



REPORT OF CORPORATE DIRECTOR – PLACE

PLANNING APPLICATION 1

GEDLING DISTRICT REF. NO.: 7/2018/0159NCC

PROPOSAL: PROPOSED SOUTHERLY EXTENSION OF THE CLAY WORKINGS AND EXTRACTION OF CLAY AND ASSOCIATED MINERALS, WITH SUBSEQUENT RESTORATION BY INFILLING WITH IMPORTED INERT WASTE MATERIALS TO INCLUDE LANDSCAPING AND DIVERSION OF PUBLIC RIGHTS OF WAY

PLANNING APPLICATION 2

GEDLING DISTRICT REF. NO.: 7/2018/0168NCC

PROPOSAL: TO VARY CONDITIONS 5 OF PLANNING PERMISISON 7/2013/0757NCC TO REFLECT A SLIGHT CHANGE IN THE PROPOSED CONTOURS OF THE RESTORED LANDFORM INCLUDING THE RE-ENGINEERING OF A CLAY STOCKPILE FACILITY AND ITS RETENTION/CONTINUED USE BEYOND THE OPERATIONAL LIFE OF DORKET HEAD QUARRY.

LOCATION: DORKET HEAD QUARRY, WOODBOROUGH LANE, ARNOLD, NOTTINGHAM, NG5 8PZ

APPLICANT: IBSTOCK BRICK LIMITED

Purpose of Report

1. To consider two planning applications at Dorket Head Quarry, Arnold.
2. The main development seeks planning permission for the extension of the clay extraction quarry within a Southern Extension. As part of undertaking this development it is necessary to make some minor alterations to the operation of the existing quarry including a move away from the use of non-hazardous waste to inert waste for the restoration in this area as part of a Section 73 variation of planning permission) application.

3. The key issues relate to compliance with Development Plan policy regarding future mineral extraction at Dorket Head, the contribution the development makes to secure the long term economic future of the quarry and its factory and the wider sustainability issues and the relationship between this development and housing allocations proposed in the new Gedling Local Plan.
4. The assessment of environmental impacts identifies that the development would result in some landscape and visual effects as well as impacting on the local right of way network. Nevertheless, the overall balanced assessment of the proposals argues in favour of supporting a recommendation to grant conditional planning permission for both applications.

The Site and Surroundings

5. The Dorket Head site is located approximately 7.5 kilometres north east of Nottingham City Centre on the northern edge of Arnold, adjoining the B684 Woodborough Lane. The site extends in a generally west-east direction along the south side of Woodborough Lane (B684).
6. The Dorket Head site incorporates both the brick making factory and a quarry/landfill located on either side of Calverton Road which runs due south from its junction with Woodborough Lane.
7. The buildings within the factory are located on land that has historically been quarried and therefore constructed at a lower level to the adjoining road network, and are therefore well screened from surrounding areas. The clay quarry is located to the east of Calverton Road. The site has two vehicular accesses, both from Woodborough Lane, one access serves the factory and the other access serves the quarry. (see Plan 1)
8. The quarry currently extracts clay during a relatively short 'campaign' season which typically lasts some 6-8 weeks depending on the weather during the summer. The extracted clay is stockpiled in an area designed to hold enough clay for the year's supply to the brickworks. The stockpile is currently located adjacent to the Woodborough Lane frontage of the site. Clay is drawn from the stockpile as required for brick production and carried to the brickworks by a conveyor system utilising a tunnel beneath Calverton Road.
9. The clay is used for the manufacture of bricks. The plant has a production capability of some 94 million bricks per year and produces a range of brick types and finishes at the site. At maximum output the Dorket Head factory supplies around 6% of the national output of bricks.
10. The consented clay quarry is progressively being worked and restored. Some parts of these operations have already been restored to agriculture and nature conservation uses. Other parts of the site to the east and north have yet to undergo mineral extraction. Operational areas within the site incorporate quarry clay extraction areas and clay storage areas. There is presently no operational landfill areas as these activities ceased approximately three years ago and are now predominantly restored and in aftercare. (see Plan 2)

11. The site is located within Green Belt land on the edge of Arnold. Between the existing operational site and residential properties is an area of mature screen planting and a community woodland known as 'The Hobbucks'.
12. There is a network of footpaths in the area, one of which follows the highway boundary along the entire frontage of the site to Woodborough Lane, and then returns across the site in an east - west direction (Arnold Footpath No. 7) to where it links up to Arnold Footpath No. 8 which then runs in a south-west direction to Arnold, and a westerly direction to Calverton Lane respectively. (see Plan 3) A 'primary ridgeline' designation incorporated within the Gedling Local Plan crosses the site, ridgelines being a feature of the 'Dumbles' rolling landscape in the area.
13. The Dorket Head site employs 73 people across a mixture of skills, age and experience with 50% of these employees living between 2-4 miles of the site and 87% living within 10 miles.
14. The application site lies immediately to the south of, and contiguous with, the quarry workings. The application site extends to around 6.6ha and is broadly rectangular in shape. It is bounded to the north and west by existing workings (with workings to the west having historically been landfilled, and is located north of open paddock and former grazing fields, to the south of which is the edge of Arnold.

Planning history

15. The brickworks have been active since the 1860's. The original brickworks utilised clay extracted from beneath the existing factory, thus creating the reduced level on which the modern factory is now sited.
16. Clay extraction progressed onto the eastern side of Calverton Road in the 1960's with subsequent extensions permitted in 1971 and 1974.
17. In 1983 planning permission was granted to restore the mineral workings by landfilling the quarry with domestic and industrial wastes. The vehicle access into the site off Woodborough Lane was permitted at this time. Further planning permissions for clay extraction were granted in 1986 (for the eastern section of the site, ref. 7/01/85/1064). Both of these permissions incorporated restoration of the site by landfill with non-hazardous domestic and industrial wastes. All these permissions were reviewed and consolidated into a single minerals review consent (ref. 7/2003/0335) issued under the provisions of the Environment Act 1995.
18. In 1998 planning permission was granted for a southerly extension (ref. 7/97/0697).
19. Most recently, two planning permissions were granted in 2013.
 - Planning Permission 7/2013/0760NCC provided planning permission for an Eastern extension with restoration to low level not requiring waste importation.

- Planning Permission 7/2013/1525NCC was a Section 73 submission to vary conditions imposed under planning ref: 7/2003/0335, approving a revised restoration profile to tie in with the low level restoration intended in the eastern extension. As part of this scheme a pause in the importation of non-hazardous landfill was approved wherein waste importation would cease whilst the Eastern Extension was worked out, but recommencing to complete restoration works within the original quarry area once extraction resumed in this area.

Proposed Development

20. The report considers two planning applications which have been submitted in connection with Dorket Head Quarry.
21. The first planning application (Ref: 7/2018/0159NCC) is for a southerly extension to the quarry to facilitate the extraction of around 690,000t of clay (net). The extension would encompass around 6.6 ha of land comprising woodland planted as part of the existing quarry operations and improved grassland (currently used for grazing).
22. The southern extension is proposed to be worked in three phases, as indicated on Plan 4. Trees and vegetation would be removed within the extraction areas on a phase by phase basis. The existing hedgerow along the southern boundary of the site would be retained and interplanted to increase its habitat value, species diversity and screening.
23. The first extraction phase would incorporate a 120m wide cut taken in a southerly direction towards the boundary. Clay would be extracted in the same fashion as elsewhere in the quarry using a combination of bulldozer and 360 hydraulic excavator. The second phase would advance the workings in an easterly direction parallel to the boundary and the narrow woodland shelter belt. The final phase would be similarly orientated parallel to the site boundary and result in the removal of the remainder of the woodland belt. In order to maintain the required 'blend' of clays to supply to the brickworks it would be necessary to work the proposed southern extension in parallel with the approved Eastern Extension. Extracted clay would be loaded onto articulated dump trucks for transportation along established haul roads to the existing stocking area.
24. It is intended to restore the workings using imported inert materials. The infilling operations would be undertaken over four phases with initial infill undertaken in the existing quarry before progressing into the southern extraction area to infill the void created by mineral extraction. It is anticipated that up to 150,000t of inert materials would be imported per annum as part of the restoration works with infill operations occurring throughout the year and commencing shortly after the first phase of mineral extraction. (see Plan 5)
25. Based on extraction commencing in 2018 and taking account of the need to blend clay extracted from the Southern and Eastern quarry to maintain appropriate clay blends, the extraction would be substantially complete by 2021. The restoration scheme is programmed to commence in 2018/19 and continue progressively so as to ensure the southern most areas of the southern

extension (end of Phase 3) would be restored by 2023 thus allowing residential development in Phase 2 of the proposed Gedling H8 housing allocation to progress at this time. Inert waste importation would be fully complete in Phase 4 by the end of 2026.

26. Operating hours are proposed to remain as existing, namely:

	Monday to Friday	Saturdays	Sundays	Public/Bank Holidays
Clay Extraction	0700 - 1900	0700 - 1300	none	none
Soil Stripping	0800 - 1900	0800 - 1300	none	none
Transportation of clay from stockpile to factory	0600 - 1800	0600 - 1800	0600 - 1800	0600 - 1800
Inert material placement and restoration	0730 - 1730	0730 - 1630	0800 - 1630	none

27. The development would necessitate the temporary diversion of two public rights of way (footpaths) which currently cross the southern extraction area. These are proposed to be diverted around the eastern and southern perimeter boundary of the southern extraction area.

