



17th July 2018

Agenda Item: 6

REPORT OF CORPORATE DIRECTOR – PLACE

BASSETLAW DISTRICT REF. NO.: 1/18/0216/CDM

PROPOSAL: RETROSPECTIVE PLANNING APPLICATION FOR AN EXTENSION TO A CONSTRUCTION AND DEMOLITION WASTE RECYCLING AREA

LOCATION: SCROOBY TOP QUARRY, SCROOBY TOP, DONCASTER, DN10 6AY

APPLICANT: ROTHERHAM SAND AND GRAVEL COMPANY LIMITED

Purpose of Report

1. To consider a planning application which seeks retrospective planning permission to regularise an extended waste management facility for the recycling of inert construction and demolition waste at Scrooby Top Quarry, Scrooby Top, Doncaster, the site area of which has been extended beyond the footprint of the permission area.
2. The key issues relate to whether the changes to the scale of operations remains acceptable in terms of highways impacts and to ensure there are no unacceptable environmental impacts associated with the development.
3. The planning application is being reported to Planning and Licensing Committee on grounds that the maximum annual level of projected throughput of inert waste, of 50,000 tonnes per annum, exceeds the threshold of 30,000 tonnes per annum that can reasonably be determined under delegated powers by this Authority, as Waste Planning Authority (WPA).
4. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

The Site and Surroundings

5. The 4.7 hectare application site is located within the operational area of Scrooby Top Quarry, situated on the western side of the Great North Road (the A638) in North Nottinghamshire (see Plan 1). The quarry which extends to 17.8 hectares is approximately 2.3 kilometres and 1.6 kilometres to the north-west of Torworth and Ranskill respectively; and approximately 1 kilometre north of Retford and 1.7 kilometre to the south-east of the village of Scrooby. The wider quarry site is bound to the east by the Great North Road (A638) which links Retford (to the

south) with Bawtry (to the north). Snape Lane abuts the south-western boundary of the quarry and Green Lane lies to the north and west.

6. Vehicular access is gained directly off the A638 by a dedicated quarry access in the north-east of the quarry site, providing access to the wider quarry site including the inert waste recycling facility.
7. Scrooby South Quarry which is also part of the applicant's quarrying operations, is located to the north east of the site on the eastern side of the A368 beyond Lodge Farm and Hollins Holt.
8. The site is situated within a rural location. The surrounding area is predominately agricultural with the wider landscape having a defined field pattern interspersed with blocks of woodland, with other features including fishing lakes and further restored quarry workings on both the eastern and western sides of the Great North Road.
9. The nearest sensitive residential receptor to the application site is Bishopfield Lodge which lies to the immediate south-east, within Access Road, approximately 36 metres from the south-western boundary of the proposal site.
10. Other near neighbours include the Grade II Listed Scrooby Top Cottages approximately 241 metres to the east within the Great North Road; Scrooby Top House which is 171 metres distant to the site and Scrooby Top Farm, a Grade II Listed building and restaurant, which is 270 metres from the site boundary, both again situated to the east. Finally, Bishopfield Farm lies 377 metres to the south-west. No identified rights of way pass adjacent to the site (see Plan 1).
11. The quarry comprises areas of mineral stockpiling along the eastern boundary; working quarry faces situated to the north-west; two adjacent ponds situated to the south of current mineral extraction; and wooded areas along the south-eastern and northern site boundaries. Partial restoration of the north-east and south-east boundaries has taken place. Infrastructure associated with the quarrying activities is centrally located within the site, with storage buildings, offices, aggregate loading bays, a batch mix plant and water pump, and an electricity substation.
12. The application site is situated on the base of the quarry floor at a depth of more than 10m below surrounding land levels which rise in a south to north direction from approximately 18.5 metres to 28.2 metres respectively Above Ordnance Datum (AOD). Recycling operations are located to the west and south-west of a large plant storage building and a maintenance garage and bagging plant, within the south-western corner of the quarry.
13. The waste operations have extended into an area of former mineral extraction in the north-western extension to the main quarry and also towards the south-western boundary with Snape Lane. Within this area there are stockpiles of screened soils, a 10 metre high stockpile of inert unprocessed material, and a separate stockpile of processed material and mobile processing plant. The inert stockpile is relatively extensive occupying the central part of the proposal site and extending from the northern to the south-western site boundaries, albeit

with a stand-off distance of approximately 16 metres (at its nearest point) from Snape Lane.

14. Part of Scrooby Top Quarry is designated as a geological Site of Special Scientific Interest (SSSI).
15. The River Idle and the River Ryton are located approximately 1.9 kilometres and 1.3 kilometres to the south-east and north-west of the site respectively.

