



17<sup>th</sup> January 2017

**Agenda Item:5**

**REPORT OF CORPORATE DIRECTOR – PLACE**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/16/01855/CMA**

**PROPOSAL: APPLICATION TO CONSTRUCT A NEW ACCESS ROAD WITH NEW WEIGHBRIDGE, VARY CONDITIONS 3, 5, 6, 9, 11, 15, 17, 21 AND 22 OF PLANNING PERMISSION REFERENCE 3/15/00630/CMA INCLUDING THE EXPANSION OF THE PERMITTED COMPOSTING TREATMENT AREA WITH DEVELOPMENT OF AN AERATED COMPOSTING PAD ON PART OF THE CURRENTLY PERMITTED COMPOST FACILITY AREA, INCREASE THE MAXIMUM ANNUAL PROCESSING CAPACITY TO 75,000 TONNES PER ANNUM, EXTENSION OF THE WESTERN LANDSCAPING BUND AND OTHER ANCILLARY DEVELOPMENTS.**

**LOCATION: OXTON COMPOSTING FACILITY, OLLERTON ROAD, OXTON.**

**APPLICANT: VEOLIA ES (UK) LTD**

**Purpose of Report**

1. To consider a planning application which seeks to make alterations to the Oxton Composting Facility including the development of an aerated compost pad, the construction of a new access road, an increase to the maximum processing capacity of the site from 55,000 tonnes per annum (tpa) to 75,000tpa and associated ancillary works.
2. The main planning issues relate to Green Belt Policy and the environmental effects of the development, particularly concerning odour emissions and traffic effects.
3. With regard to Green Belt policy, the development is by National Planning Policy Framework (NPPF) definition a departure from Green Belt policy. The report sets out that very special circumstances have been demonstrated in the context of Green Belt Policy which justify the proposed development.
4. Local concerns regarding odour emissions from the process have been examined in detail wherein it is concluded that the overall balance of effect is that there would be a reduction in odour emissions as a result of the development.
5. The development would increase the number of HGV and tractor movements associated with the delivery of green waste and the collection of processed compost. It is concluded that these vehicle movements can satisfactorily be accommodated on the local highway network and the new access road.

6. The recommendation is to grant planning permission, subject to recommended planning conditions at Appendix 1.

## **The Site and Surroundings**

7. The Oxton Grange composting site is located approximately 2km north of Oxton village off the A6097 and approximately 1km south of the junction with the A614 at Northgate Island (see Plan 1).
8. The site currently utilises a shared access from the A6097 with the Oxton Grange Farm complex incorporating three residential properties (Oxton Grange Farm and two tenanted houses) and a number of existing large agricultural buildings, including storage buildings and a crop dryer (see Plan 2). Oxton Grange Farm comprises part of a larger well established arable and livestock farming business across 2,200 acres situated in the Oxton and surrounding areas.
9. The application site is sited within the Green Belt. The surrounding area is predominantly agricultural and sparsely populated. The nearest residential property that is not connected to the farm holding is a residential property at Combs Farm, approximately 850m north east of the composting facility. A caravan retailer (Select Caravans) is a similar distance directly north of the site.
10. The existing compost facility was originally established in 2002 but has been expanded on a number of occasions since this time (see Planning history below). The current activities on the site are undertaken from a hard surfaced area measuring around 350m in length by 60m in width (at the widest dimensions). Green Waste is currently delivered via the shared farm access to at the southern end of the site and then transferred to the main composting area on concrete surfaced parts of the site. This part of the site has an earth bund on its western boundary to screen views into the site. The more northern parts of the site are partially stone surfaced and partially unsurfaced and are used for final product storage.

## **Relevant Planning History**

11. Planning permission was originally granted for the development of the composting facility in May 2002. The consented facility incorporated an open-air green waste composting facility from an area of land measuring 75m x 120m, consisting of a 60m x 67m vehicle off-loading and feedstock processing area surfaced with hardcore and a 60m x 36m concrete hardstanding for laying out of 'windrows' (rows of piled compost material). A soil bund measuring 4m high by 120m long was constructed along the western side of the processing area, to screen the operations from the A6097.
12. Planning permission was subsequently granted in July 2006 to provide a northern extension to the composting facility measuring 60m by 90m. The extension created a larger waste processing/handling capacity area at the site.
13. These original planning permissions required all the processed compost to be applied to the farm's own land. A network of 'field stores' were established around the farm holding to store the compost prior to its application to land once any standing crop was harvested. Most of the field stores are accessed via the public highway using tractors and trailers for transport.

14. In June 2011 planning permission was granted to vary the operational controls of the site to enable the finished compost product to be used within a wider network of farms including farmland which is not owned/operated by Sherbrooke Farms. This wider network of farms and generally locally based within a 5-10 mile radius of the Oxtan site. Controls were imposed through the planning conditions to prohibit the movement of potentially slow moving tractors and trailers on the A614 during morning and evening peak periods to ensure that haulage of compost does not compromise the free flow of vehicles on this busy road.
15. An extended operational area incorporating land measuring 120m by 50m to the north of the site was granted planning permission in May 2014 to provide additional storage capacity for compost produced at the site prior to its distribution to the wider complex of farms served by the facility. The throughput of the site was restricted to 30,000tpa by planning condition.
16. Planning permission was most recently granted in April 2015 to increase the processing capacity of the site to 55,000tpa.

### **Proposed Development**

17. Planning permission is sought to construct a new access road, make alterations to the composting process including the installation an aerated pad, increase the throughput of the site and install a weighbridge and associated temporary buildings (see plan 3). These developments are described in greater detail below:

#### Construction of new access road

18. Access to the existing composting facility is currently obtained along the shared private road which serves Oxtan Grange Farm and the two tied agricultural dwellings. The new access would separate the composting traffic from other vehicles in the interest of health and safety as well as to provide greater separation to the nearest residential properties from disturbance caused by delivery traffic.
19. Planning permission is therefore sought for a new access from the A6097 to the north of the existing access. The new road would be constructed with a 160m by 2.5m visibility splay and would be sufficiently wide to allow two delivery vehicles to pass. The existing access would be retained for use by the farm and residential properties.

