same section.
Natural England	Welcomed the opportunity to comment on the Guidance Note and provided a very comprehensive response. Their comments and requests for additional information related to pre-application advice, and Sections 8 - Trees, 11 - Biodiversity and Geo-diversity Assessments, 13 - Air Quality Assessments and 18 - Landscape and Visual Impact Assessment, as well as comments regarding Protection of Soil, Green Infrastructure and Priority Habitat.	Their comments and request for additional information noted. To ensure consistency with the remainder of the Validation Guidance it is not considered to be appropriate to include all of Natural England’s points in the level of detail set out in their response.	New text added, including sources of advice inserted into Sections 8,11,13 and 18 of the Validation Guidance, as well as reference to ensuring consultation with Natural England during all stages of planning application process, including reference to their new Discretionary Advice Service.

## SUMMARY OF RESPONSES TO CONSULTATION

## Appendix B

Trent Valley Internal Drainage Board	Commented on Section 6- Flood Risk Assessment, recommended that where FRAs are required they should be prepared in consultation with the Internal Drainage Board (IBD) in addition to the Local Planning Authority and the Environment Agency. Further information relating to IBD's can be found on the Association of Drainage Authorities website.	Comments noted.	New text added to Section 6 as suggested, including website address added to the further information section.
West Stockwith Parish Council	Commented that the consultation was discussed at the Parish Council meeting and agreed that the Council support this proposal with no major comments to add.	Comments noted	No changes proposed.
Erewash Borough Council	Commented that having reviewed the proposed new version of the Guidance confirm that the Borough Council has no comments to make.	Comments noted	No changes proposed.









**21 January 2014****Agenda Item:9****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING &  
CORPORATE SERVICES****DEVELOPMENT MANAGEMENT PROGRESS REPORT****Purpose of this Report**

1. To report on planning applications received in the Department between 29 November 2013 and 31 December 2013 and to confirm the decisions made on planning applications since the last report to Members on 10 December 2013.

**Background**

2. Appendix A highlights applications received since the last Committee meeting, and those determined in the same period. Appendix B highlights applications outstanding for over 17 weeks for the quarter between 01 October 2013 and 31 December 2013. Appendix C sets out any relevant updates.
3. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

**Statutory and Policy Implications**

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

**RECOMMENDATIONS**

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

**JAYNE FRANCIS- WARD**

**(Corporate Director Policy, Planning & Corporate Services)**

**Constitutional Comments**

"The report is for noting only. There are no immediate legal issues arising. Planning and Licensing Committee is empowered to receive and consider the report. [HD – 06/01/2014]

**Comments of the Service Director - Finance**

The contents of this report are duly noted – there are no direct financial implications. [SEM – 06/01/2014]

**Background Papers Available for Inspection**

None

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

All

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

Report Author/Case Officer  
Ruth Kinsey  
0115 9696513

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

6.1.14

EP5395.DOCX

**Planning Applications Received and Determined**  
**From 29<sup>th</sup> November to 31<sup>st</sup> December 2013**

Division	Member	Received	Determined
<b>BASSETLAW</b>			
Misterton	Cllr Liz Yates		Extension to existing Misson Grey Sand Quarry, Misson Sand and Gravel Co. Limited, Bawtry Road, Misson. Granted 04/12/2013
Blyth & Harworth	Cllr Sheila Place		Condition 4 of planning permission 1/61/96/5 to vary the period of 12months to 2 years within which the coal stocking site shall be restored in accordance with conditions 10 to 12 of the above permission. Harworth Colliery, Scrooby Road, Bircotes. Withdrawn 05/12/2013,
Blyth & Harworth	Cllr Sheila Place		Planning Permission 1/66/96/16 condition 39, to vary the period from 6 months to 2 years (starting September 2006) for the submission of an alternative scheme of restoration. No2 Spoil Heap, Harworth Colliery, Scrooby Road, Bircotes. Withdrawn 05/12/2013