Planning history

16. The application relates to an established Materials Recycling Facility (MRF) which principally operates under two extant planning permissions granted by the WPA.
17. The waste management facility is intrinsically linked to the quarrying operations and is time limited by these activities with waste operations expected to cease including the removal of infrastructure and material stockpiles, within six months of mineral extraction ceasing.
18. Scrooby Top Quarry opened in 1930 and since then has operated to produce dry screened and washed building sand, mortar sand and concreting sand.
19. In September 1994, a planning application was submitted to the County Council to formalise planning controls over site operations at Scrooby Top Quarry and for an extension to the north-east of the original quarry. Planning consent (Plg. Ref. 1/42/94/17) was duly granted to Rotherham Sand and Gravel Company in September 1995 for the winning and working of Sherwood Sandstone.
20. This continues to be the main extant planning consent under which the quarry operates, with operations time-limited to finish by February 2042.
21. Also of relevance is extant planning permission 1/42/02/00006. Granted in June 2003, this permitted a further extension to the north-west of the existing quarry for the extraction of grey sand and restoration to nature conservation. Operations were time limited to cease by the end of December 2019 with the completion of restoration of the extension area within two years of this date. The extended recycling operations are partly located within the south-eastern part of this extraction area.
22. In March 2016, planning permission (Plg. Ref. 1/15/01678/CDM) was granted to Rotherham Sand and Gravel Company for the extraction of 72,000 tonnes per annum of grey sand at Scrooby South Quarry until 31st December 2023. The operations involve the extracted mineral being loaded on to dumper trucks for onward transit to Scrooby Top Quarry for processing and onward sale to customers.
23. The waste operations currently operate under extant planning permissions 1/42/97/3 and 1/42/01/6 (see Plan 2). These operations have taken place since 1998, when planning permission (Plg. Ref. 1/42/97/3) was granted in July 1997.

24. Permitted operations were time limited to finish within six months of 'mineral extraction ceasing or substantially ceasing' under the provisions of extant planning permission 1/42/94/17.
25. The waste operations were subject to a second planning permission (Plg. Ref. 1/42/01/6) granted in January 2002 for an extension to the recycling site, which extended operational development in a north-east direction. Waste operations remained linked to the life of the quarry, with provisions in place to time limit recycling operations. Controls were also placed over noise emissions to ensure residual noise levels did not exceed 55dBA LAeq 1hr again measured at the site boundary.
26. A screened stockpile of recycled soils has encroached into the quarry extension area covered by extant planning consent 1/42/02/00006, and continues to be stored there contrary to planning controls attached to this permission. In particular, it is in breach of Condition 42 which expressly states that there shall be no importation or storage of waste or recycled materials within the extant extraction area. The current planning application seeks to regularise the unauthorised development. This is in response to a request from this Authority to regularise the development after irregularities in site operations were identified during routine monitoring.
27. The extant operational area benefits from an Environmental Permit issued by the EA for the storage and recycling of inert materials [WML 43555].

Proposed Development

28. The planning application seeks full planning permission for the regularisation of the use of land within Scrooby Top Quarry, for the recycling of inert construction and demolition wastes. The proposals incorporate almost all of the permitted inert recycling operation (see Plan 2) consented by planning permissions 1/42/97/3 and 1/42/01/6 together with the unauthorised operational land which has been developed beyond the boundary of the approved waste processing site and which forms an extension to the operational waste site.
29. It is proposed to bring the waste operations on site under a single new permission. This would formally extend the processing and storage area further south to the original quarry boundary and into the former extraction area of the north-western quarry extension.
30. The proposals seek to regularise approximately 4.7ha. of land within the quarry floor for inert construction and demolition waste recycling operations, with an anticipated annual throughput of 50,000 tonnes of imported material, although in practice the quantities of imported material is usually less than this. Figures provided to substantiate throughput for the 12 month period between July 2016 and June 2017, indicate that 16,500 tonnes of inert materials were imported into the site for processing. It is recognised that this is market dependent.
31. The proposals would continue to be linked to minerals operations at Scrooby Top Quarry. The application seeks to tie the extended recycling operations to the continued use of the wider Scrooby Top Quarry site for the processing of

mineral which is not only linked to the north-western extension to the quarry but to extraction at other sites under the control of the Rotherham Sand and Gravel Company which at the present time includes Scrooby South Quarry. For purposes of clarity this relates to the importation of primary aggregate into the Scrooby Top Quarry processing plant for processing, and its onward transit from the site.

Existing operations

32. Current operations involve the storage and recycling of imported inert construction and demolition waste materials.
33. The storage of imported materials and its handling and processing to produce a saleable product, is by mobile plant comprising a combination of face shovels and mobile screens. The resulting products consist of various categories of soils (screened) and varying grades of secondary aggregate.
34. The use of mobile plant is a central feature of the recycling operations and the apparatus is moved depending upon which materials require processing. The processing plant comprises mobile power screens and portable crushers.
35. The imported materials are processed to produce soils, some of which are blended with sand to meet customer requirements. Other materials such as brick and concrete are processed to produce hardcore (sized and graded to meet customer requirements). Products are stored separately within a defined area within the operational pad.
36. The recycling activity has become an integral part of the operation of the quarry, with some mineral being mixed with the processed materials to produce blended products. Other processed material is used as a raw material in the production of concrete.
37. The maximum height of all plant, machinery and material stockpiles is no greater than 20m AOD.
38. The current workings are characterised by a fairly consistent stockpile level to a maximum height of 19 metres AOD (recorded in the north-east) and to 19.9 metres AOD towards the south-west of the operational site. As ground levels of surrounding agricultural land typically range from 18.5 metres AOD in the south to a maximum level of 28.3 metres AOD in the north, the stored material would not exceed the general elevational height of the unworked neighbouring land, with the stockpiles being to a maximum height of 10 metres.
39. Inert materials are imported into the site in 20 tonne payload HGVs with the end-product secondary aggregates and soils being sold and collected from site by vehicles of an equivalent or smaller capacity. Indications are that the proposed import of 50,000 tonnes of waste materials per annum would generate approximately 2,500 vehicles in to the site per annum assuming each vehicle is carrying 20 tonnes each, with the submitted figures implying that there would be an average of 18 two-way HGV movements a day (this being 9 in and 9 out) or 1.8 two-way lorry movements in an average hour.