#### Alterations to the compost process including the installation of an aerated pad.

20. Alterations are sought to the composting pad resulting in the re-orientation of the process in a north to south direction. Waste would be delivered via the new access road and moved south as it matures (currently the compost travels in a south to north direction). The revised composting treatment process does not alter the overall size/extent and incorporates the following features:
  - A new waste reception/shredding area would be constructed in the northern part of the site measuring approximately 70m by 49m. Within this area waste delivery vehicles would deposit their loads and it would be shredded to reduce its size and make the waste suitable for composting.

The area would incorporate three tipping bays, each bay would be enclosed on three sides by 3m high concrete push walls. The waste receipt/tipping area would be surfaced with concrete.

- A new aerated compost pad would be constructed to the south of the reception/shredding area. The aerated pad would measure approximately 115m by 50m and would be constructed with a concrete base incorporating a series of channels into which air would be blown and leachate would be collected from rows of compost material. A 3m high push wall would be constructed along the length of the aerated pad, behind which (to the west) would be a grassed soil bund of similar height. The aerated pad would incorporate 18 windrow piles of green waste compost, each measuring 35m in length, 6m wide and 4m in height. Shredded green waste would be loaded against the concrete push wall using mobile plant where it would be retained for approximately 4 weeks. During this time air would be blown through the pile via the underground air pipes removing the requirement to regularly turn the windrows. The fans would be attached to the concrete push wall.
  - Further south would be an open windrow composting pad measuring 135m by 80m. The existing landscaped bund on the western boundary would be retained the existing concrete pad would be utilised for maturing compost which would be periodically turned to maintain it in an aerobic condition.
  - A final refinement area for composting product would be provided including screening in the southernmost part of the site.
21. The drainage of the site would be improved to take account of the extended area of hardstanding. Two new water storage tanks would be installed to serve waste reception pad and aerated pad. These tanks would supplement the three existing below ground tanks and ensure the site continues to benefit from effectively the same level of flood protection as currently available. In the event of an extreme flood then the pad itself would also flood thereby reducing the likelihood of water escaping the site. All surface water collected from the process pad area would continue to be used for re-circulation during the composting process or taken off site for disposal to a suitably permitted site.

Increase throughput of the site

22. The throughput of the site is currently restricted to 55,000tpa by virtue of Condition 15 of Planning Permission 3/15/00630CMA. Planning permission is sought to increase this limit to 75,000tpa.
23. The additional throughput would increase the vehicle movements associated with the development. The site has been operating at approximately 45,000 tonnes per annum for at least the past 7 years. Based upon the inputs recorded over 2013 and 2014 the movements during the busiest period of the year (typically March to October) can be broken down as follows:

Throughput	HGV Arrival	HGV Departure	Two-way traffic
------------	-------------	---------------	-----------------

45,000 tonnes	39	39	78
55,000 tonnes	43	43	86
75,000 tonnes	54	54	108

Estimated Average Daily Trip Generation during Busy Months

24. The data shows that, when operating at the proposed 75,000 tonnes per annum the facility would attract up to an average of approximately 54 vehicle inputs per day during peak periods. However, the operator stresses that these are average traffic figures and actual numbers may exceed these levels on the busiest of days. Outside the busiest period (November to February) the inputs drop significantly to a level less than half that recorded during the busiest month.
25. The current development would create additional processing capacity which the applicant states would serve the waste needs of the Nottinghamshire community. The Oxtou composting facility is contracted by the City of Nottingham, Nottinghamshire County Council (through its waste contractor Veolia) and Broxtowe Borough Council and a small number of commercial operators and contributes to sustainable management. The site has steadily increased its throughput in response to increasing demand and is currently operating near its 55,000tpa capacity (48,784t in 2015). Any excess that cannot be managed at Oxtou is exported out the County for treatment.

Weighbridge and Associated Temporary Buildings.

26. As a result of the revisions to the access arrangement it is proposed to also relocate the weighbridge, associated modular buildings (office and welfare) and car parking from the southern area around the farm buildings to the north of the site. The modular office building will be similar in scale and appearance to the current facilities at the site.

**Consultations**

27. **Newark and Sherwood District Council:** *Raise no objections provided Nottinghamshire County Council is satisfied that the proposed development complies with the relevant development plan policies and that no neighbours are detrimentally impacted upon through noise, nuisance and increased traffic generation.*
28. **Oxtou Parish Council:** *Raise concerns about the effects of the composting facility on local residents. The Parish Council acknowledge that the aeration of the compost may have a positive effect by lessening the odours being released from the material and the fact that the operations would be moved northwards on the site, nevertheless, the Parish continue to have concerns regarding the development which has potential to adversely affect local residents. At the Parish Council meeting it was noted that composting sites in Europe utilise a sheet to cover the material as a means of reducing evaporation and containing the smell, Veolia should be asked to consider this system at their Oxtou site.*

29. *The Parish Council state that they previously raised concerns about the Oxton compost facility in response to a planning consultation in 2015 wherein concerns were raised about incremental expansions to the site resulting in additional traffic and increased odour and a need for additional landscaping of the site.*
30. **Farnsfield Parish Council:** *No representation received*
31. **Environment Agency:** *Raise no comments other than to confirm the Environment Agency would regulate the changes to the aerated pad and the drainage through the Environment Permit.*
32. *The Environment Agency state that forced aeration in principle can reduce odour emissions by ensuring more even aeration and control over temperatures. Advantages of this composting method include the ability to maintain the proper moisture and oxygen levels for the microbial populations to operate at peak efficiency to reduce pathogens, while preventing excess heat, which can crash the system. However, aerated systems can dry out quickly and must be monitored closely to maintain desired moisture levels.*
33. *The Environment Agency has not received a submission for a permit variation at Oxton. Within the permit variation the Agency would expect to see procedures detailing the changing operations and how the site intends to manage issues such as odour. Without seeing the site specific procedures the Agency state it is very difficult to assess the impact of the changes on the site and the local residents. In principle there is potential for reduced odour issues, however this is mainly dependant on how well the site is operated. Any change in operations will be assessed to ensure that the procedures are fit for purpose and that the site is following its procedures. Any increase in odour would result in targeted regulation to identify and address the issues.*
34. **NCC (Highways):** *Raise no objection subject to the imposition of planning conditions the access to be constructed with a bound surface and the existing restriction on the movement of compost material by tractor/trailer units on the A614 between the hours of 7am & 9am, between 4pm and 6pm being extended to restrict these movements also on the A6097 between these hours. The highway authority welcome the new access to serve the site on the basis that it would provide adequate turning area to cater for vehicle swept paths and safe-distance visibility. A right turn facility within the highway was not considered necessary because the development would generate a comparatively low number of right turn manoeuvres and there is no record of accidents with the use of the existing junction.*
35. **Via (Noise Engineer):** *Raise no objection in terms of noise impact subject to the inclusion of planning conditions requiring noise abatement measures being fitted to all plant and machinery, the use of broadband reversing alarms, noise levels not exceeding existing background noise levels in the surrounding area, and controls over operating hours on the site.*
36. **Via (Landscape), NCC (Archaeology), Western Power Distribution, National Grid (Gas), National Grid Company PLC Pylon, Severn Trent Water Limited:** *No representations received.*