Division	Member	Received	Determined
Worksop North East & Carlton	Cllr Alan Rhodes	Variation of condition 3 of planning permission 1/59/11/00069/V to extend the timescale for sand extraction. Carlton Forest Quarry, Blyth Road, Worksop. Received 16/12/2013	
Worksop North	Cllr Sybil Fielding	Development and operation of a recycles bulking and waste transfer station with associated infrastructure including external recycles bays, weighbridges, internal roads, weighbridge cabin, welfare facilities, parking areas, wash bay, sprinkler tank and associated pump house. Site access improvements, landscaping and ancillary infrastructure including the demolition of the existing building on site. Dukeries House, Claylands Avenue, Worksop. Received 23/12/2013	
<b>MANSFIELD</b>			
Mansfield North	Cllr Joyce Bosnjak Cllr Parry Tsimibiris	Continuation of restoration of former limestone quarry by landfilling with inert waste and i) Amendments to the final restoration scheme(so as to increase the overall volume and duration of the landfilling and ii) Retain the mobile plant storage facility until no longer required for the operation and restoration of the site. Cast Quarry, Vale Road, Mansfield Woodhouse. Received 06/12/2013	

Division	Member	Received	Determined
<b>NEWARK &amp; SHERWOOD</b>			
Farnsfield & Lowdham	Cllr Roger Jackson	Extend the permissible area of the site to include an additional area that is being used exclusively for the storage of PAS100QP compost. Oxton Grange, Ollerton Road, Oxton. Received 29/11/2013.	
Rufford	Cllr John Peck	Proposed development of the Bilsthorpe Energy Centre (BEC) to manage unprocessed and pre-treated waste materials through the construction and operation of a Plasma Gasification Facility, Materials Recovery Facility and Energy Generation Infrastructure together with supporting infrastructure. Bilsthorpe Business Park, Off Eakring Road, Bilsthorpe. Received 29/11/2013	
Ollerton	Cllr Stella Smedley	The applicant would like to vary the extant permission, to retain equipment currently used on site and to install new proposed equipment. R M Wight Wood Recycle, Unit 89b Boughton Industrial Estate, Boughton. Received 06/12/2013	



Division	Member	Received	Determined
Rufford	Cllr John Peck		Retrospective application for permission to install sand carpet base with concrete apron and ground fittings for support. Plus - Application for temporary seasonal erection of a marquee on this base from April to October each year, until October 2015, for use to provide shelter and wet weather cover for public events at the country park. Rufford Abbey Country Park, Rufford, Ollerton. Granted 10/12/2013 (Committee)
Blidworth	Cllr Yvonne Woodhead		5 new kiosks to house control centre equipment, electrical switch gear and distribution boards. Rainworth Sewage Treatment Works, Colliery Lane, Rainworth. Granted 13/12/2013
Collingham Farndon & Muskham	Cllr Maureen Dobson Cllr Mrs Sue Saddington	Proposed southern extension to existing quarry with restoration to water amenity, together with revised restoration for creation of an enlarged nature reserve and retention of existing plant site and site access. Land at Langford Quarry, Newark Road, Near Collingham. Received 19/12/2013	
<b>ASHFIELD</b>			

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
<a href="#">Hucknall</a>	Cllr Alice Grice Cllr John Wilkinson Cllr John Willmott		The retention of 7 existing temporary classrooms, Holgate Academy, Hillcrest Drive, Hucknall. Granted 23/12/2013
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Willmott		Three new single storey science laboratories with a central prep room and the removal of three mobile classrooms. Holgate Academy, Hillcrest Drive, Hucknall. Granted 23/12/2013
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Willmott		Environmental improvements to the Hucknall Town Centre, encompassing the demolition and alteration of existing buildings, laying out and construction of a new inner relief road between Annesley Road and the Bolsover Street/Station Road Junction. Realignment of existing Linby Road/Ashgate Road junction, the provision and laying out of new pedestrian and cycle links other related highways works, enclosures and associated landscaping. Annesley Road to Station Road, Hucknall. Granted 11/12/2013 (Committee)
Kirkby in Ashfield North	Cllr John Knight		Removal of terracotta hung tiles to external front elevations and to be replaced with steni colour facade cladding, Bracken Hill School, Chartwell Road, Kirkby in Ashfield. Granted 13/12/2013