40. No other changes to the aggregate and soil recycling operations are being proposed. Hours of operation would remain unchanged at 07:00 hours to 17:00 hours Mondays to Fridays, 07:00 hours to 13:00 hours on Saturdays, and no working on Sundays, Public and Bank Holidays.

Consultations

41. **Bassetlaw District Council** *No objection.*
42. **The Environment Agency (Waste) (EA)** *No objection.*
43. *The site currently holds an Environmental Permit and there are no concerns with the retrospective planning application, as long as the operations do not cause any breach of the existing permit.*
44. **Natural England (Consultation Service) (NE)** *No objection.*
45. *The proposed development would have no significant adverse impacts on any designated sites.*
46. *It is noted that Scooby Top Quarry is a designated geological SSSI, known as Scrooby Top Quarry Site of Special Scientific Interest. The quarry represents a working quarry which provides accessible exposures of the Triassic Nottingham Castle Formation. The application site is immediately adjacent to the boundary of the SSSI, however the storage and recycling of imported inert construction demolition materials is unlikely to impact on the geological interest. NE considers that the proposed development would not damage or destroy the features of interest for which the site has been notified.*
47. **NCC (Nature Conservation)** *No objection.*
48. *The application site is located within an active quarry and aerial photographs indicate that the application area has been worked or subjected to ongoing disturbance related to quarrying activities. It is therefore unlikely that the area has any significant ecological interest; and any direct impact has already occurred given that the recycling area is operational.*
49. *In terms of indirect impacts, it is noted that whilst no informal assessment of indirect impacts such as noise has been carried out, the recycling area is set down below surrounding ground levels on the quarry floor. As such, noise would to a degree be contained within the site, and there are no significant areas of habitat in the immediate surroundings that would be expected to support particularly noise sensitive species.*
50. **NCC (Landscape)** *No objection.*
51. *The facility is located within the operational quarry area, with all processing operations taking place at depth below surrounding ground levels and therefore operations would have no visual impacts on surrounding receptors. As the facility is located in an active quarry and is already operational, there are no additional landscape impacts.*

52. **NCC (Planning Policy)** *No objection.*
53. *In the supporting text for the Nottinghamshire and Nottingham Waste Core Strategy (WCS) Policy WCS7, paragraph 7.38 states that temporary aggregates recycling facilities may be appropriate at quarries where it can encourage greater re-use and recycling provided they are linked to the life of that facility.*
54. *WCS Policy WCS4 supports medium sized waste treatment facilities close to Worksop and Retford. The proposal site is approximately 8 km from the built up area of Retford and 9.5 km from the built up area of Worksop. The estimated maximum imported quantity of material is approximately 50,000 tonnes per annum (tpa), with actual amounts likely to be much less. Therefore, though the site area is larger than examples given in Appendix 2 of the WCS, the facility could reasonably be classed as a medium sized facility for this waste type.*
55. *WCS Policy WCS8 supports the extension of existing waste management facilities and such extensions are supported where this would increase the facility's capacity.*
56. *As a waste recycling facility the proposed development adheres to the aim of maximising recycled waste as stated in WCS Policy WCS2 and assists in driving waste up the waste hierarchy (as stated in the National Planning Policy for Waste (NPPW)).*
57. **NCC (Flood Risk) Statutory** *No objection.*
58. *The drainage design and construction should be in line with the Flood Risk Assessment (FRA) and Drainage Strategy (Ref: WIE13636-100-R-1-2-1-FRA), the development would be acceptable.*
59. **NCC (Noise Engineer)** *No objection.*
60. *Conditions are required regarding noise mitigation measures including controls over noise levels from permitted operations; employing broadband reverse alarms on all vehicles under the operator's control; and operating hours remaining as previously conditioned.*
61. **NCC (Highways) Bassetlaw** *No objection.*
62. *The suggested import of up to 50,000 tonnes of material annually is not likely to generate a significant number of daily HGV movements to warrant a formal transport assessment or statement.*
63. *It is noted that previous extant planning consents covering both waste recycling operations and quarrying activities at Scrooby Top Quarry do not limit HGV movements or place controls over lorry routing. However, attention is drawn to the fact that lorries associated with quarrying and associated activities including waste operations, travelling along the A638 are not well received by residents living along the route, more for amenity reasons than on grounds of highway safety or network capacity; with the level of existing activity appearing only to be controlled by market forces.*