## Publicity

37. The application has been publicised as a Green Belt departure by means of site notices and press notice. Neighbour notification letters have been sent to 19 properties in the local area in accordance with the County Council's adopted Statement of Community Involvement Review.
38. Two letters of objection have been received from the residents of Combs Farm and the owner of Select Caravans which raise the following observations:
  - a. The prevailing wind blows odours towards Combs Farm and Select Caravans carrying odours and noise in the direction of these properties.
  - b. Odour complaints have been raised with the operator of the compost facility over a number of years. Until now these complaints have remained internal in the interests of maintaining a reasonable relationship.
  - c. The odour has been made worse by the management process of the site which recirculates water onto the compost heaps where it evaporates. The resident has calculated that the annual rainfall of 650mm of rain per annum would equate to 13,000 litres of water requiring evaporation or disposal.
  - d. Practice at compost sites in Germany is for the process to be covered by buildings or sheets to create a controlled environment, particularly in terms of moisture, heat and odour control. A covered system should be introduced by Veolia at Oxton to overcome odour issues.
  - e. The operation of the compost facility is affecting the family's health with increases in asthma.
  - f. The development would result in the weighbridge and unloading area being relocated to the north of the site, closer to Coombs Farm and bring noise and odour in closer proximity.
  - g. The caravan business reports that they experience flies which climb into the crack of the caravans, into the office, canteen and land and generally are off-putting to customers affecting trade.
39. One letter of support has been received from the Trustees of Oxton Farms Trust who are the landlords of the site. They state the site is an integral part of their business, not only as an income stream but also as a supplier of recycled nutrients to the farm's soils to improve their general condition and overall fertility and reducing the need for chemical and mined fertilizers. The compost also improves other local farming businesses. The Trustees state that they have worked closely with Veolia and are fully supportive of the development and see the introduction of the new airflow technology bringing greater control and efficiency to the system along with a reduction in odour and an improved product by enhancing the control of the composting process. The proposed new access road and weighbridges will also provide a safer and more suitable access to the site and avoid any conflicts with traffic associated with the operation of the farm and residential properties on the existing access.
40. Councillor Roger Jackson has been notified of the application.
41. The issues raised are considered in the Observations Section of this report.

## Observations

42. The composting process diverts green waste from landfill disposal, processing, enabling it to be beneficially used within agriculture/horticulture, preventing the need to excavate natural peat and minimise the use of man-made fertilisers. The process therefore is fully compliant with the waste hierarchy and the Nottinghamshire and Nottingham Waste Core Strategy (WCS) Policy WCS3 which promotes the delivery of sustainable waste management by prioritising the development of new or extended recycling, composting and anaerobic digestion facilities. The development of these facilities assists the County in meeting its target of recycling/composting 70% of all waste by the year 2025.
43. The Oxtun composting site manages most of the municipal green waste collected from the Nottinghamshire and the City of Nottingham administrative areas. The facility therefore has a strategically important role in terms of meeting the authorities waste management needs. The applicant's supporting statement identifies that over the last five years the site has consistently operated near its permitted maximum capacity with average inputs of 45,000tpa and therefore near its maximum permitted throughput of 55,000tpa. The operator has subsequently provided data for 2016 calendar year which show that the site has operated at its 55,000tpa limit for this year. There is only one other operational green waste composting site within Nottinghamshire at Stragglethorpe. This is a much smaller site with a throughput of around 4,000tpa.
44. Existing operational facilities therefore have very limited spare capacity to deal with any significant growth in green waste collections in the area, the likelihood being that such growth in waste collection would have to rely on out of county facilities if new capacity is not consented. This would be against the objectives of WCS Policy WCS3 which aims to provide sufficient waste management capacity to manage a broadly equivalent amount of waste to that produced within Nottinghamshire and Nottingham. Looking forward there is potential for a growth in green waste collection as a result of the recent announcement of Bassetlaw District Council to start collecting green waste in their area. The expansion of the processing capacity at the Oxtun facility would assist in meeting any future shortfalls. Also, by ensuring that waste is managed locally to where it is produced the expansion of the Oxtun facility would assist in reducing the distance waste is transported.
45. WCS Policy WCS8 (extensions to existing waste management facilities) identifies that in most cases extending existing facilities is likely to be more economic, and have less environmental impact, than finding and building new ones. These benefits potentially include making better use of existing buildings, processing plant and transport infrastructure. The policy therefore supports the extension of existing waste management facilities where the expansion would improve existing waste management methods, and/or reduce existing environmental impacts. The environmental effects of the development are considered below:

### Development in the Green Belt

46. The Newark and Sherwood Allocations & Development Management Development Plan Document identifies that the planning application site is located within a countryside location on land designated as Green Belt. Specific



Green Belt Policy is incorporated within Spatial Policy 4B of the Newark and Sherwood Core Strategy. This policy requires that all developments within the Green Belt should be judged according to national Green Belt policy.