28. After restoration the landform, landcover and public rights of way within the 6.6ha application site would all be reinstated to include several blocks of woodland plantation (2ha in total), notably on the northern edge of the site, as well as species-rich grazing pastures (4.1ha in total). Part of the application site would not be excavated, within this area 0.17ha of grassland and 0.33ha of woodland would be retained undisturbed. As part of the Reg. 25 response an opportunity has been taken to include some small ponds which would provide habitat for amphibians.

29. During the course of processing the planning application supplementary environmental information has been provided by the applicant in response to a formal request made by the Council under Regulation 25 of the EIA Regs. The submission incorporates additional information in respect of ecology and landscape/visual impacts, comprising:

- A more detailed assessment of the ecological impact resulting from felling a 'veteran ash tree'. Surveys confirm the tree currently does not host any bat roosts.

- Further assessment of effects to bat foraging and commuting behaviour resulting from the loss of younger plantation woodland from the site.
 - A survey of the soil stockpile and confirmation that it does not incorporate any badger setts.
 - Further consideration of potential impacts to amphibians and reptiles.
 - The submission of a more detailed ecological impact assessment.
 - Further information regarding the methodology used to carry out the landscape assessment.
 - An assessment of the magnitude of visual impact from a viewpoint on Spring Lane, Mapperley.
 - Modifications to the restoration plan identifying the provision of small ponds, labelling of additional hedgerow planting and localised regrading of contours in the vicinity of the stockpile area.
30. The second planning application (Ref: 7/2018/0168NCC) is a Section 73 submission which seeks consent to vary the approved restoration scheme for the wider quarry workings authorised by planning permission ref. 7/2013/0757NCC (dated 16 December 2013).
31. The revised restoration scheme is needed as a consequence of the proposed southern extension, which will result in minor contour changes as the restored southern extension merges with the wider site, but also because it is now proposed to restore the workings using inert materials (as opposed to non-hazardous wastes which the current permissions allow for). There would therefore be a permanent cessation of non-hazardous waste tipping at the site with restoration to the final revised profile using only inert materials.
32. The scheme amends the final restored profile in the existing quarry but follows the general spirit of the approved scheme. It also allows for the establishment of an area for the stockpiling of clay within the restored quarry area which would be retained permanently after the completion of mineral extraction/restoration of the surrounding quarry. The stockpile area would be created at a level of 135m AOD on the restored site, engineered at a lower level within the site by landfilling less waste on the underlying ground. This is below the level within the currently approved restoration scheme which allows tipping up to a height of approximately 140m AOD (rising higher to the west). The land surrounding the proposed stockpiling area would retain this 140m AOD height with some resculpturing to accommodate the stockpiling area. The 5m height difference between the base of the stockpile area and the land surrounding would therefore visually screen the clay stockpiling. Clay will continue to be fed to the factory using the long established conveyor system transporting clay beneath Calverton Road and directly into the factory. No changes are proposed to the approved planting proposals in the existing quarry area.

Consultations

33. The two planning applications have each been subject to separate publicity and consultation coinciding with their original submission. Most consultees have

provided a joint response concerning both planning applications. In addition, the supplementary environmental information submitted in response to the Council's Regulation 25 request has been separately publicised and advertised. The consultation responses are summarised below. Where a Regulation 25 consultation response has been provided this is set out within the summary of the consultee's representation.

34. Gedling Borough Council: *Raise no objection in principle subject to a condition imposing a suitable time limit on the extraction/restoration of the clay from the proposed site. The key points raised by Gedling Borough Council are:*
- *The proposals generally align with the Statement of Common Ground which was prepared to address issues relating to the potential for the sterilisation of clay reserves as a result of potential housing developments in the area identified in the Gedling Local Plan Review Public Inquiry process.*
 - *Significant weight should be given to the policies and strategy of the emerging local plan document on publication of a satisfactory Inspector's report and full weight on its adoption;*
 - *Economic benefits are important material considerations in the overall planning balance;*
 - *Particular attention should be given to the issue of surface water drainage in accordance with ACS Policy 1 and LPD policy 4;*
 - *Landscape will be a particularly key issue and needs to be considered against the provisions of ACS Policy 10 and LPD Policy 19 using the landscape character approach;*
 - *Mitigation should be provided for any short/medium term impacts on landscape and biodiversity arising from extraction and where practical opportunities should be sought for enhancement to landscape, biodiversity and recreational routes in the area as part of the restoration proposals; and*
 - *To address amenity issues taking into account Policy ENV1 and LPD 32 restoration should be limited to the importation of inert materials only given issues in the past over the use of putrescible waste and the close proximity of local housing.*
35. Woodborough Parish Council: *Raise no objections.*
36. Calverton Parish Council: *No representations received.*
37. *Reg. 25 Response: No further comments to add to those previously provided.*
38. NCC (Landscape): *Do not object*
39. *The Landscape Team originally raised some questions regarding the methodology used to assess the significance of impact. A request was also*

made for an assessment to be made of visual impact from housing on Spring Lane in Mapperley.

40. *This information has been provided within the Regulation 25 response. The landscape team is satisfied that the landscape and visual assessment has been carried out to the appropriate methodology and best practice guidance and the following conclusions are agreed.*
 - *The overall significance of landscape effects during the operational stage is assessed as moderate adverse in terms of impacts within the site, and slight adverse when the site is viewed in the wider area.*
 - *The overall significance of visual effects is assessed as moderate to slight adverse during the operational stage and 'no change' following the restoration.*
 - *The restoration proposals should include some localised grading to ensure that the area proposed for clay stockpiling is not harmful to landscape.*
41. *Should the application be approved planning conditions are recommended to ensure species appropriate to the local area are used, a detailed specification of size and density of planting is provided and details of aftercare management are agreed in writing.*
42. Environment Agency: *Raise no objections*
43. *The Environment Agency advise that the operation of the site will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010. The Agency advise that the operation of a non-hazardous landfill at this location was the subject of a large number of odour complaints until it closed. The Environment Agency state that surface water disposal from this site is a matter for the Lead Local Flood Authority.*
44. *Reg. 25 Response: No further comments to add to those previously provided.*
45. Nottinghamshire County Council (Lead Flood Authority): *Raise no objections*
46. Natural England: *No objection*
47. *Natural England consider the proposed development would not have significant adverse impacts on designated ecological sites or protected landscapes. They note that the development site includes some 1.6ha of best and most versatile agricultural land and therefore favour agriculture as an afteruse. Planning conditions should be imposed to safeguard soil resources and their quality. Natural England state that standing advice and national planning policy should be referenced to assess the magnitude of impact to the landscape, protected species, local wildlife sites and priority habitats/species, ancient woodland and veteran trees, access and recreation and the potential for environmental enhancements provided from the restoration of the site.*
48. *Reg.25 Response: No further comments raised.*

49. NCC (Nature Conservation): *Raise no objections*
50. *NCC Nature Conservation initially raised concerns that:*
- (a) *Adequate surveys had not been undertaken to assess the potential for a 'bat roost within a veteran' tree proposed to be removed,*
 - (b) *Confirmation is requested that none of the younger trees in the broad-leaved plantation woodland proposed to be removed support roosting bats.*
 - (c) *No bat activity surveys or assessment has been undertaken to consider the impact of woodland removal on foraging and commuting opportunities for bats.*
 - (d) *A methodology statement is requested for carrying out a protected species survey within an overgrown soil stockpile area.*
 - (e) *No assessment of potential indirect impacts (such as noise and disturbance) has been undertaken to consider potential impacts to ecological receptors adjoining the development site, particularly the Hobbucks Local Nature Reserve.*
 - (f) *The ecological impact assessment is not in accordance with CIEEM EcIA Guidelines (2016).*
 - (g) *The restoration scheme is supported in principle but further clarification is sought regarding the potential to undertake additional hedgerow/tree planting, potential for the creation of additional ponds and the submission through planning condition of a detailed landscape and aftercare management scheme.*
51. *Reg. 25 Response: Raise no objections, noting that the Regulation 25 submission largely addresses previous comments made in connection with the planning application, noting that:*
- a. *A climbing survey of the 'veteran' tree has been undertaken to confirm no evidence of bats within the tree. A further survey will be required prior to felling.*
 - b. *Impacts to bat activity across the site have been given further consideration. It is acknowledged that the site clearance has potential to affect bats but the impact is temporary and restoration of the wider quarry site would enhance bat foraging habitat. The retention and strengthening of the boundary hedgerow will help maintain east-west continuity across the site for bat foraging.*
 - c. *No badger mitigation is required for the proposed removal of the stockpile area.*
 - d. *Indirect impacts are not anticipated in the Hobbucks LNR.*
 - e. *The ecological impact assessment is considered acceptable. Deadwood from the felled veteran tree should be utilised to provide habitat and mitigate for the loss of the tree.*