64. *It is therefore considered appropriate to place controls over vehicle numbers to levels related to the import of 50,000 tonnes of waste materials per annum which would amount to 2,500 HGVs in to the site over the year (assuming each vehicle is carrying 20 tonnes each). It is noted that 16,500 tonnes of material was imported between July 2016 and June 2017, which would amount to 825 vehicles one-way assuming a 20 tonne payload.*
65. *The submitted figures would imply that there would be an average of 18 two-way HGV movements a day or 1.8 in an average hour two-way. County Highways has suggested controlling HGV levels to a maximum of 40 two-way daily movements with 20 two-way movements on Saturdays, so around double what would be expected based on the applicant's figures, so that the applicant would have ample flexibility over a five and a half day week. This would equate to 400 two-way HGV movements in any 4 week period.*
66. *Attention is drawn to the fact that County Highways has not tried to cap existing quarry movements which are currently uncontrolled, and that these would be on top of the suggested 40 a day two-way HGV movements associated with recycling activities.*
67. **Scrooby Parish Council, Cadent Gas Limited Company, Anglian Water Services Limited, Severn Trent Water Limited, and Western Power Distribution** have not responded. Any response received will be orally reported.

Publicity

68. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the ten nearest occupiers in Access Road, Great North Road and Snape Lane, in accordance with the County Council's adopted Statement of Community Involvement.
69. Councillor Tracey Taylor has been notified of the application.
70. No representations have been received.

Observations

Introduction

71. The waste management site, and the wider quarry site is operated by Rotherham Sand and Gravel Company Limited, a supplier of building aggregate.
72. Since 1998, the use of land for inert waste recycling has complemented Rotherham Sand and Gravel's production and sale of primary aggregate and concrete products. The extent of that use has increased incrementally over time resulting in planning consent being granted in 2002 for a larger operational area with this use continuing to expand to its current extent. The applicant identifies that this has been due to the need to keep unprocessed and processed

materials separate, whilst enabling sufficient manoeuvring space for the mobile plant. A significant part of the worked out quarry floor is now given over to waste management operations and under these proposals all of the identified part of the quarry bottom currently used for waste operations would be regularised and brought together under a single planning unit covered by a single planning consent.

73. The principle of using the site for waste operations has been established under the previous extant planning consents, with the suitability of the site having been assessed against relevant policy criteria, with this including the physical and environmental constraints on the development; existing neighbouring land uses; and any significant adverse impacts on the quality of the local environment.
74. The purpose of this report is to assess the planning merits of a further extension to the waste operations at Scrooby Top Quarry, which is the subject of this planning application but which to date has been operating as unauthorised development.
75. Reference is now made to those material considerations relevant to the determination of this planning application.

Planning policy assessment

76. The National Planning Policy Framework (NPPF) (March 2012) makes clear that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. For the purposes of this application, the Development Plan comprises the key strategic policies in the WCS and relevant saved environmental protection policies in the Nottinghamshire and Nottingham Waste Local Plan (WLP) and the Bassetlaw 2011 Core Strategy and Development Management Policies DPD (BCS) (adopted December 2011).
77. The NPPF sets out the core policy objective of sustainable development, with reference being made to development that helps to '*use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy*'. Paragraph 14 states that '*at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making and decision-taking*'.
78. The WCS and WLP set out the County Council's policies material to the development, with a general presumption in favour of sustainable development.
79. This is directly reflected in WCS Policy WCS1, with it stating that planning applications which accord with Core Strategy policies and any other relevant policies in the other plans that make up the Development Plan, will be approved by the County Council without delay, unless material considerations indicate otherwise. It states that when considering development proposals, the County Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Unauthorised development and planning policy implications

80. The planning application seeks to remedy a breach of planning control identified by this Authority. Enforcement action is discretionary and local planning authorities have a duty to act proportionately in responding to suspected breaches of planning control. In this respect, the approach taken by the County Council in terms of seeking an application to regularise the unauthorised extension to the site is wholly consistent with national planning policy direction. The PPG 'Ensuring Effective Enforcement' (updated on 22nd February 2018) at paragraph 011 states that local planning authorities should avoid taking formal enforcement action where a development is acceptable on its planning merits and where an application is considered the appropriate way forward to regularise the development including situations where planning conditions may need to be imposed. This is a material planning consideration in support of this application, subject to there being no significant adverse environmental impacts associated with the development.
81. It is noted that no objections have arisen out of the planning consultation process concerning the extended recycling operations and no alleged breaches of existing environmental controls have been reported to the regulatory bodies resulting from the larger scale operations.