Division	Member	Received	Determined
Kirkby in Ashfield North	Cllr John Knight		Single storey classroom extension, Morven Park Primary School, School Street, Kirkby-in-Ashfield. Granted 13/12/2013
<b>BROXTOWE</b> – <b>None</b>			
<b>GEDLING</b>			
Carlton East	Cllr Nicki Brookes Cllr John Clarke		Works to school grounds: Installation of synthetic turf around playground, involving the re-grading of slopes and felling of 4 mature trees and 3 juvenile trees. Installation of safety surfacing under play equipment. Burton Joyce Primary School, Padleys Lane, Burton Joyce. Granted 29/11/2013
Arnold North	Cllr Pauline Allan Cllr Michael Payne	To vary conditions 4 and 13 of temporary planning permission 7/2003/2727 to allow the retention of the gas generating compound until such time that the facility is not required for the production of electricity. Dorket Head Landfill Site, Woodborough Lane, Arnold. Received 06/12/2013	

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Arnold North	Cllr Pauline Allan Cllr Michael Payne		Eastern extension of the working and extraction of clay and associated minerals with subsequent low level restoration to include landscaping and diversion of public footpaths. Dorket Head Quarry, Woodborough Lane, Arnold. Granted 17/12/2013 (Committee)
Arnold North	Cllr Pauline Allan Cllr Michael Payne		To Vary conditions 3, 13 and 50 of planning permission 7/2003/0335 to allow a "pause" in the existing landfill to occur and to provide a revised restoration profile which will tie in with the intended low level restoration of the proposed eastern extension. Dorket Head Quarry and Landfill, Woodborough Lane, Arnold. Granted 17/12/2013 (Committee)
<b>RUSHCLIFFE</b>			
West Bridgford West	Cllr Gordon Wheeler	Retention of modular buildings known as Building 3 of planning permission 8/10/01723/CTY and Building 4 of planning permission 8/12/00547/CTY, Heymann Primary School, Waddington Drive, West Bridgford. Received 03/12/2013	

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Ruddington  Soar Valley	Cllr Reg Adair  Cllr Andrew Brown	Variation of conditions 2, 29 and 30 of planning permission 8/10/00191/CMA to retain the existing processing plant in relation to adjacent sand and gravel extraction at East Leake Quarry, Rempstone Road, East Leake. Received 10/12/2013	
West Bridgford Central & South	Cllr Steve Calvert Cllr Liz Plant		Erection of 3 classroom, staffroom and library extension. Kids Club extension, Hall extension and Foundation 2 extension; Extension to car park and widening of existing vehicular access, new pedestrian access from Coledale and (canal) bridleway; Extension to all weather pitch; New external metal store and new cycle shelters; Associated landscape works and fencing. Pierrepont Gamston Primary School, Coledale, West Bridgford. Granted 10/12/2013 (Committee)
Keyworth	Cllr John Cottee		Hardstanding and parking area on the Public Highway grass verge adjacent to the sewage pumping station, Severn Trent Water Sewage Pumping Station, Hickling Lane, Kinoulton. Granted 18/12/2013
Radcliffe on Trent	Cllr Mrs Kay Cutts	Application to retain existing modular building, Radcliffe on Trent Junior School, Cropwell Road, Radcliffe on Trent. Received 23/12/2013	



**Applications outstanding over 17 weeks at 31st December 2013**

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
<b>BASSETLAW</b>				
Blyth & Harworth	Cllr Sheila Place	Development and use of land for two angling lakes, with access and landscaping with associated excavation and exportation of mineral and surplus soils during construction. Lodge Farm, Scrooby Top	45	Can be found elsewhere on the agenda



<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Blyth & Harworth	Cllr Sheila Place	Planning application to vary conditions 7,12,13,14 and 16 of planning permission 1/66/02/00015. Variation of condition 7 to refer to updated plant and machinery details. Condition 12 to allow for an amended restoration scheme, condition 13 to refer to a surface run-off scheme. Condition 14 to refer to foul and surface water details. Condition 16 to extend the time for deposit of waste to 31 December 2017.Styrrup Quarry, Main Street, Styrrup	37	Resolved to grant permission upon agreeing and signing of a legal agreement at Committee on 12/11/2013
<b>MANSFIELD</b>				
Mansfield North	Cllr Joyce Bosnjak Cllr Parry Tsimbiridis	Variation of condition 2 of planning permission 2/2010/0227/WT to allow continuation of crushing and screening plant to recycle building materials for a further 5 years. Cast Quarry, Vale Road, Mansfield Woodhouse.	28	Application to extend the life of the inert landfill now received, that will be linked to this application and decided at the same time.
<b>NEWARK</b>				