- f. *The amendments and clarifications provided to the restoration scheme, are welcomed.*
52. Nottinghamshire Wildlife Trust (NWT): *Object to the planning application as originally submitted.*
53. *NWT consider the levels of ecological surveys undertaken are inadequate to assess the magnitude of ecological impact. In particular:*
- *A soil stockpile area has not been surveyed and therefore the potential for badger habitat cannot be ruled out.*
 - *Reptile, lizard and breeding bird surveys of the site have not been undertaken. ,*
 - *Tree roost surveys to identify the potential for bat habitats have not been undertaken.*
54. *A satisfactory and robust assessment of the ecological impact as a result of undertaking the development has not been carried out including assessments of indirect impacts to surrounding habitats including the Hobbucks Local Nature Reserve.*
55. *The restoration scheme offers potential to incorporate clusters of small ponds to benefit amphibian populations. More detail is required on habitat establishment and there should be a commitment to the long term management of the site beyond the statutory five year period.*
56. NCC (Highways): *Raise no objections*
57. *The level of traffic associated with the delivery of inert waste will be similar to the historical levels when the site operated as a landfill site. Access to the site is considered to be satisfactory. There are no records of any accidents associated with the use of the quarry/landfill site access road during the 2012-2018 period.*
58. *Reg 25 Response: No further comments raised.*
59. NCC (Countryside Access): *Raise no objections*
60. *This development would impact on Arnold Parish Public Footpaths No 7 and 8 which run through the site. These paths have already been diverted to accommodate the existing clay extraction and a further diversion would be required to serve this development. The closure of the footpaths will therefore require an appropriate diversion order and an alternative route agreed. These footpath alterations will require a formal application to and the approval of the Countryside Access Team.*
61. *Reg.25 Response: No further comments raised.*
62. NCC (Noise Engineer): *Raise no objection subject to the reimposition of noise controls regulating the ongoing extraction within the eastern extension.*
63. *Reg. 25 Response: No further comments raised.*

64. NCC (Built Heritage): *Raise no objection. The ES incorporates an assessment of potential impacts to designated and non-designated built heritage assets within a 2km radius of the application site. This assessment confirms that the development would not have any harmful built heritage impacts.*
65. Western Power Distribution: *Raise no objections on the basis the development is not in close proximity to infrastructure.*
66. Western Power Distribution have provided a plan showing the location of their apparatus in the vicinity of the site.
67. Planning Casework Unit: *Do not wish to raise any comments.*
68. Severn Trent Water Limited, Cadent Gas Limited, NCC (Archaeology), NCC (Reclamation), Arnold Killisick Residents Association, Friends of the Hobucks: No representations received. Any responses received shall be orally reported.

Publicity

69. Both planning applications have been publicised by displaying 10 site notices on residential streets surrounding the quarry and by the publication of a press notice in the Nottingham Post. Neighbour notification letters were sent to 73 local residents. Further site and press notices were posted to advertise the submission of the Reg. 25 information and to advertise the Section 73 planning application as a departure to the development plan. The publicity has been carried out in accordance with the County Council's adopted Statement of Community Involvement Review.
70. Five letters of representation have been received which raise objections to the planning application on the following grounds:
 - a. Concerns are expressed that proposed rerouting of the footpaths will significantly increase the length of the walk from Arnold to Woodborough and make it less rural. The walk will be close to a busy and noisy road.
 - b. The quarry has adequate reserves of clay and therefore this extension is not needed.
 - c. The development will damage the Dorket Head mature landscape area and the site is highly visible from properties on Brechin Close and Strathmore Road. Landscape screening on the southern edge of the site should be allowed to mature before any quarrying operations are allowed to start.
 - d. The removal of vegetation from the site will open up views of the existing quarry. This vegetation is a home to wildlife which would be lost and therefore the development will increase disturbance to local wildlife.
 - e. Hedgerows within the site should be protected and not removed.
 - f. The development will affect views from residential property by removing trees and agricultural land used for sheep grazing and replacing it with an excavated red bank.

- g. Concerns are raised regarding the landfill restoration of the site. Although the site would be filled with inert waste, questions are raised regarding the potential for site to accept other waste streams which have historically created massive problems of stinking, nauseating, vile, putrefied smells that not only covered the whole area but also got into residential property.
 - h. The planning application suggests that future housebuilding has potential to screen views of the development. These houses do not have planning permission and therefore their screening potential is questioned.
 - i. The development has potential to generate significant noise and dust emissions with potential to affect the amenity of nearby residential properties. A planning condition should be imposed to ban reversing beeper noise.
 - j. The development could alter drainage patterns and increase flooding at residential properties and increase pollution.
 - k. The quarry has historically generated nuisance to local residents including noise, odours, flies and dust. The earth moving vehicles used on this site are massive, the roar they make when shifting the clay is very loud and clanking of the tracks is very audible. The proximity of the southern extension to residential properties means that any noise is likely to be very noticeable.
 - l. A resident of Surgeys Lane reports he suffers with asthma which is exacerbated by the operation of the quarry. For the last couple of years the quality of life on Surgeys Lane has improved drastically and wildlife has increased now that quarrying has progressed away from these properties.
 - m. Health concerns are raised.
 - n. The proximity of the development to residential properties will adversely affect the value of homes.
 - o. The mobile plant used on site emits a large amount of pollution resulting in associated environmental impacts.
 - p. The development will adversely impact the Green Belt.
71. Councillor Michael Payne and Councillor Pauline Allan have been notified of the application.
72. The issues raised are considered in the Observations Section of this report.

Observations

Minerals Planning Policy relating to the expansion of Dorket Head Quarry

73. The saved policies of the Nottinghamshire Minerals Local Plan (MLP) are the most relevant part of the development plan for assessing the merits of this planning application for minerals extraction, but since the MLP is an older development plan its policies need to be read alongside the National Planning Policy Framework (NPPF).

74. Chapter 11 of the MLP relates to the supply of clay and specifically Policy M11.2 deals with the future provision of clay to serve Dorket Head brickworks. This policy states:

POLICY M11.2 DORKET HEAD – FUTURE PROVISION

Proposals to extend Dorket Head clay pit should take into account the environmental constraints at the site, the operational benefits to be gained by phased working and restoration and the likelihood of alternative locations offering a lesser environmental impact. Proposals will be permitted elsewhere which either:

- (a) maintain supplies of clay to the Dorket Head brickworks; or
- (b) provide a replacement brickworks and clay pit, providing such proposals are subject to a satisfactory working and reclamation scheme.

Proposals for a new brickworks and clay pit should, where practical, include the reclamation of the Dorket Head brickworks site. In granting planning permission the County Council will impose conditions to ensure that commencement of extraction is phased to replace the expected exhaustion of reserves at Dorket Head.

75. MLP Policy M11.2 does not specifically allocate land for clay extraction at Dorket Head but the policy does support potential further extensions to the quarry where an extension would provide operational benefits through the phasing of extraction and restoration operations and subject to the extension having acceptable environmental effects.
76. The NPPF acknowledges that the extraction of minerals is essential to support sustainable economic growth and support the quality of life. It requires sufficient supplies of minerals are maintained and requires Minerals Planning Authorities to plan for a steady and adequate supply of industrial minerals to support the level of actual and proposed investment required for new or existing plant. Specifically in respect of brick clay the NPPF states that planning authorities should plan for at least 25 years mineral reserves. The NPPF acknowledges that unlike most other forms of development, minerals are a finite resource and can only be worked where they are found. When determining planning applications the NPPF requires planning authorities to give great weight to the benefits of mineral extraction, including to the economy, but also they should control environmental impacts and ensure appropriate restoration/aftercare of mineral sites.
77. In terms of the remaining mineral reserves at Dorket Head, the existing consented reserves are sufficient to maintain production of bricks until approximately 2034. Based on current production levels, this represents a 16 year mineral reserve.
78. NPPF paragraph 144 requires planning authorities to give great weight to the economic benefits of mineral extraction. The NPPF expects planning decisions

to proactively drive and support sustainable economic development and assist the expansion of business. It requires significant weight to be placed on the need to support economic growth through the planning system.

79. The recovery of 690,000t of clay from the southern extension would secure a further three years brick production at the brickworks, maintaining the existing economic and employment benefits which the quarry and factory provides including:
 - The direct employment of 73 people, around half live within 5 miles of the brickworks and 90% within 10 miles.
 - Numerous other staff indirectly employed including suppliers of good, services and haulage.
 - The continued positive contribution of the site to the local and regional economy.
 - The supply of 94 million bricks per year, equating to around 6% of the UK brick market.
80. The socio-economic effects of the scheme are beneficial and these are material in the determination of this planning application.
81. NPPF paragraph 143 seeks to ensure that minerals are not needlessly sterilised. Whilst the planning application site is within the boundaries of the consented quarry it does not have planning permission for minerals extraction and therefore the underlying mineral does not currently contribute to the available reserves for the brickworks. The recovery of the mineral reserve which underlays the southern extension area would enable a valuable mineral resource is put to good use and not sterilised in accordance with NPPF Policy.
82. The fact that the southern extension area is not allocated for mineral extraction in the MLP does not mean the current planning application represents a departure to the development plan. The application site is incorporated within the wider consented quarry area, albeit currently in use as a landscaped area with no permission currently in place for extraction. An extension of the mineral extraction area at Dorket Head would provide operational benefits by ensuring minerals do not become sterilised, thus MLP Policy M11.2 is supportive subject to there being no unacceptable environmental constraints.
83. The technical assessments, mitigation proposals and established management controls employed by the operator and examined in the following sections of this report ensure that the operation of the site would not give rise to significant adverse impacts on the local and natural environment, or on public amenity.
84. Based on the above it is concluded that there is planning policy support for the recovery of a potential additional 3 years of mineral reserves to serve Dorket Head, both in the context of MLP Policy M11.2 and the desirability of maintaining a 25 year landbank of clay reserves advocated in the NPPF. The expansion of the quarry would also secure significant economic benefits which the Council are required to attach significant weight to in their overall decision.