47. National Green Belt policy is incorporated within the National Planning Policy Framework (NPPF). Paragraph 90 of the NPPF incorporates a list of developments that are considered as being appropriate within a Green Belt, subject to them preserving the openness. The operation and expansion of green waste composting facilities are not identified within this list and therefore the development must be considered as inappropriate development in the context of Green Belt policy. 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'.
48. The National Planning Policy for Waste (NPPW) provides further guidance relating to waste development within the Green Belt within paragraph 6 which identifies that

'Green Belts have special protection in respect to development. In preparing Local Plans, waste planning authorities, including by working collaboratively with other planning authorities, should first look for suitable sites and areas outside the Green Belt for waste management facilities that, if located in the Green Belt, would be inappropriate development. Local planning authorities should recognise the particular locational needs of some types of waste management facilities when preparing their Local Plan.'
49. The County Council's Waste Core Strategy, Policy WCS4 confirms that within the Green Belt proposals for built waste management facilities constitute inappropriate development and will only be permitted where need and other material considerations amount to very special circumstances sufficient to outweigh harm to the Green Belt and any other harm identified. WCS Policy WCS7 (General Site Criteria) provides support for the green waste/composting facilities within Green Belt locations where very special circumstances can be demonstrated. There are a number of considerations which are relevant to the assessment of whether there are 'special circumstances' to justify granting planning permission for this development within the Green Belt. These are considered below:
50. Location Needs: Green Waste composting facilities have potential to generate odour and bio-aerosol emissions. Whilst acknowledging that the magnitude of emissions can be influenced by process controls, it is not possible to achieve zero emissions and therefore sites are normally required to provide a stand-off distance to sensitive receptors (residential and business premises) to allow for dispersal of emissions. With particular reference to bio-aerosol emissions the Environment Agency have adopted a precautionary 250m stand-off distance between composting facilities and human receptors to allow for dispersal of emissions. This stand-off distance means that it is practically impossible to locate open windrow facilities in built up areas due to the higher density of development. Rural locations are therefore favoured to ensure appropriate stand-off distances are provided. Within Nottinghamshire the rural areas surrounding the Nottingham conurbation are designated as Green Belt. This makes it almost inevitable that any green waste composting facility which is in reasonably close proximity to waste arisings in the Nottingham area would be located in the Green Belt. If Green Belt policy was used as a reason to not

permit green waste composting facilities in the Green Belt it would effectively prohibit the development of this preferred waste management practice for green waste within close proximity to the centre of waste arisings. This approach would be contrary to the waste hierarchy and WCS Policies WCS1 and WCS3. It is therefore concluded that open air windrow composting developments do have particular locational needs which lend support to them being located within Green Belt locations.

51. Need & Alternatives: Nottinghamshire has two operational green waste facilities. The Oxton site is operating near its consented maximum capacity and has little spare capacity to manage any growth in green waste collection. The alternative facility at Stragglethorpe (which is also in the Green Belt) does not have significant spare capacity without expansion. Since there are no other available management alternatives within Nottinghamshire, any significant growth in green waste collection in the City and County areas could not be managed within these administration areas and would have to be exported out of the County into neighbouring areas for management. This represents a lost resource for the County and would be against the objectives of WCS Policy WCS3 which seeks to ensure that there is sufficient waste management capacity to manage the needs of the area. Transporting waste out of the county would also increase the distance haulage vehicles are required to travel with associated additional emissions.
52. Buildings and structures: The development would not alter the size of the processing area, but would reorganise its existing configuration, creating a new access route to the public highway, introduce new plant and machinery including a 4m high push-wall associated with the aerated pad and a weighbridge and kiosk/welfare building. Notwithstanding the fact that these aspects of the development are inappropriate development in the context of Green Belt policy, the landscape and visual effects of the changes (which are considered in greater detail later in the report) concludes that the alterations would be screened by existing and additional landscaping and therefore would result in a minor visual impact with no significant impact to the openness of the Green Belt.
53. Protecting the wider setting of the Green Belt: By maximising the operating capacity of the Grange Farm site the potential requirement for new or extended facilities in other locations occupying Green Belt or open countryside land is reduced.
54. Benefits to agricultural production: The increased operating capacity of the site would complement the agricultural production of the surrounding farmland by producing an increased volume of composted green waste that would be used as a soil conditioner on nearby agricultural land improving soil quality and agricultural production. The facility therefore represents a quasi-agricultural use which is not out of keeping with the predominant agricultural character of the surrounding area.
55. Paragraph 87 of the NPPF sets out the general presumption against inappropriate development within the Green Belt. It requires that inappropriate development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development 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.

56. The proposed development would be inappropriate development and would therefore, by definition, be harmful to the Green Belt. Paragraph 88 of the NPPF states that substantial weight should be given to any harm, including definitional harm. On the other hand, WCS Policy WCS 7 provides a level of support for locating green waste composting facilities within Green Belt locations where very special circumstances are identified.
57. In considering the assessment of very special circumstances, there is a need to bring forward additional green waste composting capacity to meet any growth in green waste production. The applicant has demonstrated that the development has a particular locational need to be sited at Oxton, it has been designed to have a minimal effect on the Green Belt, particularly its open character and has potential to preserve the wider Green Belt and surrounding open countryside from further green waste composting developments.
58. Substantial weight can be given to these benefits and these benefits are considered to clearly outweigh the substantial weight that must be given to the harm in terms of inappropriateness. On this basis it is concluded that very special circumstances have been demonstrated in the context of Green Belt Policy which justify the proposed development.

#### Consideration of Environmental and Amenity Impacts

59. WCS Policy WCS13 supports new or extended waste treatment facilities where it can be demonstrated that there would be no unacceptable impact on any element of environmental quality or the quality of life of those living or working nearby and where this would not result in unacceptable environmental impacts. It also states that all waste proposals should seek to maximise opportunities to enhance the local environment through the provision of landscape, habitat or community facilities.
60. Appendix B (locational criteria) of the NPPW contains detailed guidance on the potential environmental issues associated with waste development, advising that consideration should be given to protection of groundwater, instability, landscape and visual impacts, nature conservation, conserving the historic environment, traffic and access, air emissions including dust, odours, vermin and birds, noise light and vibration, litter and potential land use conflict.
61. The potential environmental impacts associated with the alterations to the composting facility are material considerations in determining the acceptability of this application.

#### Odour

62. The Oxton facility has been operational for approximately 12 years expanding its scale and throughput during this time. The site has historically not generated significant local complaint with the County Council receiving just two complaints concerning odour during this period, one in 2005 and one in 2016. This low number of complaints may be attributable to the fact that the site occupies a comparatively isolated rural location with few residential properties and local residents who could be affected in close proximity,
63. The consultations undertaken in connection with this planning application have resulted in two objections being received, one from a residential property approximately 850m north east of the composting facility and one from a

caravan retailer a similar distance directly north of the site. The presence of odour emissions in the Oxton area has been observed by officers during transient journeys on the highway network surrounding the Oxton facility with odour emissions being noticeable some distance from the site boundary at a level that is readily capable of reaching these properties.