Extended use of the site, need and compliance with waste planning policy

82. Overarching policy direction is set out in the National Planning Policy for Waste (October 2014) (NPPW) with a presumption in favour of sustainable development and resource efficiency (including supporting local employment opportunities and wider climate change benefits), and supporting activities which drive waste up the waste hierarchy.
83. The waste hierarchy which is set out in Appendix A of the NPPW and Figure 2.1 of the WCS identifies that recycling and preparing for reuse of waste material is preferred to disposal and this is reflected in WCS Policy WCS3 which prioritises the development of new or extended waste recycling facilities. The proposal would be in compliance with this principle involving an extension to an existing waste recycling facility, which would increase the site's capacity to beneficially manage and process demolition and construction waste streams, facilitating the recycling of more waste material subject to there being no unacceptable environmental impacts and subject to the life of the waste management operations remaining intrinsically linked to that of the quarry. As such, the extended waste recycling facility would accord with the WCS and NPPW delivering on the key objective of maximising the recycling of inert waste streams and assisting in the process of driving waste up the waste hierarchy.
84. The broad principle of the appropriateness of the quarry for use as an extended temporary aggregate recycling facility is established under Policy WCS7 of the WCS, and reflected in NPPW policy which gives preference to previously developed land for the development of waste infrastructure. The extension to the operational area would comply with WCS Policy WCS7 provided that the waste management operations continue to be linked to the life of Scrooby Top quarry and subject to potential environmental impacts remaining within

acceptable limits. Planning conditions would seek to link the temporary waste operations to the continuing use of Scrooby Top Quarry for the processing of mineral from land controlled by the applicant which presently includes that covered by extant minerals permissions references 1/42/02/00006 and 1/15/01678/CDM; and ensure waste operations finish within six months of mineral processing operations ceasing including the removal off site of all associated infrastructure and material stockpiles.

85. Also of relevance is WCS Policy WCS4 (Broad locations for waste treatment facilities) with the facility meeting a local need in accordance with this policy. This policy supports the locational need for medium sized waste processing facilities such as Scrooby Top in close proximity to the urban centres of Retford and Worksop.
86. Paragraph 7.21 in support of this policy makes reference to the fact that towns within the vicinity of the waste management facility, such as Worksop and Retford, are sizable towns and locally important centres for housing and employment. These areas are identified as growth areas, and could potentially provide an increasing market for secondary aggregate products; and also a higher demand for recycling facilities to meet market demand from the construction sector. There is therefore an identified local need for extending waste operations at Scrooby Top Quarry.
87. It is noted that the waste recycling facility is capable of satisfying WCS Policy WCS4 as a medium size facility, by way of an annual throughput of 50,000 tpa which is within the scope (21-99,000 tpa) of what is categorised as a medium sized facility, even though the site area, at 4.1 hectare, exceeds the criterion for a medium sized facility (1-2 hectares) detailed in Appendix 2 of the WCS. As such, the proposed development is compliant with WCS Policy WCS4.
88. A final strategic policy in support of the proposal is provided for by WCS Policy WCS8. In line with this policy, the proposal represents an economically viable and sustainable option in terms of making better use of existing infrastructure, including processing plant and transport infrastructure as well as increasing the facility's capacity. The proposal therefore is in compliance with WCS Policy WCS8 subject to it being demonstrated that the expanded recycling operations would not create unacceptable environmental impacts.
89. It is therefore concluded that the local development plan is supportive of the principle of expanding the aggregates recycling facilities at Scrooby Top Quarry subject to the development meeting the requirements of WCS Policy WCS13 (Protecting and enhancing our environment) and saved policies in the WLP which require waste facilities to demonstrate acceptable environmental impacts. These effects are considered below.

Consideration of environmental and amenity impacts

90. WCS Policy WCS13 supports extended waste treatment facilities where it can be demonstrated that there would be no unacceptable impact on any element of environmental quality or the quality of life of those living or working nearby and

where such development would not result in unacceptable environmental impacts.

91. NPPW Appendix B (locational criteria) sets out the potential environmental considerations that could arise from waste developments and their associated activities. Of particular relevance in the context of this application are matters relating to traffic impact and any associated noise, air emissions including dust, and vibration impacts.

Traffic and highways

92. WLP Saved Policy W3.14 states that planning permission will not be granted for waste management facilities where the vehicle movements likely to be generated cannot be satisfactorily accommodated by the highway network or where such movements would cause unacceptable disturbance to local communities. This is the key policy against which to assess the traffic impact of the development. Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
93. The site benefits from its strategic location in terms of the wider local highway network being situated within Scrooby Top Quarry which is adjacent to the A638, which forms a north-south arterial route linking Bawtry to Retford and the surrounding rural areas, and effectively connecting the site to the A614 to the north of Scrooby and the A634 to Blyth. This would facilitate efficient access to and from the main urban centres of Retford and Worksop. The site's strategic location means that HGV's accessing the site to make deliveries of unprocessed material are able to follow the most efficient route. In this respect, the proposal accords with WCS Policy WCS11 (Sustainable Transport) given this policy's aim of making the best use of the existing transport network and minimising the distances travelled when managing waste.
94. The close proximity of the proposal to the main urban centres of Retford and Worksop, helps to deliver a reduction in waste miles and associated carbon emissions. The extended recycling facility would continue to provide a highly accessible and localised operational capacity for the processing of inert construction and demolition waste and the export of secondary aggregates in the north of the county. As such, the proposal would be in compliance with WCS Policy WCS14 (Managing Climate Change), given that its location is highly accessible and in close proximity to markets; and as such would seek to minimise potential impacts on climate change.
95. County Highways underlines the acceptability of the proposals, subject to planning conditions controlling HGV numbers and ensuring levels are recorded and made available on request by the WPA. Traffic impacts are a material consideration and the controls placed over vehicle numbers would go some way towards mitigating residential amenity impacts, in terms of vehicular noise and vibration associated with waste lorries, on the nearest sensitive residential receptors along the A638 haul route. Planning conditions would seek to ensure that levels of HGV traffic do not exceed an annual threshold of approximately 5000 two-way vehicle movements, the maximum levels of operational traffic

associated with the development, as agreed with the Highways Authority. This would ensure that any lorry movements associated with waste management operations would not cause unacceptable disturbance to local residents living along the haul route. As such, subject to planning conditions, the proposed development would accord with WLP Saved Policies W3.14 and the NPPF.