New Minerals Local Plan

85. The County Council is currently preparing a replacement Minerals Local Plan. The new Minerals Local Plan will cover the period 2016 to 2036 and will set out how much mineral is needed during this period as well as identifying site specific allocations to meet identified demand and incorporating a range of planning policies against which future minerals development will be assessed.
86. The County Council has recently received responses from the industry in connection with a consultation it has undertaken on an 'Issues and Options' document and a 'Call for Sites' to explore the main issues expected to arise during the life of the new Minerals Local Plan. This process has identified that there is likely to be a need to provide additional clay reserves to supply the Dorket Head factory during the plan period.
87. The operators of Dorket Head Quarry have identified an area of land north of the junction between the B684 Woodborough Lane and Nottingham Road which would provide 20-25 years minerals reserve and requested the County Council consider allocating this within the new plan. The operators have not requested the land which forms the southern extension to be allocated for minerals extraction within the plan review process.
88. The new Minerals Local Plan is at a very early stage and therefore little weight can be given to it in this decision other than to acknowledge that additional clay reserves will be required to serve Dorket Head Brickworks in the medium to long term and any windfall sites that may become available, such as this southern extension, would help address the urgency of this need.

Waste Planning Policy

89. Whilst acknowledging that these planning applications primarily concern a minerals extraction scheme, a significant part of the development is the restoration of the site utilising imported inert waste. A total of 531,079 cubic metres of inert waste is proposed to be imported into the site as part of this planning application. This would be used to infill the quarry void created in the southern extension as well as infill areas of the existing quarry which currently have consent for non-hazardous waste disposal.
90. The planning merits of this waste disposal requires assessment against the planning policies of both the Nottinghamshire and Nottingham Waste Core Strategy (WCS), the saved policies of the Waste Local Plan (WLP) and the National Planning Policy for Waste (NPPW).
91. WCS Policy WCS1 incorporates a presumption in favour of sustainable development. WCS Policy WCS3 identifies the importance of managing waste in accordance with the waste hierarchy and delivering sustainable waste management. Whilst it is acknowledged that the current scheme seeks planning permission to deposit inert waste, representing a disposal/recovery at the lower end of the waste hierarchy, WCS Policy WCS3 acknowledges that there will be a continuing need to permit new or extended disposal capacity to

manage residual waste streams that cannot be economically recycled or recovered.

92. In terms of the need for additional inert waste disposal capacity, Table 4c of the WCS identifies that there is an estimated shortfall of 3.2 million cubic metres of inert void space within Nottinghamshire during the plan period. The current development would assist in addressing this shortfall. Since there is a need for new inert disposal capacity, the inert waste tipping at Dorket Head is supported by WCS Policy WCS3.
93. WCS Policy WCS5 sets out the planning policy for the development of new inert waste disposal facilities within Nottinghamshire and is set out below:

Policy WCS5 Disposal sites for hazardous, non-hazardous and inert waste

Where it is shown that additional non-hazardous or inert landfill capacity is necessary, priority will be given to sites within the main shortfall areas around Nottingham, and Mansfield/Ashfield. Development outside this area will be supported where it can be shown that there is no reasonable, closer, alternative.

Proposals for hazardous waste will need to demonstrate that the geological circumstances are suitable and that there are no more suitable alternative locations in, or beyond, the Plan area.

In addition to the above, preference will be given to the development of disposal sites for hazardous, non-hazardous and inert waste in the following order:

- a) the extension of existing sites;
- b) the restoration and/or reworking of old colliery tips and the reclamation of mineral workings, other man-made voids and derelict land where this would have associated environmental benefits;
- c) disposal on greenfield sites will be considered only where there are no other more sustainable alternatives.

Where disposal sites proposed in the Green Belt constitute inappropriate development, very special circumstances would need to be demonstrated in line with national guidance.

94. The Dorket Head site is within the main shortfall area around Nottingham identified within WCS Policy WCS5 and is also favoured by the sequential test for the identification of new sites set out within the policy on the basis that it represents both the extension of an existing site and the scheme would provide for the reclamation of a quarry void.
95. The NPPW was published in October 2014. Although it was published after the adoption of the WCS, the strategy and approach of each document are generally consistent with each other, insofar that the NPPW requires planning authorities to ensure a network of facilities are permitted which enable waste to be managed at a local level, assist with driving waste management up the waste hierarchy, identify suitable sites, for waste management facilities with

consideration given to minimising environmental effects of waste developments. With particular reference to landfill sites, the NPPW encourages their restoration to beneficial after uses at the earliest opportunity and to high environmental standards through the application of appropriate conditions where necessary.

96. Chapter 4 of the WLP acknowledges the potential benefits that waste disposal can provide within the restoration of quarry sites insofar that the waste can be used to backfill quarry voids and reinstate original ground levels, thus achieving better landscape treatments of former mineral working sites. The Dorket Head planning application utilises waste to reinstate original site contours and therefore is in accordance with the objectives of Chapter 4 of the WLP.
97. It is therefore concluded that the WCS, WLP and NPPW provide policy support for inert waste disposal at Dorket Head to assist in restoration of the former mineral working, subject to there being no unacceptable environmental effects.

Relationship between Gedling Borough Council Housing Allocations and Mineral Extraction

98. Normal working practice at mineral working sites seek to maintain a separation between residential properties and mineral workings to provide a buffer zone within which environmental emissions including noise and dust are dispersed.
99. Proposals within the emerging Gedling Local Plan seek to allocate/develop housing on land adjoining the edge of the existing urban area to the north and east of Arnold, in particular allocations Killisick Lane (H8) and Howbeck Road (H7). These proposed housing allocations would bring residential properties into closer proximity to the existing consented quarry area, and directly next door to the proposed southern extension which could potentially restrict the ability to work the mineral and therefore sterilise the underlying clay resource which would be contrary to the objectives of Paragraph 143 of the NPPF. See Plan 6.
100. This issue was discussed in detail at the recent Gedling Local Plan examination hearing with evidence being presented by Gedling Borough Council, Ibstock brick, Nottinghamshire County Council acting in their role as Minerals Planning Authority and the prospective housing developers. Following this examination a number of proposed modifications to the draft plan have been agreed within a Statement of Common Ground (SOCG) between the interested parties. The SOCG incorporates a commitment for Ibstock Brick Ltd. to bring forward its proposals for a southern extension to the existing quarry at an early stage. Alongside this, the housing allocation policy has been modified to incorporate a phasing strategy whereby housing development would only progress in the phase nearest the quarry once clay extraction/restoration has progressed.
101. The Gedling Local Plan report of the Inspector is anticipated in spring 2018. If the Inspector recommends approval the emerging local plan is likely to be adopted by the summer 2018. It is acknowledged that at the time of writing only limited or moderate weight may be attached to the emerging local plan as proposed to be modified, however, if the Inspector's Report is published before

a decision on this planning application more significant weight can be given to its policies.

102. The submission of this planning application represents the first stage of delivering a minerals extraction scheme for the 'southern extension' at Dorket Head Quarry within an appropriate timeframe, allowing mineral extraction to be phased in advance of any subsequent housing development and therefore is compliant with the commitments which have been made within the Gedling Local Plan examination. The scheme is also supported by the objectives of paragraph 143 of the NPPF on the basis that it avoids the sterilisation of minerals.
103. The application is supported by Gedling Borough Council and provides a satisfactory balance between ensuring that minerals do not become sterilised and unworkable whilst ensuring that housing development identified in the draft Gedling Local Plan comes forward in an appropriate timeframe. These matters are proposed to be regulated by planning condition to require the completion of clay extraction within the Southern Extension by 31st December 2021, and restoration in the southernmost area of the southern extension (end of Phase 3) to be completed by 2023 thus allowing residential development in Phase 2 of the proposed Gedling H8 housing allocation to progress at this time. Inert waste importation would be fully complete in Phase 4 by the end of 2026.

Significance of Environmental Effects

104. The environmental protection policies within Chapter 3 of the MLP and WLP together with WCS Policy WCS13 seek to ensure that minerals and waste planning applications are only supported when it can be demonstrated that there would be no unacceptable impact on any element of environmental quality or the quality of life of those living or working nearby and wherever possible opportunities are taken to enhance the local environment through the provision of landscape, habitat or community facilities.
105. An assessment of the environment effects of the development against development plan policy is undertaken in the following section of the report.

Green Belt

106. The Gedling Aligned Core Strategy identifies that a Green Belt will be retained around Nottinghamshire. The application site is located within the Green Belt.
107. The MLP does not incorporate specific Green Belt policy, but paragraph 3.59 acknowledges that mineral extraction can be acceptable subject to the development not adversely affecting the Green Belt, in particular its open character.
108. Policy W3.17 of the WLP states that planning permission will be granted for waste disposal in the Green Belt where it represents the best option for reclaiming mineral workings to an after-use appropriate to the Green Belt and where there is no unacceptable impact on the open character of the Green Belt.