64. WLP Saved Policy W3.7 seeks to reduce the impact of odour associated with the operation of waste facilities. The policy encourages the use of controls to reduce the potential for odour emissions at waste facilities.
65. The alterations to the process and throughput of the Oxton composting facility proposed in this planning application have potential to affect the level of odour releases from the site. There is no established methodology to numerically calculate the predicted level of change and therefore the Council is required to make an informed judgement of the likely odour effects of the changes based on a clear understanding of the composting process and the factors that contribute to odour releases. These factors are explored below.
66. The composting process uses bacteria and fungi to break down the raw materials in green waste. When these bacteria and fungi have a ready supply of oxygen the primary product they produce is carbon dioxide which is odourless.
67. When the process is undertaken in an oxygen depleted environment the breakdown (or composting) of the green waste still continues, but anaerobic organisms take on the primary role, supplemented by some of the aerobic composting micro-organisms which adapt their metabolism. Anaerobic metabolism differs from aerobic metabolism since a range of substances are used in the process instead of oxygen and different by products are released. Unfortunately many of these substances and biological processes are odorous. It is therefore important that open air compost systems are undertaken aerobically as this represents the most effective method of minimising odour releases.
68. The current operation at the Oxton composting facility incorporates a series of compost heaps assembled in triangular shaped linear rows, commonly referred to as windrows. The aeration of these windrows relies primarily on passive internal convection currents to pull cold air from the base of the stack where it is heated by the compost process and rises through the stack exiting from the top (see Figure 1). This creates a flow of air through the stack. In warm weather, as the temperature differential closes between the ambient air and the temperature of the compost stack, the ability of this convection current to work often is dramatically reduced resulting in reduced oxygen flows and greater chance of anaerobic conditions persisting in the compost heap with resultant odour releases.

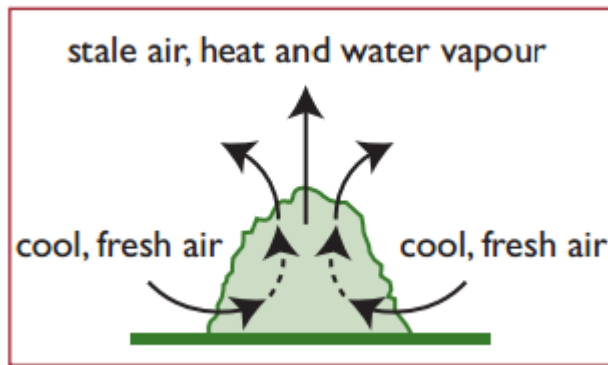


Figure 1: Schematic diagram of 'the chimney effect'

69. To assist with maintaining oxygen in the compost, the operator mechanically turns the piles by using machinery to lift and drop the compost, a process that de-compacts the compost and introduces fresh air, releases trapped heat, moisture and stale air, and homogenises the mix. The turning process is frequent, particularly during the initial stages of the compost windrow when the process is most active, however it does not guarantee the aerobic operation of the windrow throughout the process. The turning process results in the release of high levels of odours, particularly when anaerobic pockets in the windrow are encountered.
70. The main objective of forced aeration process is to promote aerobic conditions within the compost mass so as to reduce the incidence of anaerobic pockets in the windrows and the associated release of odorous compounds. The use of a forced aeration system which in this case would utilise a concrete base with perforated channels through which air is pumped into the overlain compost windrows has a proven record of assisting in reducing odour emissions from compost windrows by reducing the potential for the heap to go anaerobic. It also reduces the need to turn the windrow which is a process in its own right that generates odour releases.
71. The aerated pad at Oxton would be used for the initial sanitation and active stage of the composting process. The compost would be retained on the aerated pad for approximately a four week duration. During this period the compost is most biologically active and oxygen consumption is at its highest. Industry guidance issued by The Composting Association concerning the prevention and control of odours at biowaste processing facilities acknowledges that conventional static pile composting systems as currently utilised at Oxton often become deprived of oxygen during this initial phase leading to the process going anaerobic and resulting in elevated odour releases. This guidance states that aerated systems which force air through the compost windrow assist in increasing the airflow through the windrow, reducing the potential for anaerobic odorous conditions to persist in the compost. The consultation response from the Environment Agency also confirms this fact.
72. Following the initial four week period on the aerated pad, the green waste would be transferred to a static pile to complete its composting process. This more mature compost is less active and its oxygen intake would be significantly lower. A static pile compost system is therefore considered appropriate to manage this material whilst maintaining an acceptable level of odour control.

73. It is therefore concluded that the proposed change in compost process from turned static piles to a forced aeration process would be likely to result in a reduction in malodour emissions and a clear conclusion can be reached that compost managed on an aerated pad has a significantly lower potential to generate odour than an equivalent amount of compost managed in static piles with mechanical turning.
74. The Oxton planning application also seeks consent to increase the throughput from the consented level of 55,000tpa to 75,000tpa. It is logical to conclude that any potential negative odour effects would increase as a result of increasing the green waste throughput, if there were no alterations to the compost process at the site. However, the judgement of the odour effects of development are not straight forward since it requires a balance of the potential benefits from the forced aeration process against any potential negative odour effects which may occur from increasing the green waste throughput and then balancing these against the existing levels of odour release from the current operation.
75. Whilst advice to members in this instance is clear insofar that compost produced on an aerated compost pad would be likely to be less odorous than the same quantity of compost produced on a mechanical turned windrow system, it is not possible to be so certain that any reduction in odour emission from the aerated pad would be negated by the increase of the processing capacity to 75,000tpa.
76. Due to this element of uncertainty the operator was requested to amend their development and remove the request to enlarge the processing capacity of the site. In response the operator states they are unable to financially justify the investment associated with installing an aerated pad without an assurance that the capital cost would be recovered by increased revenue generated from increasing the throughput. The applicant therefore is not willing to remove the proposed enlargement of capacity from their planning application and is also unwilling to accept a temporary planning permission. The applicant wishes to emphasise a number of positives associated with the management of the composting process which the development would provide, these include:
- a. There would be significantly less handling and resulting agitation of organic material reducing potential for emissions such as odour, particularly as there will be no turning of material during the early, most active phase of composting. The current open windrow composting process includes turning every windrow at least 4 times which equates to the agitation of some 220,000 tonnes of material per year (i.e. 55,000t x 4 turns). This includes turning during the most active, oxygen-hungry phase which has the greatest potential to generate odours. Under the proposed solution, turning would be limited to 150,000 tonnes per year (i.e. 75,000t x 2 turns) restricted to the less active phase. Therefore the proposed development would involve the agitation through turning of 70,000 tonnes less material than under the current arrangements;
  - b. The proposed aerated pad would feed the early composting phase with its oxygen demands and maintain optimal conditions without the need for turning and would enable much closer control of the composting process in terms of oxygen, temperature and moisture;
  - c. The Proposed investment in the facility will allow the compost quality to be upgraded to a 30mm and 10mm specification from the current 40mm