96. The 40 two-way daily vehicle movements being suggested by County Highways Mondays to Fridays (with this figure restricted to 20 two-way vehicle movements on a Saturday morning) is double the daily average for the submitted quantities of waste being proposed by Rotherham Sand and Gravel. It aims to give the operator ample flexibility over any 4 week period whilst placing controls over amenity impacts on the nearest sensitive residential receptors along the haul route.
97. The planning condition recognises the fact that daily HGV movements could fluctuate significantly from 0 to 400 two-way vehicle movements in any 4 week period. The condition therefore seeks to ensure that both the highway network capacity and residential amenity along the route are protected.
98. Given a 5.5 day working week, this would equate to approximately 22 operating days in a 4 week period. The average daily number of HGVs would therefore be a maximum of 400 two-way vehicle movements over 22 days which equates to an average of 18.18 two-way movements per day or 1.8 movements an hour two-way. This is well below the threshold at which this Authority would want to see a transport assessment, based on the facility operating under average conditions.
99. The suggested 40 vehicles is double the daily average but still prevents the likelihood of material network capacity issues on any one day and similarly would protect residential amenity up to a satisfactory level for the nearest sensitive receptors, thereby mitigating any significant traffic impacts along the haul route.
100. It is considered that the development would not result in a significant material impact on the local highway network. The proposals would result in a beneficial gain in terms of placing a control over lorry numbers on a site that has historically operated without any such controls; and has invariably been controlled by market forces.
101. Overall, the proposed development would not have a material impact on either the surrounding local road network, or the closest strategic routes in terms of either highway capacity, or highway safety, with the highway network remaining capable of satisfactorily accommodating the vehicle movements associated with this development.
102. It is considered that the development would add comparatively low levels of traffic to existing flows, and would have no significant impact in terms of road safety; and the highways, including associated junctions, would continue to operate within their designed capacity.

103. There is nothing to indicate that the proposed route to be taken by vehicular traffic accessing and egressing the site would be anything other than suitable in terms of highway capacity and safety.

Noise

104. Paragraph 123 of the NPPF seeks to ensure that developments do not conflict with or have any adverse impact upon neighbouring noise sensitive land users/uses.
105. Saved Policy W3.9 of the WLP enables conditions to be imposed on planning permissions to reduce the potential for noise impact. The policy advises 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.
106. It is noted that the proposal site is located within a low elevational topography and is one which is surrounded by the existing quarry profile. This combination of topographical features would continue to provide a measure of acoustic screening to the neighbouring landholdings, and the nearest sensitive receptors.
107. Locational factors such as the siting of the waste processing operation within the active envelope of a primary minerals extraction site, with ancillary processing, coupled with the topography of the land and its surrounding environs means that recycling operations are topographically lower than the surrounding land which would continue to provide a measure of acoustic attenuation to the neighbouring landholdings, and the nearest sensitive receptors. Notwithstanding this, this proposal would take waste operations closer to residential development.
108. In this respect, the proposal has sought to extend the processing and storage area further south to the quarry boundary along Snape Lane. The applicant has confirmed that the complement of plant and type of operations would be similar in nature to that undertaken during mineral extraction operations, and it is noted that the existing operations to date have been undertaken without noise complaints. Whilst the most recent extant planning permission covering waste operations does not include any noise conditions, it is noted that the extant minerals consent 1/42/02/00006 for the area of land where the extension to the recycling operations would be undertaken, contains a noise condition limiting noise levels to 55dB $L_{Aeq,1hr}$ at the site boundary towards Snape Lane.
109. Given that the proposed extension of the recycling area takes waste operations closer to residential development it is recommended that this noise condition be included in any permission for extended waste recycling operations. Subject to conditions regarding noise mitigation measures including permitted operations not exceeding 55dB $L_{Aeq,1hr}$ when measured at any point along the southern boundary of the site adjacent to Snape Lane together with operating hours remaining in place as previously conditioned, the County Council's Noise Consultant is satisfied that the development is capable of operating without giving rise to significant residual noise impacts to the nearest sensitive receptors. Notwithstanding these measures, in the event of a justifiable noise complaint being received by the WPA, the operator would be required to carry

out appropriate noise survey work to the satisfaction of the WPA, including any supplementary measures necessary to mitigate noise impact, to ensure compliance with the specified noise criterion. As such, the proposed development subject to conditions would accord with WLP Saved Policy W3.9 and the NPPF. It is considered that any noise impact associated with waste operations is capable of being suitably controlled so that it would not increase significantly to unacceptable levels for the nearest sensitive receptors.