109. Green Belt policies originally incorporated in the adopted Gedling Local Plan have not been saved. The Gedling Aligned Core Strategy does not incorporate specific Green Belt policy to assess planning applications against, identifying that until such time that a replacement plan is adopted, development management decisions in the Green Belt should be assessed against Green Belt Policy incorporated in the NPPF.
110. Paragraph 90 of the NPPF sets out that mineral extraction is not inappropriate development provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt.
111. In terms of effects on the openness of the Green Belt, the Dorket Head mineral extraction scheme would not introduce any new buildings or structures to the site. The excavation activities would utilise existing mobile plant for a comparatively short period of each calendar year, existing consented stockpiling areas would be utilised for the life of the southern extension and soil bunding is limited. No significant impacts on the openness of the Green Belt are therefore anticipated, nor would the development conflict with any of the purposes of including land in the Green Belt (as set out in Paragraph 80 of the NPPF). The minerals extraction scheme therefore is considered appropriate development in the context of NPPF Green Belt policy.
112. The inert waste disposal proposed in the planning application enables the site to be restored back to its original ground levels with the existing agricultural and woodland blocks reinstated across the site. These landfill operations assist in achieving an acceptable standard of restoration across the site and is therefore considered appropriate in the context of WLP Green Belt policy set out within Policy W3.17.
113. In terms of the clay stockpiles, the current planning permission requires these to be removed upon the completion of mineral extraction within Dorket Head quarry. The Section 73 planning application seeks to retain the clay stockpile facility in an amended location/design and the associated conveyor route beyond the life of the quarry, even if a decision is made to import clay from quarries in the surrounding area.
114. In the context of Green Belt policy, the long term retention of a stockpiling area represents a storage use which by definition is inappropriate development in the Green Belt. NPPF paragraph 87 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. NPPF paragraph 88 states that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
115. In terms of demonstrating 'very special circumstances', it is acknowledged that there is an ongoing need for a clay stockpile to maintain a steady and reliable supply of materials to serve the brickworks. Under the current arrangements, the storage facility would be lost following the restoration of the quarry, leaving the factory with no storage facilities. This would severely hinder/prevent its operation, potentially resulting in the closure of the factory, an action which would result in some significant negative economic impacts in terms of local

employment and regional/national supply of bricks. The planning application proposes modified arrangements for the retained stockpiling area to reduce its visual impact by engineering the replacement facility at a lower level to the surrounding land. The new stockpile area would therefore have a lower impact to the openness of the Green Belt than the existing facility which does not benefit from any screening. There are no potential options to site a replacement facility on land which is not Green Belt.

116. It is therefore concluded that there is a strong argument in favour of allowing the new stockpiling facility and associated conveyor route on the grounds of need, economic benefit, a reduction in terms of visual impact/effects to openness and a lack of alternative provision capable of being provided outside the Green Belt. These factors represent very special circumstances to justify inappropriate development within the Green Belt.
117. To minimise visual impacts of storage activities and associated impacts to the openness of the Green Belt it is recommended that planning conditions be imposed limiting the maximum storage of height of clay in the stockpile area to 5m and to require the removal of the stockpile and associated conveyor upon the closure of the factory or when they are no longer be required (whichever is the sooner).

Historical issues associated with landfill operations at Dorket Head

118. Dorket Head non-hazardous landfill site ceased operation in 2014. Prior to this date the imported waste was utilised to infill the quarry void and return the topography of the site to similar levels to those which existed prior to mineral extraction.
119. It is a matter of record that the operation of the non-hazardous landfill facility generated significant levels of complaint in relation to odour releases. Data supplied by the EA identifies that the site generated 632, 598 and 965 complaints in the years 2010, 2011 and 2012 and contributed towards a decision to not incorporate non-hazardous waste disposal as part of the Eastern Extension planning application in 2013. The planning permission for the site therefore results in a cessation of waste importation as mineral extraction enters the eastern extension area but resumes when mineral extraction re-enters the final phases of the original quarry when non-hazardous landfill would resume (around 2025).
120. The current planning application seeks to utilise inert waste within the southern area landfill operations and also change the composition of waste when landfill recommences in the original quarry area, changing from non-hazardous waste to inert waste in these 'resumed' landfill operations. This change to the character of waste imported to the site is welcomed on the basis that it ensures that historical odour issues associated with the decomposition of non-hazardous waste would not resume at the site in future years and is therefore welcomed. The use of inert waste instead of non-hazardous waste also minimises the potential for nuisance from flies.

121. To ensure appropriate regulation, a planning condition is recommended to control the character/composition of waste imported to the site to inert only and therefore address concerns raised by local residents that a resumption of landfill within the site could also result in a resumption of odour nuisance from the operation of the site.

Landscape Assessment

122. The application site is located within the Dorket Head Field Mature Landscape Area as identified on the GLP Proposals Map and the “Dumbles Rolling Farmland” landscape character area as defined in the Greater Nottingham Landscape Assessment. The GLP Proposals Map also identifies that the higher land located to the west, east and north of the application site along Woodborough Lane are important ridgelines. The site of the southern extension is currently classified as “wooded grazed pastures”.
123. The area surrounding the application site displays some of the characteristic features of this landscape type, such as well-maintained hedgerows and rolling landform, however the quarry itself (comprising exposed mineral workings) is presently not in keeping with this surrounding landscape character.
124. Ongoing restoration works within the wider quarry area are reinstating the rolling landform with pastures, grassland, hedgerows and woodland which upon completion will assimilate with the Dumbles Rolling Farmland landscape characteristics.
125. In terms of planning policies relating to landscape protection for the area:
- GLP Policy ENV37 seeks to avoid adverse effects on the visual, historic or nature conservation importance of the mature landscape area.
 - GLP Policy ENV32 states that planning permission will not be granted for development that would have an adverse effect on the open character and visual quality of the primary and secondary ridgelines.
 - The Gedling Aligned Core Strategy (ACS) Policy 16 recognises the importance of protecting, conserving and enhancing the landscape character of the area of the planning application site.
 - MLP Policy M3.22 seeks to ensure that landscape character is taken into consideration within development proposals, requiring planning permission to be refused for development which is likely to adversely impact the character and distinctiveness of the landscape unless there are reasons of overriding public interest.
 - WLP Policy W3.25 states that waste management development likely to cause harm to a mature landscape area will only be permitted where there are imperative reasons of overriding public interest or where ameliorative measures are provided.
126. The ES is supported by a landscape and visual assessment which assesses the significance of change to the landscape resulting from the development proposals. The assessment has been supplemented with further information

provided through the Regulation 25 response which incorporates consideration of more distant potential views of the development from residential properties on Spring Lane. The document has been reviewed by NCC's Landscape Team which considers the updated assessment has been carried out in accordance with accepted methodologies and its conclusions are considered to be reasonable and accurate. In summary these conclusions identify that:

- During the operational stage the significance of landscape effects on the application site is assessed as moderate adverse.
- During the operational stage the significance of landscape effects on the wider landscape character area is assessed as slight adverse.
- The development would not impact the primary and secondary ridgelines in the surrounding area.
- Following the restoration of the site the landscape effect in respect of both the site itself and the wider landscape area is assessed as being neutral/unchanged.

127. The development therefore does not result in any significant harmful landscape impacts and it is concluded that the policy requirements of GLP Policies ENV 32 and ENV 37, Gedling ACS Policy 16, MLP Policy M3.22 and WLP Policy W3.25 are satisfied.

128. To ensure that the restored site reintegrates itself into the local landscape character, planning conditions are recommended requiring the submission of detailed landscaping proposals for the site including schedules that show species, size and density of planting and aftercare/management arrangements which are in keeping with the mid Nottinghamshire Farmlands Landscape Character Area.

Visual Impact Assessment

129. MLP Policy M3.3 (Visual Intrusion) and Policy M3.4 (Screening) and WLP Policy W3.4 (Screening) support the grant of planning permission for minerals and waste development where any adverse visual impacts can be kept to an acceptable level. Where appropriate the policies encourage the use of planning conditions to ensure that plant, structures, buildings and storage areas are screened to reduce visual impact.

130. The applicant's visual appraisal utilises six representative viewpoints to assess the significance of the visual impact of the development. The viewpoints comprise two public footpaths located adjacent to the site, one viewpoint from the public highway at the junction of Woodborough Lane/Nottingham Road/Mapperley Plains and three viewpoints representing residential properties nearest the site at Strathmore Road, Campbell Road and more distant at Maplebeck Road. Visual Impacts from a viewpoint on Spring Lane, Mapperley have also been appraised within the Regulation 25 submission. The visual assessment identifies that:

- Public Footpaths No. 7 and 8 currently cross the application site. These will be temporarily re-routed further south as part of the development. Visual effects to the recreational uses of these re-routed footpaths would be moderate and adverse during working phases. Following the restoration of the site (once tree planting establishes) the impacts are considered neutral;
 - Residents on the southern edge of Arnold nearest to the development site would experience some moderate and adverse effects due to the proximity of the properties to the application site. Some filtering of these views would be provided by intervening vegetation along Killisick Lane and other areas nearby. Following restoration and the establishment of planting there would be no change to the views of the site;
 - Residential properties further afield (including Spring Lane) would experience a lower visual impact assessed as being slight/moderate adverse. This is due to their greater distance from the site, orientation of view, and/or nature of intervening vegetation. Following restoration and planting becoming mature there would be no change to the views of the site.
 - Road users onto the north-east of the site would experience no significant visual impact due to their direction travel and the presence of roadside hedgerows along the road corridor.
131. The most notable visual change would occur from the felling of the trees to facilitate the extraction of the clay. These impacts are unavoidable, however the trees would be replanted as part of the restoration of the site.
132. The quarry design has sought to minimise visual impacts. In particular boundary hedgerows and planting would be retained around the perimeter of the site, the phasing of working seeks to retain existing vegetation on the site until later phases, the direction of working ensures that the exposed cut of quarry workings is not visible from residential properties to the south in Arnold and soil storage mounds would be placed and seeded to screen visual impacts as far as practical. Mineral extraction and subsequent restoration would be undertaken over a comparatively short period of time which assists in minimising the duration of any visual impact.
133. It is concluded that the developer has sought to minimise the visual impact of the development in accordance with the approach set out within MLP Policies M3.3 and M3.4 and WLP Policy W3.4. Planning conditions are recommended to regulate vegetation retention, screen bund provision, phasing and restoration. Nevertheless, the visual assessment process has demonstrated that there would be some visual impacts as a result of the development, and these are considered in greater detail within the overall planning balance assessment within the conclusions section of this report.