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Newark West	Cllr Tony Roberts	Regularisation of use of additional land in connection with scrapyards, Briggs Metals Limited, Great North Road, Newark	154	Agent held meeting with drainage expert to provide flood risk assessment to overcome Environment Agency's objection. Awaiting response to flood issue from applicant.
Rufford	Cllr John Peck	Change (additional) use of Savile Restaurant as a wedding venue. Installation of marquee fixings and realignment of path and erection of a temporary marquee from April to September (inclusive), Rufford Abbey, Rufford Country Park, Ollerton	31	Can be found elsewhere on this agenda
Newark West	Cllr Tony Roberts	New multi use games area and floodlights, Mount C of E Primary School, Kings Road, Newark	23	Negotiations with applicant over Sport England objection, and awaiting an Heritage Impact Statement and a noise assessment
<b>ASHFIELD</b>				

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Wilmot	Planning application for the continued use of an Aggregates Recycling Facility at Wigwam Lane for the treatment of waste to produce soil, soil substitutes and aggregates. Total Reclaims Demolition Ltd Wigwam Lane, Bakerbrook Industrial Estate, Hucknall	72	In the process of producing a transport assessment
Hucknall	Cllr Alice Grice Cllr John Wilkinson Cllr John Wilmot	Retrospective use of site for recycling of inert materials and construction of 5m high sound attenuation wall. Plots 10, 11, 12, 13, 14 and 16 off Wigwam Lane, Hucknall	28	Committee report being prepared
<b>BROXTOWE</b>				
Beeston South & Attenborough	Cllr Kate Foale	Variation of condition 3 of planning ref 5/06/01039/CCR to amend the alignment of the weir, associated bridge structure and reduce distance of the diversion to footpath No 69, Land southwest of Attenborough Nature Reserve, Barton Lane, Attenborough	250	Report written but conditions to be finalised

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Kimberley & Trowell	Cllr Ken Rigby	Change of use to waste timber recycling centre including the demolition of existing building and construction of new buildings. Shilo Park, Shilo Way, Cossall	49	Further information is still required on ecology, drainage issues, noise and a landscaping character assessment and land contamination
Beeston South & Attenborough	Cllr Kate Foale	New entrance lobby and canopy, John Clifford Primary School, Nether Street, Beeston	42	Discussions on going between the architect and conservation concerning the platform lift
<b>GEDLING</b>				
Newstead	Cllr Chris Barnfather	Improvement works to the country park involving the remodelling and partial in-filling of lake 2 for development as a fishery, and wider landscape improvement works and path upgrades, in total requiring the importation of circa 17,000m3 of inert materials and soils. Newstead and Annesley Country Park, Newstead Village	56	Additional consultation undertaken, awaiting responses
<b>RUSHCLIFFE</b>				

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Ruddington	Cllr Reg Adair	Use of land adjacent to the existing site for a 12 month period for temporary storage of reclaimed aggregates and to vary Condition 7 of planning permission 8/96/79/CMA and Condition 9 of planning permission 8/94/00164/CMA to extend working hours. Johnsons Aggregates & Recycling Limited, Loughborough Road, Bunny	23	Awaiting noise monitoring report. Report being prepared for 25 February 2014 committee

## RELEVANT UPDATES

### Shortwood Surface Coal Mine

At the Committee meeting of 10 December 2013 Members will recall resolving to grant planning permission for the above development subject to the completion of a legal agreement to secure various elements which could not be controlled through planning conditions. The planning permission cannot therefore be issued until the legal agreement has been completed. Progress has since been made on preparing such a legal agreement and, at the time of writing, a draft document had been lodged with the County Council for its consideration.

On 23 December 2013, however, the County Council received notification that an Article 25 Direction, under The Town and Country Planning (Development Management Procedure) (England) Order 2010 had been served on behalf of the Secretary of State. The Article 25 Direction effectively prevents the County Council from granting the planning permission until the Secretary of State has had the opportunity to consider whether to call in the application for his own determination.

The Secretary of State tends to operative a very selective policy as to what applications do get called in and generally only uses such powers where planning issues of more than local importance are involved.

It is anticipated that a decision as to whether or not the application will be called in will be made in January and it may therefore be possible to give Members an oral update at its meeting on 21 January.