Visual Impact

110. WLP Saved Policy W3.3 seeks to minimise the visual impact of waste management facilities by siting them in locations which minimise impacts to adjacent land, providing appropriate screening and minimising building and storage heights. Similarly, WLP Saved Policy W3.4 seeks to secure both the retention and protection of existing features which have value in terms of screening, and the appropriate use of screening and landscape to minimise visual impacts, including earth mounding, fence, and/or tree and shrub planting.
111. Whilst existing stockpiling of inert material is to a maximum height of 10 metres, in view of the topography of the site and the locational factor of continuing to site the extended waste management operations within the operational quarry area, at depth on the quarry floor, below the sightline of any surrounding land users/receptors, such stockpiles and associated plant would not be visible either from the public highway or the nearest sensitive residential receptors, or indeed from more distant vantage points. It is not considered necessary to include any additional landscaping into the proposed development given that the planning controls over minerals operations have ensured that there is substantial attenuation planting to the quarry boundary supplemented by elements of phased restoration. The County Council's Landscape Officer is satisfied that there would be no additional landscape impacts associated with the extended facility, given its location within an active quarry and the fact that it is already operational. As such, the extension to the waste recycling facility is acceptable development in accordance with WLP Policies W3.3 and W3.4.
112. All recycling operations take place within the quarry bottom (previously worked out areas/phases of the quarry) and are not visible beyond the perimeter of the quarry itself. Historically there have never been any proposals to incorporate any landscaping measures into the recycling operations, since the quarry workings are already adequately screened. Similarly with these proposals, it is not proposed to provide supplementary planting as part of the scheme.
113. The timeframe for the cessation of the operational waste development would continue to be tied to the minerals use of the wider Scrooby Top Quarry, and at some future date would be obligated to be restored under the requirements of the relevant extant minerals planning consents covering the wider Scrooby Top Quarry.

Ecological Impact

114. Section 11 'Conserving and enhancing the natural environment' Paragraph 117 of the NPPF indicates that local planning authorities, in terms of determining planning applications, should aim to conserve and enhance biodiversity. It states that planning permission should be refused if significant harm resulting from a development cannot be avoided, adequately mitigated, or compensated for.
115. Given that the proposed development is located within an active operational quarry and given the absence of any habitat capable of supporting biodiversity, it is considered that there is no nature conservation interest within the proposal area. No significant ecological impacts are associated with this proposal; notably noise impact on noise sensitive species is mitigated by virtue of the recycling area being low level development set below surrounding ground levels with the containment of residual noise levels within the site. The timeframe for the cessation of the operational waste development and its restoration would continue to be linked to the minerals use of the wider Scrooby Top Quarry.
116. Whilst Scrooby Top Quarry is a designated geological SSSI, known as Scrooby Top Quarry Site of Special Scientific Interest, and the proposal site is adjacent to its boundary, Natural England has confirmed that the storage and recycling of imported inert construction demolition materials is unlikely to impact on the geological interest; and the organisation is satisfied that the retrospective development would not damage or destroy the features of interest for which the site has been notified. As such, the development would have no significant adverse impacts on any designated site in accordance with the NPPF and the core objective S08 of the BCS and its supporting Policy DM9 which seek to conserve and enhance Bassetlaw's biodiversity, geology, habitats and species.

Air Quality/Dust

117. Waste operations have the potential to cause a dust nuisance to any sensitive receptors to the site. Saved WLP Policy W3.10 identifies that dust emissions from waste processing facilities are capable of being managed and reduced by implementing appropriate dust mitigation practices. Measures include the siting of facilities remote from sensitive receptors, the enclosure of dust generating operations within buildings and enclosed areas, and the use of water to dampen down stockpiles, and processing plant.
118. The existing dust control measures would continue to operate and with respect to dust generation this would involve the regular application of water to active areas during periods of dry weather to keep these areas dampened down. It is noted that the other non-operational areas develop a crust which when left undisturbed reduces the potential for wind-blown dust emissions. In addition, the quarry operates speed limits across the site which apply to the proposal area, and also controls dust generation from the waste management operations. It is considered that subject to the re-imposition of extant planning conditions to control dust, the extended recycling operation would not give rise to significant dust impacts and any residual dust impacts would continue to be negligible. As such, the proposal would be in accordance with Saved WLP Policy W3.10.

Odour

119. WLP Saved Policy W3.7 seeks to reduce the amenity impact of odour associated with the proposed development. It encourages the use of controls to reduce the potential for odour impacts from waste management facilities, and identifies a series of mitigation measures. Such measures could include: the sheeting of lorries, restrictions on temporary storage of waste, enclosure of waste reception and storage areas, and the use of contingency measures such as odour masking agents or removal of malodorous material.
120. Odour is not considered to be a significant issue associated with these proposals given that the waste being handled consists of inert materials (construction and demolition waste) which is not malodorous. Notwithstanding this, an extant planning condition covering malodorous materials would be re-imposed, placing a requirement on the operator to inspect all incoming loads upon receipt and to remove any putrescible or potentially odorous waste immediately for storage within a sealed skip/container; followed by its removal off site within 48 hours. This would ensure that any inadvertent odour emissions continue to be satisfactorily controlled and do not result in residential amenity impacts. As such, the proposed development would accord with Saved WLP Policy W3.7.
121. It is also noted that the existing waste permit covering on-site waste operations, is the primary regulator regarding odour management control; and that there is no objection from the EA in respect of the planning application.