(subject to customer demands). This will produce a much higher quality material and potentially attract other customers, such as horticulture and other agricultural users;

- d. The proposed development includes an expansion of the concreted area into the consented compost storage area which is currently unsurfaced and would provide better control from ponding water;
  - e. Part of the investment into the site would be put into new machinery with less potential for breakdown which could adversely affect the process;
77. The operator has revised their odour management plan to take account of the changes in the operation of the site. This odour management plan will form part of the submission to the Environment Agency when the company seek to revise their permit.
78. The Council is therefore required to consider the environmental effects of the development based on a 75,000tpa aerated pad system.
79. The judgement of the likely environmental effect of the development should be informed by the existing baseline conditions and the fact that the existing composting activities at Oxtou generate odour emissions which are noticeable beyond the site boundary and at times are noticeable at surrounding properties with associated potential impacts to amenity. These odour emissions are likely to continue to occur in the future if there is no change to the compost process. The aerated pad system proposed in this planning application offers real potential to reduce the level of odour release by introducing a better process control. Whilst acknowledging there is potential for some negative effects from increasing the processing capacity, on balance it is concluded that the overall balance of effect is likely to be that there would be a reduction in odour emissions as a result of the development.
80. A planning condition is recommended to ensure that the capacity of the site is not enlarged until such time that the aerated pad is operational. It is also recommended that a planning condition is imposed to ensure that the pad is maintained in an operational condition.

#### Traffic and Transportation

81. WLP Policy W3.14 of WLP states that
- 'Planning permission will not be granted for a waste management facility where the vehicle movements likely to be generated cannot be satisfactorily accommodated by the highway network or would cause unacceptable disturbance to local communities.'*
82. The planning application seeks to increase the maximum permitted throughput of the site from the current consented level of 55,000tpa up to 75,000tpa. This would result in an increase in delivery vehicles.
83. Transport movements associated with the operation of the site fluctuate over the calendar year due to the seasonal character of green waste production with the site being busiest during the summer growing months (typically March to October). Traffic data from 2013 and 2014 when the site had a 45,000 tonne input have been used to calculate the estimated average daily trip generation for

waste inputs to the site operating at a 55,000tpa and 75,000tpa capacity. The traffic data is set out below.

<b>Period</b>	<b>Arrival</b>	<b>Departure</b>	<b>Two-Way</b>
45,000 tonnes	39	39	78
55,000 tonnes	43	43	86
75,000 tonnes	54	54	108

84. In addition to the above the site would export processed compost for spreading onto local agricultural fields. Exports will peak at an average of around 13 during the summer months of which approximately 9 would use a tractor and trailer with the remainder using bulk lorries.
85. Controls are currently in place within the existing planning permission which restrict the movement of tractors and trailers along the Old Rufford Road (A614) at peak periods (between 0700hrs – 0900hrs and 1600hrs – 1800hrs Monday – Friday) so as to ensure tractor movements do not affect the free flow of traffic on this road. The highways consultation recommends that these controls are extended to restrict tractors and trailers departing the site in their entirety during these hours and thus minimise any potential conflict with traffic flows around the site at peak hours from slower moving tractor movements on the highway associated with this development. .
86. The proposed composting facility would be accessed via a new priority controlled access on the A6097, to the north of the existing access. This access would be used for both light and heavy vehicles associated with the facility. The proposed access has been designed to accommodate the tracking of the largest vehicle accessing the site. The County Highway Officer confirms the proposed access is of an appropriate standard to serve the development
87. NCC's Highways Officer is satisfied the level of vehicle trips generated by the proposed development would be safely accommodated by the new access onto the A6097 and would not have a material impact on the safe operation of the local highway network.
88. The site is located comparatively close to the Greater Nottingham conurbation from which a large proportion of the green waste originates from. The additional capacity of the site would assist with minimising the distances that this green waste is transported which is compliant with WCS Policy WCS11: Sustainable Transport. NCC's Highways Officer is satisfied that the local highway network is adequate to serve the additional vehicle movements associated with this development.
89. It is recommended that the existing planning condition which regulates access by tractor and trailer of the site so as to avoid the morning and afternoon peak periods is rolled forward into any new planning permission. However, it is not considered necessary to regulate the maximum daily number of vehicles



accessing the site since there are no capacity issues on the surrounding highway network.

### Landscape Effects

90. Effects on the landscape features of the area during construction of the development proposals are considered to be minor adverse due to the small section of hedgerow removal required to allow for construction of the new site access road. An existing mature English oak tree present within the northern part of the development site would be retained and no development proposed within the root protection area of the trees.
91. A scheme of native hedgerow and tree planting and grassed screen bunding is proposed as part of the development works to provide long term integration of the expanded composting facility within the landscape and benefit the local visual amenity. During operation of the expanded facility and as the proposed planting matures the effect of the development on the landscape fabric of the site is expected to be moderate beneficial due to these additional landscaping planting proposals.

### Visual Impact

92. The visual appraisal identifies that in general, views of the existing composting facility and adjacent field where the new site access is proposed are very limited due to the low height of the existing and proposed operations at the site and the screening provided by the local topography and hedgerow and trees within the local landscape. Views of the development site are limited to a small number of receptors and viewpoints close to the site with occasional longer views from the higher ground to the east and south east from the route of the Robin Hood Way long distance footpath.
93. The visual assessment has identified that there will be short term, minor adverse visual effect during construction of the proposed expansion works from the limited number of receptors within the study area. This is expected to reduce to a negligible visual effect in the longer term and as the scheme of landscaping matures a negligible change in the view expected as a result of the development proposals.
94. The change to an aerated windrow system would result in a reduction in the height of compost storage on the new aerated pad from 5m to 4m thereby reducing the visual prominence of this part of the site. Storage heights on the remainder of the site would be maintained at 5m. It is recommended that the provision of the screen bunding and associated landscape planting adjacent to the haul road and to the frontage of the aerated pad are regulated by planning condition and storage heights are regulated.