Public Rights of Way

134. MLP Policy M3.26 (Public Access) states :

Policy M3.6: Public Access

Where planning permission is granted for minerals development which would temporarily or permanently disrupt a public right of way, an alternative route should be chosen which aims to offer equivalent interest and quality, having regard to the length of time during which the disruption would take place.

135. There is a network of public footpaths in the vicinity of the development site, in particular Arnold Parish Public Footpaths No.'s 6 and 7 which follow the existing southern boundary of the quarry.
136. The proposed Southern Extension would necessitate further alterations of the footpath network to allow the safe working of the quarry. The planning application incorporates proposals to divert both Footpaths 6 and 7 further to the south so that they follow the southern perimeter of the extended quarry, prior to turning north and east to re-join their existing route beyond the extraction boundary. The diversion would be for the duration of the operational life of the quarry and its restoration. The diversion routes would not significantly increase the distance of the footpath. Whilst views from the footpaths for its users would be affected, the magnitude of change is not considered significant and the change is temporary in duration. The existing routes of the footpaths would be reinstated following the completion of quarrying operations.
137. NCC Countryside Access Team have confirmed they do not object to this temporary diversion, subject to appropriate footpath diversion or closure orders being agreed and the replacement footpath being surfaced and gated to an appropriate standard, matters which would require a separate consent from the Councils Rights of Way Team.

Ecology

138. MLP Policy M3.17 and WLP Policy W3.22 seek to protect ecological habitats and species of importance unless an overriding need for the development is demonstrated which outweighs the nature conservation importance. The policies encourage the avoidance of impact in preference to compensation and mitigation. SSSI's are protected through MLP Policy M3.19. Policy M3.20 protects regional or local wildlife sites from adverse impacts. WLP Policy W3.23 provides protection for designated and undesignated nature conservation sites.
139. The planning application is accompanied by an ecological assessment report which has been supplemented through the Regulation 25 submission. The habitats within the site comprise plantation broadleaved woodland and species-poor grassland used as pasture. These habitats are comparatively common and widespread in the local area and assessed as being of comparatively low ecological value and not designated either as statutory or non-statutory wildlife sites, priority habitat or ancient woodland.
140. Habitats which would be lost to the proposed development include improved grassland, broad-leaved plantation, bracken-dominated vegetation and one

individual veteran tree. These are generally common habitats, both in the local area and nationally, and they have been assessed as being of ecological value at a site level only. No ponds will be lost in the development and therefore whilst consideration has been given to the presence of reptiles / amphibians, no suitable habitat is present to support these species.

141. The proposed development has the potential to affect breeding birds if vegetation removal is undertaken during the nesting season. Through the appropriate timing of operations and longer term replacement through restoration of similar habitats opportunities will continue to be available for birds to nest and forage. The trees that would be lost as a result of the development are generally young plantation woodland and do not support any notable or important habitats, however a 'veteran' ash tree would be felled which has been assessed as having potential to support bat habitats. This tree has been subject to a climbing inspection as part of the Reg 25 response to confirm that it presently does not incorporate bat roosts. A planning condition is recommended to resurvey the tree prior to its removal and in the event that bat roosts are found then an appropriate scheme of licensing and mitigation would be implemented.
142. No badger setts have been found within the application site and immediate surrounding area, but further pre-development checks are recommended prior to site clearance works being undertaken due to the transient nature of these species. This can be regulated by planning condition and ensure that, in the event that badger setts are discovered upon re-examination, appropriate mitigation works are required. Measures can also be put in place during the operational phase to ensure that no badgers are harmed.
143. A precautionary approach, regulated by planning condition, would be taken to site clearance in respect of amphibians including awareness related training to contractors and undertaking targeted hand searches to dismantle habitat piles/features. Any animals found would be relocated to a safe receptor site.
144. In respect of the nearby Hobbucks Local Nature Reserve, subject to adequate precautions being taken to avoid and/or reduce the generation of dust which can be regulated by planning condition, indirect effects on this site are unlikely to occur.
145. The proposed restoration would recreate a similar mix of pastureland and woodland habitats; however, opportunities would be taken to establish species-rich grassland (in place of improved grassland), plant locally appropriate tree and shrub species and to sub-divide the grassland into smaller compartments by establishing new lengths of internal species-rich hedgerows. The creation of new ponds (as part of the restoration of adjoining land) would also be undertaken and bird and bat boxes erected on retained boundary trees as part of increasing the biodiversity of the area.
146. A number of specific recommendations have been made by NCC's ecological officer to alter the proposed species mix to be used in the planting of the restored site so as to maximise the site's ecological potential and thereafter manage the restored site throughout the aftercare period by using a habitat

management plan. These matters will be regulated through the recommended planning conditions.

147. Overall it is concluded the restoration and aftercare planting scheme would satisfactorily reinstate the site and the habitats it supports. The development would not therefore result in any significant adverse ecological impacts and is therefore compliant with MLP Policies M3.17, M3.19 and M3.20 and WLP Policies W3.22 and W3.23.

Transportation

148. MLP Policies M3:12 (Highway Safety and Protection), M3.13 (Vehicular Movements) and WLP Policy W3.14 (Road Traffic) seek to ensure that mineral and waste developments are only granted planning permission where the highway network can satisfactorily accommodate the vehicle movements and appropriate measures are taken to ensure highway safety is maintained. NPPF Paragraph 32 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
149. In terms of mineral extraction, under normal practice all extracted clays would be transported from the quarry to the brickworks factory utilising the existing conveyor system which passes in a tunnel under Calverton Road. This system ensures that mineral is not transported on the public highway. This system would be retained and utilised for the transportation of clays from the southern extension.
150. The current planning permission incorporates scope to agree in writing the temporary use of the public highway for haulage of mineral in the event of a long term conveyor breakdown to ensure continuity of production within the brickworks. These arrangements are in place to ensure continuity of mineral supply during periods of conveyor breakdown. Although the arrangements are infrequently used, the applicant requests their scope is maintained within any future planning permissions for this site.
151. Whilst the movement of clay can be managed by internal movement on conveyor, the output of bricks from the factory would continue to be dependent upon road transport. The factory produces 85 million bricks per annum which equates to 7,500 loads each year or 30 loads per day. These loads are currently accommodated on the highway network and would not change.
152. Inert waste deliveries associated with the restoration of the site would be undertaken at a similar level to that historically associated with the non-hazardous landfill facility. These vehicles would access the quarry off Woodborough Lane via the purpose built hard surfaced entrance constructed with a standard bell mouth design served by a ghost island for traffic turning right into the site.
153. The existing planning conditions do not regulate the number of waste deliveries, but the operator confirms that the site previously generated an average 60 incoming deliveries of waste each day (100 two way movements) with a

maximum of 60 deliveries on busy days. These figures have been reviewed by the County Highways Officer who does not object to the resumption of these vehicle movements into the site, noting that the access to the site is constructed to an adequate standard with a dedicated right turn facility and there is no record of any accidents at the junction over the last three years. In accordance with MLP Policy M3.13 and WLP Policy W3.14 it is recommended that maximum number of HGV's associated with the delivery of inert waste are capped at 330 incoming loads a week and therefore do not exceed historical operational levels.

154. The quarry has an existing wheel wash facility to manage and control mud and other detritus entering the highway. In accordance with MLP Policy M3.12 and WLP Policy W3.11 it is recommended that the retention and use of this wheelwash facility by vehicles accessing the inert landfill facility is regulated through the recommended planning conditions.

Noise

155. Policy M3.5 of the MLP and W3.9 of the WLP state that planning permission will only be granted where noise emissions outside the boundary of the workings do not exceed acceptable levels. The policies encourage the use of planning conditions to reduce the potential for noise impact including restrictions over operating hours, sound proofing plant and machinery, setting maximum noise levels at sensitive locations, and the use of acoustic screening, such as baffle mounds or fencing.
156. The Planning Practice Guidance (PPG) on minerals states that mineral planning authorities should impose limits on the maximum level of noise at surrounding properties to ensure that noise levels attributable quarrying activities do not exceed the background level by more than 10dB(A) during normal working hours (0700-1900). The PPG acknowledges that there may be circumstances where achieving this noise limit can impose unreasonable burdens on the mineral operator. In such instances the noise limit should be set as near as possible to a 10dB (A) increase with a maximum absolute noise level of 55dB (A) LAeq 1h.
157. A noise assessment has been undertaken as part of the Environmental Statement to calculate the effect that the operation of the site would have on the level of noise at six local residential properties which have been selected as being representative of the nearest noise sensitive properties to the site. Existing background noise recorded at these properties are set out below:

• Dorket Head Farm	53.9dB LAeq, 1hr
• Arnold Lodge	49.6dB LAeq, 1hr
• Howbeck Close	52.1dB LAeq, 1hr
• Strathmore Road	42.2dB LAeq, 1hr
• Surgeys Lane	49.3dB LAeq, 1hr
• Jenned Road	44.9dB LAeq, 1hr

158. Worse case predicted noise levels from site preparation, extraction activities and subsequent landfill/ restoration works have been predicted on a phase by phase basis and show that the highest predicted noise from quarrying operations at these properties would be:

- Dorket Head Farm 38dB LAeq, 1hr
- Arnold Lodge 39dB LAeq, 1hr
- Howbeck Close 46dB LAeq, 1hr
- Strathmore Road 49dB LAeq, 1hr
- Surgeys Lane 44dB LAeq, 1hr
- Jenned Road 32dB LAeq, 1hr

159. An analysis of these calculated noise emissions shows that predicted noise levels at five of the six receptor locations would be lower than the existing background levels and therefore negligible impact would occur.