**21 January 2013****Agenda Item: 10****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND  
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

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

**Information and Advice**

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

**Other Options Considered**

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

**Reason/s for Recommendation/s**

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

**Statutory and Policy Implications**

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



## **RECOMMENDATION**

That the committee's work programme be noted.

**Jayne Francis-Ward**

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

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

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

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

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

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

### **Background Papers**

Relevant case files for the items included in Appendix A.

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

All

## Committee Work Programme

<u>Date to Committee</u>	<u>Reference</u>	<u>Location</u>	<u>Brief Description</u>
25 <sup>th</sup> February 2014	3/13/00802/FULR3N	Rufford Abbey, Rufford Country Park, Ollerton	Change (additional) use of Savile Restaurant as a wedding venue. Installation of marquee fixings and realignment of path and erection of a temporary marquee from April to September (inclusive)
25 <sup>th</sup> February 2014		Former Gunthorpe Gravel Workings, Gunthorpe	Scheme submitted by Severn Trent Water Limited for the restoration of the former Gravel Workings at Gunthorpe
25 <sup>th</sup> February 2014	8/13/01494/CMA	Johnsons Aggregates & Recycling Limited, Loughborough Road, Bunny	Use of land adjacent to the existing site for a 12 month period for temporary storage of reclaimed aggregates and to vary Condition 7 of planning permission 8/96/79/CMA and Condition 9 of planning permission 8/94/00164/CMA to extend working hours.
25 <sup>th</sup> February 2014	4/V/2013/0499	Leen Mills Primary School, Leen Mills Lane, Hucknall	Retention of existing mobile classroom (building 4)
25 <sup>th</sup> February 2014	4/V/2013/0498	Leen Mills Primary School, Leen Mills Lane, Hucknall	Retention of existing mobile classroom (building 5)
25 <sup>th</sup> February 2014	5/13/00070/CM	Shilo Park, Shilo Way, Cossall	Change of use to waste timber recycling centre including the demolition of existing building and construction of new buildings
25 <sup>th</sup> February 2014	1/13/01372/CDM	Worksop Bus Station, Watson Road / Newcastle Street, Worksop	Site clearance & construction of a new 8-bay bus station including cafe/retail unit, crew room, information office, CCTV cameras and associated street works and fencing (including 3.0m high acoustic fencing).

25 <sup>th</sup> February 2014	7/2012/1493	Newstead and Annesley Country Park, Newstead Village	Improvement works to the country park involving the remodelling and partial in-filling of lake 2 for development as a fishery, and wider landscape improvement works and path upgrades, in total requiring the importation of circa 17,000m3 of inert materials and soils.
25 <sup>th</sup> February 2014	8/12/00856/CMA	Redhill Marina, Radcliffe on Soarcliffe on Soar	Report to seek members views on the determination of a planning application for the construction of a marina and associated mineral extraction in response to the receipt of additional information, ahead of a planning appeal .

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

<b><u>Reference</u></b>	<b><u>Location</u></b>	<b><u>Brief Description</u></b>
8/13/02185/CMA	John Brooke (Sawmills) Limited, The Sawmill, Fosse Way, Widmerpool	The Erection of 2 New Industrial Buildings and Installation of 7MW (approximate) Wood Fuelled Renewable Energy Biomass Plant, retaining existing wood recycling and composting operations.
4/V/2013/0359	Plots 10, 11, 12, 13, 14 and 16 off Wigwam Lane, Hucknall	Retrospective use of site for recycling of inert materials and construction of 5m high sound attenuation wall.
1/13/00809/CDM	Harworth Colliery Spoil Tip, Blyth Road, Harworth	Variation of condition 5 of planning permission 1/66/96/16 to allow for the continuation of spoil disposal operation at Harworth Colliery No 2 spoil heap
3/13/01767/CMW	Bilsthorpe Business Park, Off Eakring Road, Bilsthorpe	Proposed development of the Bilsthorpe Energy Centre (BEC) to manage unprocessed and pre-treated waste materials through the construction and operation of a Plasma Gasification Facility, Materials Recovery Facility and Energy Generation Infrastructure together with supporting infrastructure
	Land at Langford Quarry,	Proposed southern extension to

	Newark Road, Near Collingham, Newark	existing quarry with restoration to water amenity, together with revised restoration for creation of an enlarged nature reserve and retention of existing plant site and site access
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