### Noise

95. WLP Policy W3.9 seeks to ensure that waste developments do not generate unacceptable levels of noise emissions. The policy enables conditions to be imposed on planning permissions to reduce the potential for noise impact including restrictions over operating hours, sound proofing plant and machinery, alternative reversing alarms, stand-off distances, and the use of noise baffle mounds to help minimise noise impacts.

96. The new vehicular access sought consent in this planning application would ensure that delivery vehicles no longer pass in close proximity to residential properties within Grange Farm as they access the site. Although there would be an increase in delivery vehicle numbers as a result of additional throughput of the site, the benefits of the new access insofar that it moves this noise and activity away from residential properties is considered to outweigh any negative impacts from increased vehicle numbers. Whilst the alterations to the access and waste receipt/shredding area would bring these activities closer to properties north of the application site, a considerable stand-off distance is maintained and therefore adverse impacts are not anticipated.
97. In terms of the changes to the composting operations, the applicant has confirmed that the fans associated with the operation of the aerated pad would not generate significant levels of noise and therefore would not be intrusive at surrounding residential properties. This can be regulated by planning condition and it is recommended that a condition is imposed which requires the fans to be inaudible at surrounding residential properties at all times of the day.
98. In other respects, the plant and machinery used at the composting facility would not change albeit the use of the aerated pad would avoid the need to mechanically turn the compost which is being processed on this pad and result in a reduction in the noise that this process generates.
99. The existing planning permission has a number of controls to regulate noise emissions including controls on operating hours and a requirement for all plant, machinery and vehicles operating within the site to incorporate noise abatement measures and to be fitted with silencers. It is recommended that these controls are brought forward into any new planning permission for the site, albeit with an allowance to operate the fans on the aerated pad 24 hours a day.

#### Bio aerosols

100. Micro-organisms are fundamental to the composting process and will always be present in large quantities at compost facilities. These micro-organisms get released in the wind during the compost process, particularly at times when the compost is moved or turned. Studies have shown that exposure to compost fungus (particularly *Aspergillus fumigatus*) can trigger asthma, bronchitis and allergic responses. Those most at risk are likely to be workers on site. Residents and surrounding business near the composting facilities will be less exposed because of the dilution and dispersion of bioaerosol emissions, although there is a level of uncertainty over the concentration to which a compost bio-aerosol must be reduced to be considered 'safe'.
101. Because of these uncertainties the Environment Agency has adopted a policy position on composting and the potential human health effects of exposure to bio-aerosols generated from composting. This places limitations on the location of composting facilities enforced through the permitting process and also through the planning consultation responses to prevent where possible the siting of composting activity within 250 metres of a workplace or boundary of a dwelling, unless justified by a site-specific risk assessment that shows the risks to be acceptable.
102. The Oxton composting facility is regulated by the Environment Agency through an Environment Permit. This permit for the existing facility demonstrates that

the Environment Agency is satisfied that the level of bio-aerosol emissions from the existing facility are safe in the surrounding area. The alterations to the process sought consent in this planning application would require a variation to the Environmental Permit. If the alterations increased bio-aerosol emissions to an unacceptable level the Environment Agency would not issue a new permit for the site.

103. The Environment Agency have not raised any objections in response to the planning consultation. Whilst not wishing to pre-judge the permitting process in the assessment of this planning application the alterations to the process would not bring the composting activities closer to residential properties, furthermore the use of the aerated pad would reduce the need to turn or agitate the compost, activities which currently result in spikes in bio-aerosol emissions.
104. Paragraph 122 of the NPPF states that planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. On this basis it is recommended that bio-aerosol emissions are most appropriately considered through the permitting process.

#### Drainage

105. WLP Policy W3.5 requires waste management facilities to make appropriate provision for surface water drainage. The primary objective of the policy is to avoid potential pollution of the surrounding water environment.
106. The Oxtun composting facility currently incorporates areas of impermeable concrete and permeable crushed stone surfacing. The alterations proposed in this planning application would install additional concrete surfacing and ensure the entire process would be undertaken on an impermeable concrete base. The composting pad would be enclosed by kerbing to capture liquid and avoid discharges to adjoining land. Any rainwater and liquid discharges from the compost process would drain to a series of existing and additional underground tanks from where it would be re-applied to the compost process. Since the compost process requires quite high levels of water input to avoid the heaps drying out and therefore it is anticipated the process would use all the rainwater that drains from the pad. Any excess water within the system would be tankered off the site and appropriately disposed.
107. These arrangements are considered to be appropriate and would prevent potential pollution of the surrounding water environment in accordance with the objectives of WLP Policy W3.5.

#### Flies and Vermin

108. Concerns have been raised by the owner of Select Caravans that his business premises experience large quantities of flies, and these flies have an adverse impact on the business. Whilst acknowledging that the day to day control of flies and other vermin at operational waste sites is primarily the responsibility of the Environment Agency regulated through the Environment Permit, the planning system provides consent for the location of the site and it is therefore a material planning consideration as to whether the development is compatible

with surrounding land uses, having regard to the anticipated environment effects.

109. The experience of Council officers is that when a waste facility is attractive to flies, this becomes immediately obvious during a site inspection insofar that the flies tend to accumulate in large numbers around the point of interest and do not disperse over the wider area.
110. Monitoring of the Oxton site over a number of years indicates that the activities at the site are not particularly attractive to flies with no issues of fly nuisance being recorded throughout the operational life of the site.
111. Whilst the concerns of the local business are noted, there does not appear to be any evidence to indicate these flies are connected with the operation of the Oxton Compost Facility. There is no reason in the current submission to conclude that this position should change. The Environment Agency will continue to monitor for flies as part of ensuring compliance with the permit controls.