160. At the sixth receptor – Strathmore Road, it is predicted that there would be some increased noise from site activities with the highest level of noise (49dB LAeq,1hr) resulting from mineral extraction in Phase 2, with 46dB LAeq,1hr predicted for extraction activities in phase 3 and 41dB LAeq,1hr predicted for extraction activities in phase 1. It is concluded that these levels of noise would be potentially audible at Strathmore Road. However, they are not at a level which is considered intrusive and would be below the PPG noise limit of LA90+10dB at which justified noise nuisance from the operation of the quarry is likely to occur. The campaign basis of the extraction works means that these noise levels would only occur for about 6 weeks each year over a 3 year period and therefore minimise the duration of any elevated noise in the local environment.

161. The current planning consents for the operation of Dorket Head Quarry impose noise limits on the operation of the quarry restricting the maximum noise levels as set out below. It is recommended that these operational limits are re-imposed through planning condition within this decision. The existing planning permission also imposes a noise limit of 70dB LAeq,1hr for temporary operations (such as soil stripping during site preparation) which it is proposed to re-impose.

- Dorket Head Farm 55dB LAeq, 1hr
- Arnold Lodge 52dB LAeq, 1hr
- Howbeck Close 55dB LAeq, 1hr
- Strathmore Road 49dB LAeq, 1hr
- Surgeys Lane 50dB LAeq, 1hr
- Jenned Road 55dB LAeq, 1hr

162. In accordance with MLP Policy M3.5 and WLP Policy W3.9 planning conditions are also recommended to limit the magnitude of noise impacts including a continuation of the current programme of noise monitoring undertaken by the operator, regulations limiting the working hours and the use of appropriate silencing and reversing systems on mobile plant.

Dust

163. MLP Policy M3.7 and WLP Policy W3.10 (Dust) state that minerals development will only be granted planning permission when dust emissions outside the boundary of the minerals workings do not lead to unacceptable impacts. The policies encourage the use of planning conditions to suppress dust generation.
164. The Environment Statement incorporates a qualitative dust impact assessment to assess the magnitude of dust emissions from the proposed development. This identifies that the Southern Extension would bring dust generating activities closer to residential receptors to the south, however, the majority of winds are from the south-western sectors and as such, winds for the majority of the year would not head towards these receptors.
165. An assessment of PM₁₀ effects (small particles) on human health has been made. This concludes that air quality would remain well within the national air quality standards, with no significant effects predicted. The assessment also demonstrates that the significance of atmospheric dust originating from the southern extension on amenity as a result of settlement on buildings and property is predicted to be negligible.
166. The dust assessment incorporates a range of dust controls to manage/minimise dust emissions at source. The operator would also continue to monitor the level of dust emissions and report submissions to demonstrate the site is operating to a satisfactory standard. On the basis of the above it is concluded the dust emission of the site are in compliance with MLP Policy M3.7 and WLP Policy W3.10. The dust controls would also minimise potential for adverse breathing conditions associated with elevated dust emissions such as asthma.
167. The dust controls identified above would also ensure that dust levels within the Hobbucks local nature reserve are controlled to an appropriate level.

Agriculture and Soils

168. Adopted MLP Policy M3.16 (Protection of best and most versatile agricultural land) states that planning permission will only be granted for minerals development on best and most versatile (BMV) agricultural land (grades 1, 2 and 3a) where it can be demonstrated that either:
 - a. the development would not affect the long term agricultural potential of the site; or
 - b. there is no available alternative and the need for the development outweighs the agricultural interest; or
 - c. available land of lower value has sustainably considerations which outweighs the agricultural land quality.
169. This approach is generally consistent with Paragraph 112 of the NPPF which states that “Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”.

170. The proposed southern extension extraction area incorporates 1.8ha of grade 3a agricultural land, 1.2ha grade 3b with the remaining land being grade 4. The main constraining factor on agricultural land quality within the site is poor drainage. Only a small amount of BMV agricultural land would therefore be lost. The land is in use for agricultural grazing and woodland.
171. NPPF paragraph 143 requires minerals mineral sites to be reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources).
172. The minerals extraction scheme seeks to remove the full amount of topsoil with some of this material used for restoration works within the existing quarry and the remainder stored in screen mounds on the southern boundary for use within the restoration of the site. Soils would be stripped and stored in accordance with industry best practice to minimise risk of potential damage and thus ensure they are suitable for re-use. Sub-soils would also be stripped and stored separately. Planning conditions are recommended to regulate the soil stripping activities.
173. The restoration of the site seeks to recreate the existing land uses and soil quality within the site and thus restore the existing agricultural land quality across the site.
174. It is therefore concluded that although the development would result in a comparatively small loss of BMV agricultural land (1.8ha), this loss would be temporary and would be recreated through the restoration works to be undertaken on the site. The development therefore satisfies MLP Policy M3.16 (a) and also NPPF policy concerning the protection of BMV land.

Historic Environment

175. MLP Policy M3.25 and WLP Policy W3.28 seek to ensure that minerals and waste developments do not cause unacceptable harm to conservation areas, listed buildings, historic battlefields and historic parks and gardens.
176. NPPF Paragraph 132 states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be given to its preservation. Paragraph 134 states that where a development proposal will 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, including securing its optimum viable use.
177. The planning application site does not incorporate any statutory protected heritage assets. There are heritage assets in the surrounding area within 2km including Woodborough Conservation Area, eight listed buildings and two scheduled monuments. Impacts to these historic features are not anticipated due to their distance from the site and intervening topography. The development therefore would not result in any significant impacts to listed

buildings, conservation areas, registered parks and gardens or other elements of the historic built environment and thus the policy tests set out within MLP Policy M3.25, WLP Policy W3.28 and NPPF concerning the protection of the historic environment are satisfied.

Archaeology

178. Adopted MLP Policy M3.24 (Archaeology) identifies that mineral workings on sites which incorporate archaeological remains of less than national importance (as is the case here) can be worked provided it is demonstrated that the importance of the development outweighs the significance of remains and subject to provision being made through the planning permission for the appropriate excavation and recording of any remains.
179. The Environmental Statement submitted in support of the planning application incorporates an archaeological assessment. This assessment identifies that the site does not incorporate any known archaeological remains of national importance or features which warrant preservation in situ and the site has a low potential for yielding any significant archaeological remains.
180. Based on the paucity of archaeological remains noted during previous watching brief mitigation within and adjacent to the site, it is concluded that the site is likely to have a low archaeological value, but the presence of archaeology cannot be dismissed. It is therefore concluded that the need for the development outweighs the preservation of this potentially limited resource.
181. No specific archaeological mitigation is recommended in this instance over and above the implementation of implementation of a programme of archaeological work in accordance with a written scheme of investigation which could be secured through planning condition.

Water Environment

182. MLP Policy M3.8 and WLP Policies W3.5 and W3.6 seek to protect the water environment, stating that planning permission will only be granted where surface water flows are not detrimentally altered, groundwater levels, where critical, are not affected and there are no risks of polluting ground or surface waters. MLP Policy M3.9 and WLP Policy W3.13 seek to ensure that planning permission is only granted for development where there are no adverse impacts in respect of flooding.
183. In terms of groundwater, the land contained in the application site falls within the Secondary B Aquifer which is defined by the Environment Agency as predominantly lower permeability layers which may store and yield limited amounts of groundwater due to localised features such as fissures, thin permeable horizons and weathering. The ES has shown that there are no groundwater dependant features in the vicinity of the application site, such as source protection zones, licenced abstractions or private (unlicensed) water supplies, or ecological habitats. The assessment has also considered data from

groundwater monitoring around the application site in terms of levels and quality.

184. There are no natural permanent surface water features or water dependent habitats within, or within the immediate vicinity of the application site. The application site is located in the upper surface water catchment of a tributary of the Day Brook which, itself, is a tributary of the River Trent. The Day Brook flows southwards to the south of the application site.
185. The surface water drainage network feeding the Day Brook is largely obscured by built development within Arnold. Based on the hydrogeological setting it is considered very likely that the Day Brook receives groundwater baseflow in addition to surface runoff and drainage from the surrounding semi-rural and urbanised catchment areas, including overland flow from the application boundary.
186. During soil stripping, quarrying activities and associated excavations, there is the potential for mobilisation of clay and silt within surface water runoff, particularly during the winter months. This would be mitigated by good site/surface water management practice to remove suspended solids from surface water runoff including the use of the existing settlement pond within the existing quarry.
187. There would be no negative effects on the groundwater quality from silts generated by quarrying and restoration activities, given the significant thickness of in situ low permeability mudstone strata between the quarry floor and the groundwater within the Tarporley Siltstone Member aquifer.
188. The proposed development would utilise diesel powered plant. Good working practices currently followed at the quarry would reduce the potential risk of contamination by controlling these sources of pollution. A planning condition is recommended to provide appropriate regulations.
189. The mineral extraction areas would be restored to original ground levels using overburden and inert restoration materials. Prior to restoration, an Environmental Permit would be obtained from the EA. As part of the permit application all potential emissions to the environment (e.g. to water, air etc.) would be assessed in detail and in accordance with appropriate guidance. Only once the application had been accepted by the EA would a Permit for the importation of inert infill materials be granted, and would include a detailed groundwater and surface water monitoring programme and strict waste acceptance procedures.
190. It has been assessed that, as a consequence of the site design and embedded mitigation in the site design, that there are no predicted residual effects on surface water or groundwater receptors during the operational and restoration phases of the proposed development and no harmful impacts in terms of surface water/flood flows. The development therefore is compliant with MLP Policies M3.8, M3.9 and WLP Policies W3.5, W3.6 and W3.13.