#### Alleged contamination of final product

112. Representations from members of the local community alleged that the compost produced at the Oxton facility is contaminated with litter which makes it unsuitable for use. These concerns have been raised with the operator of the site who states that the compost is required to meet a strict quality assurance standard which is audited by both the Environment Agency and the Association of Organics Recycling through BSI PAS 100.
113. The operator states that on occasions waste arriving at the site can be contaminated with small amounts of materials such as plastics. This contamination is identified by a visual inspection of incoming loads with deliveries containing significant contamination being rejected and those loads with smaller amounts of contamination are picked by site staff. Finally, at the final compost refinement stage a wind sifter is used to remove any remaining small pieces of contamination such as shredded plastic bags.
114. The operator reports that the composted product meets with positive feedback from customers who have beneficially applied this product to their land. Many are repeat customers who recognise the benefits of the compost. Veolia state that if their customers were unsatisfied with the product they would not purchase more.
115. Outputs from the Oxton facility comply with the strict requirements of the British Standard specification PAS100 for composted material. This is a nationally recognised standard defining compost quality and providing buyers with the confidence that the material produced at the Oxton facility meets the highest recognised quality. As part of this accreditation compost is sampled on a routine basis in accordance with PAS100 and Veolia's own sampling procedure. Samples are also submitted to independently audited laboratories for quality assurance and the facility is inspected by an independent sampling auditor.
116. It is therefore concluded that adequate controls measures are in place to ensure that significant contamination of the final product does not occur.

## **Other Options Considered**

117. Consideration has been given to a number of composting techniques in response to representations received from the local community.
118. It has been suggested that the compost piles should be covered in sheeting in an attempt to restrict odour emissions. The applicant states that in their experience sheeting would not reduce odour but instead would block the flow of oxygen and moisture in the compost mass leading to wet anaerobic pockets where oxygen cannot penetrate. In these conditions the compost actually generates additional odour which would still release to the atmosphere, particularly when sheeting is removed. In other countries covers may have been used as a cheap method of enclosing compost that contains food waste. In the UK the processing of food waste requires a fully enclosed system to comply with permit regulations. Industry practice in the UK is for green waste to be composted in open windrow systems.
119. The applicant has not proposed an in-vessel composting system at Oxten because the site is in the Green Belt and the buildings associated with such a development would have a harmful impact on the openness of the Green Belt and therefore would be unlikely to obtain planning permission.

## **Statutory and Policy Implications**

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

### Implications for Service Users

121. The compost facility would not be open to members of the public. The facility would act as a processing facility for green waste delivered by Nottingham City and Nottinghamshire district refuse collection vehicles and also for containerised skips from household waste recycling centres. These service users would benefit from having access to a centrally located facility within Nottinghamshire, thus reducing mileage of delivery vehicles. This would be more economical in terms of mileage saved and reduced fuel consumption.

### Financial Implications

122. The County Council has a joint PFI contract with Veolia, it is understood that the applicant is responsible for the operation of the compost facility under the terms of the Nottinghamshire Waste PFI contract, as well as having the responsibility for maintaining the facility.

### Crime and Disorder Implications

123. The proposed composting facility would be located within a secure compound surrounded by perimeter security fencing, with security gates. The site would be locked outside of operational hours.

#### Human Rights Implications

124. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6.1 (Right to a Fair Trial) are those to be considered and may be affected due to the development. The proposals have the potential to introduce impacts such as noise, odour, traffic impacts and visual amenity impacts upon the nearest sensitive commercial and residential properties. However, these potential impacts need to be balanced against the wider benefits the proposals would provide such as reducing waste miles and carbon emissions; moving waste up the Waste Hierarchy and away from disposal. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

#### Implications for Sustainability and the Environment

125. These issues are covered in the Observations section of the report.
126. There are no safeguarding of children, equalities and human resources implications.

#### **Conclusion**

127. The composting of green waste is fully compliant with the waste hierarchy and the Nottinghamshire and Nottingham Waste Core Strategy (WCS) Policy WCS3 which promotes the delivery of sustainable waste management by prioritising the development of new or extended recycling, composting and anaerobic digestion facilities. The development and use of composting facilities assists the County in meeting its target of recycling/composting 70% of all waste by the year 2025. Since the Oxtun composting facility manages most of the municipal green waste collected from the Nottinghamshire and the City of Nottingham administrative areas the facility has a strategically important role in terms of meeting the authorities waste management needs.
128. There is potential for growth in green waste collection rates and the expansion of the Oxtun composting facility would assist in ensuring there are not shortfalls in treatment capacity. The expansion would therefore be compliant with WCS Policy WCS3 which aims to provide sufficient waste management capacity of manage a broadly equivalent amount of waste to that produced within Nottinghamshire and Nottingham.
129. In the context of Green Belt Policy the expansion of green waste composting facilities is inappropriate development in the context of national Green Belt policy, although WCS Policy WCS7 provides a level of support for the development in the Green Belt if very special circumstances are identified, on the basis that it recognises that composting facilities have particular locational needs which make them difficult to locate in urban areas. The applicant has demonstrated very special circumstances in this instance to justify the development in the Green Belt.

130. The environmental assessment of the application confirms that the development is compliant with WCS Policy WCS8 which supports the expansion of existing waste management facilities where this improves existing waste management methods and/or reduce existing environmental impacts. Furthermore WCS Policy WCS13 is supportive of the development provided there are no unacceptable impacts on any environmental quality.
131. With particular regard to odour, the aerated pad system offers real potential to reduce the level of odour release by introducing a better process control. Whilst acknowledging there is potential for some negative effects from increasing the processing capacity, on balance it is concluded that the overall balance of effect is likely to be that there would be a reduction in odour emissions as a result of the development.
132. In terms of traffic movements, the level of vehicle trips generated by the development would be safely accommodated by the new access onto the A6097 and would not have a material impact on the safe operation of the highway network.
133. With regard to other potential environmental effects, no significant harmful landscape and visual, noise, bioaerosol, pollution or vermin impacts are identified.
134. The recommendation is therefore to support a grant of planning permission, subject to the conditions set out in Appendix 1.

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

135. In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions; screening of the application; assessing the proposals against relevant Development Plan policies; the National Planning Policy Framework and the National Planning Policy for Waste. The Waste Planning Authority has identified all material considerations; forwarding consultation responses that may have been received in a timely manner; considering any valid representations received; liaising with consultees to resolve issues and progressing towards a timely determination of the application. The applicant has been given advance sight of the draft planning conditions by the Waste Planning Authority. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

### **RECOMMENDATIONS**

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

**ADRIAN SMITH**

**Corporate Director – Place**

### **Constitutional Comments [RHC 6/1/2017]**

Planning and Licensing Committee is the appropriate body to consider the contents of this report.”

### **Comments of the Service Director - Finance [RWK 15/12/2016]**

There are no specific financial implications arising directly from this report

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

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

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

Farnsfield and Lowdham. – Cllr Roger Jackson

Report Author/Case Officer

Mike Hankin

0115 9932582

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

F/3591  
W001665