Cumulative Impacts

191. MLP Policy M3.27 seeks to ensure that minerals developments do not result in significant harmful cumulative impacts.
192. Cumulative effects may result from a number of situations including the proximity to similar developments, the continuation of workings over a longer time or the accumulation of impacts from the same use, including combinations of the above.
193. In considering the potential cumulative impacts, there are no other mineral operation in the immediate area. The proposals seek to extend the footprint of the extraction area in the southern extension by a small amount and extend the mineral reserve of the quarry by three years. The additional impact from these activities is assessed as being minor and therefore will not result in any significant harmful cumulative impacts and thus no conflict with MLP Policy M3.27 is identified.

Other Matters

194. Concerns that have been raised that the development has potential to adverse property values in the surrounding area are not material planning considerations.

Other Options Considered

195. The proposed scheme has arisen through proposals being promoted in Gedling Local Plan (Part 2) which seeks to allocate land immediately to the south of the application site for residential development. The development of this housing allocation would almost certainly result in the sterilisation of the clay resources within the application site due the close proximity of the two uses limiting the ability to work the mineral whilst maintaining acceptable levels of amenity at residential properties.
196. To avoid the mineral being sterilised, an opportunity exists to work the clay resources in advance of any housing development. In view of this no alternative sites assessment was considered as part of the application because the selection of this site has been somewhat driven by the desire to avoid the potential sterilisation of mineral reserves.
197. Working the quarry as proposed with an initial north to south cut, allows for extraction to progress behind both the clay face and the temporary and permanently retained vegetation, potentially mitigating against visual impacts. It also means that Phase 2 remains in continued grazing use for the longest time. Whilst phase 1 is worked, advance planting and transplant plants on the southern boundary could also begin to mature. By leaving Phase 3 until the last possible time, it is envisaged that a combination of perimeter tree growth and restoration of the southern extension would assist in the overall screening of the site.
198. Restoration of the site and the wider quarry is planned using inert fill materials, removing the scope for the resumption of the consented non-hazardous (biodegradable) waste tipping on the existing site and thus removing the

potential for a resumption of odour complaints from these activities due to their proximity to residential property. The change is welcomed.

199. If the proposed southern extension to Dorket Head were not progressed, then around 690,000m³ of brick making clay would be sterilised, assuming that the land to the south is allocated in the Local Plan and subsequently developed for residential use. Alternatively the retention of the clay resource and protection of satisfactory standoff distances has potential to restrict housing development, putting pressure to release other land or jeopardise housing targets in the Gedling area.

Statutory and Policy Implications

200. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and sustainability and the environment, and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

201. The southern extension would be incorporated within the wider quarry area and would be enclosed by a perimeter security fence.

Data Protection and Information Governance

202. All members of the public who have made representations on this application are informed that a copy of their representations, including their name and address, is publically available and is retained for the period of the application and for a relevant period thereafter.

Financial Implications

203. None arising

Human Resources Implications

204. None arising

Human Rights Implications

205. 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 visual impacts, noise and dust although operating practices would minimise the magnitude of impact upon nearby residents. However, these considerations need to be balanced against the wider benefits the proposals would provide in terms of securing the continuity of mineral supplies to serve the Dorket Head brickworks factory thus ensuring its long term future, and the avoidance of minerals sterilisation which may occur if the mineral is not extracted at the present time. Members will need to consider whether these benefits would outweigh the potential impacts.

Public Sector Equality Duty Implications

206. None arising

Safeguarding of Children and Adults at Risk Implications

207. None arising

Implications for Service Users

208. None arising

Implications for Sustainability and the Environment

209. The Southern Extension can potentially contribute to all three core objectives of sustainable development (as defined within the NPPF) in terms of its economic, social and environmental contribution wherein it is noted that the development would assist with building a strong and competitive economy, supporting jobs and prosperity within an existing established business which employs a local workforce that contributes to the general social wellbeing of the area. The development makes prudent use of a mineral reserve, maximising the use of available brick clay for use in the nearby factory thereby minimising the use of road haulage and thus assisting with minimising CO² emissions.

Conclusion

210. The planning application has come forward at this time as a result of a proposed housing allocation being promoted in Gedling Local Plan (Part 2) which seeks to allocate land immediately to the south of the existing quarry for residential development. The development of this housing allocation would almost certainly result in the sterilisation of the clay resources within the application site. The extraction of the mineral at this time, in advance of the housing construction, would ensure the mineral can be extracted whilst maintaining acceptable environmental standards. An agreement has been reached as part of the Gedling Local Plan examination process to undertake the housing development within two phases, thus deferring the construction of the second phase of the housing development (nearest to the southern extension) until 2022/23. This allows time for mineral extraction from the southern quarry extension to be completed. This approach is supported by Gedling Borough Council and

provides a satisfactory balance between ensuring that minerals do not become sterilised and unworkable whilst ensuring that housing development identified in the draft Gedling Local Plan comes forward in an appropriate timeframe.

211. The NPPF requires that weight should be given to the benefits derived from minerals developments including the economy whilst ensuring there are no unacceptable adverse impacts upon the environment and securing appropriate restoration and aftercare of mineral workings.
212. The recovery of 690,000t of clay from the southern extension would secure a further three years brick production at the brickworks, maintaining the existing economic and employment benefits which the quarry and factory provides including the direct employment of 73 people and its wider contribution to the local and regional economy in terms of producing 94 million bricks per year, equating to around 6% of the UK brick market.
213. The socio-economic effects of the scheme are beneficial and these are material in the determination of this planning application. The application site is incorporated within the wider consented quarry area, albeit currently in use as a landscaped area with no permission currently in place for extraction. An extension of the mineral extraction area at Dorket Head would provide operational benefits by ensuring minerals do not become sterilised, thus MLP Policy M11.2 is supportive subject to their being no unacceptable environmental constraints.
214. In the context of Green Belt policy, the minerals extraction scheme within the Southern Extension and subsequent restoration of the wider site utilising inert waste has been assessed as being appropriate development. However, the longer term retention of a stockpiling area (a storage use) has been assessed as inappropriate development and consideration needs to be given to whether 'very special circumstances exist to allow the development. In this instance, there is a strong argument in favour of allowing the new stockpiling facility and associated conveyor route on the grounds of need, economic benefit, a reduction in terms of visual impact/effects to openness and a lack of alternative provision capable of being provided outside the Green Belt. These factors represent very special circumstances to justify inappropriate development within the Green Belt.
215. The technical assessments, mitigation proposals and established management controls employed by the operator and examined in this report demonstrates that the operation of the site would not give rise to significant adverse environmental effects. It is acknowledged that there would be some visual impacts from the development, most noticeably as a result of vegetation clearance associated with the development, however the magnitude of impact is comparatively minor, would occur in the short to medium term and would be mitigated through the restoration scheme proposed for the site. The development would also result in some changes to landscape character and footpath routeing during the operational phase of the development.
216. Restoration of the site and the wider quarry is planned using inert fill materials. This removes the scope for the resumption of the non-hazardous

(biodegradable) waste tipping on the existing site, and activity which historically generated significant levels of odour complaint. This change is welcomed.

217. A series of planning conditions have been identified within appendix 1 and 2 of this report to regulate the operation of the site to an acceptable and appropriate standard.
218. Overall, it is concluded that the development is supported by the development plan and where there is a departure to Green Belt policy, material considerations argue in favour of granting the development planning permission. There would not be any significant adverse environmental impacts as a result of the development and any less than significant environmental impacts would be outweighed by the benefits derived from the development. It is therefore recommended that planning permission be granted for the two planning applications, subject to the recommended planning conditions

Statement of Positive and Proactive Engagement

219. In determining this application the Mineral/Waste Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions; encouraging pre-application community engagement which the applicant acceded to and the scoping of the application. The proposals and the content of the Environmental Statement have been assessed against relevant Development Plan policies, the National Planning Policy Framework, including the accompanying technical guidance. The Mineral/Waste Planning Authority has identified all material considerations; forwarded consultation responses that may have been received in a timely manner; considered any valid representations received; liaised with consultees to resolve issues and progressed towards a timely determination of the application. Issues of concern have been raised with the applicant, such as impacts to ecology and the landscape and have been addressed through negotiation and acceptable amendments to the proposals requested through a Regulation 25 submission. 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

220. It is RECOMMENDED that planning permission be granted for Planning Ref. 7/2018/0159NCC subject to the conditions set out in Appendix 1.
221. It is FURTHER RECOMMENDED that planning permission be granted for Planning Ref. 7/2018/01681NCC subject to the conditions set out in Appendix 2.
222. Members need to consider the issues set out in the report and resolve accordingly.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments [RHC 24/05/2018]

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

Comments of the Service Director - Finance [RWK 21/05/2018]

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

Background Papers Available for Inspection

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

Electoral Division(s) and Member(s) Affected

Arnold North 2	Councillor Michael Payne
Arnold North 1	Councillor Pauline Allan

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