Drainage and Flood Risk

122. WLP Saved Policies W3.5 and W3.6 seek to restrict development that would cause unacceptable risk of pollution to groundwater or surface water, or where the development would adversely impact upon a floodplain, in terms of its integrity or function.
123. The planning application is supported by a Flood Risk Assessment (FRA) in line with policy guidance contained in the NPPF and PPG. The NPPF aims to avoid inappropriate development in areas at risk of flooding and wherever possible development is directed away from the highest risk areas. The PPG and the NPPF set out clear direction for development with regards to any potential impacts that may arise in respect of flooding.
124. It is noted that the site is located within Flood Zone 1 and as such, given that the proposed waste use is determined to be 'less vulnerable' development, the proposed extension to the waste processing site would in principle be acceptable as an appropriate type of development within Flood Zone 1. This accords with the PPG and the NPPW's policy direction.
125. The FRA has assessed the management of surface and groundwater in relation to the proposed extended waste facility and the provision of a strategy to effectively manage run-off associated with the extended site, with the aim of not increasing flood risk and if possible decrease it elsewhere. It is proposed to implement a sustainable drainage scheme as part of these proposals, and key

elements to that scheme would reflect the existing surface water drainage strategy. The proposed attenuation has been designed to accommodate a 1 in 100 year storm event (including an allowance for climate change), with the proposed recycling operations contributing run-off from an area of approximately 4.7ha.

126. Whilst the site lies in Flood Zone 1, regarding the groundwater source protection zones, the site lies within a 'Zone 3' outer groundwater protection zone. 'Zone 3' areas are defined as the area around a source within which all groundwater recharge is presumed to be discharged. Therefore, the extended proposal site lies within an area that is associated with groundwater recharge. However, the FRA identifies that the groundwater flooding risk remains low.
127. The natural drainage features presently in place across the site involve the majority of surface runoff infiltrating directly into the topsoil and underlying bedrock, or alternately following the natural contours of the land, conveying flows to existing drainage features present within the quarry, such as a number of existing ponds. Overall, runoff occurring within the current site is assumed to discharge to the onsite ponds and drainage features and it is proposed that this drainage strategy is maintained. Based on this, it is concluded that the proposal site is capable of continuing to 'self-drain' with no off site discharge occurring, subject to the implementation of a SUDS scheme.
128. The most appropriate SUDS for this development would comprise infiltration trenches or filter drains. This would reduce the total volume of runoff, rather than simply reducing peak flows. Surface runoff occurring from the current site is contained within the quarry with no overland runoff occurring locally. It is anticipated that the current runoff conditions would be maintained with no foreseen impact on local runoff or flood risk in the surrounding area, if need be through the implementation of a SUDS scheme.
129. The flood risk assessment has been reviewed by the County Council's Flood Risk Team and no objections to the proposals have been raised on condition that the drainage scheme design and construction is in line with the FRA and Drainage Strategy (Ref: WIE13636-100-R-1-2-1-FRA). Planning conditions would secure these requirements. This would ensure the protection of local water resources over the longer terms.
130. In summary, a strategy for draining the site using SUDS principles has been prepared to ensure that the development does not increase flood risk off-site by increasing surface water runoff whilst taking account of the site constraints. Accordingly, it is considered that the development would not increase flood risk at the site or elsewhere and a viable means of surface water drainage is capable of being provided. The FRA has demonstrated that the extended waste recycling facility is capable of being undertaken without harm to the underlying aquifer and the surrounding neighbouring environment. As such, the operation is in compliance with WCS Policy WCS13, and Policy DM12 of the BCS, as well as meeting its core objective S06.
131. Overall, it is considered that the proposal does not give rise to any unacceptable impact on flood flows and flood storage capacity, or on the integrity or function of flood defences and local land drainage systems.

Contamination

132. The recycling facility in terms of its waste management function, only manages inert waste streams (construction and demolition waste), which are not contaminant hazardous waste streams. Planning condition 5 would be re-imposed to place suitable controls over biodegradable, putrescible or potentially odorous or polluting wastes, which may inadvertently be brought in to the site within incoming loads of inert waste. As such, the development would not unacceptably impact on environmental quality, and would remain compliant with WCS Policy WCS13.

Operating Hours

133. These are not subject to change as part of this planning application and would remain consistent with those operating hours previously applied to all site specific operations whether quarrying or waste recycling operations at Scrooby Top Quarry. Subject to existing planning controls being re-attached to any new planning consent, the hours of operation would continue to be acceptable in terms of controlling on-site operations.

Restoration

134. The waste recycling operational area would be subject to the consented restoration scheme as required under planning conditions attached to the extant minerals permissions covering the wider quarry site.
135. Notwithstanding this, the recycling operations have expanded into the north-western quarry extension, as consented under extant planning consent 1/42/02/00006, and into the area of the initial phase of grey sand extraction. In doing so, this has effectively put a stop to restoration phasing works in this part of the quarry site; in particular by now it would have been expected that peripheral planting in the south-western corner of the quarry extension would be completed together with the beginnings of a lake formation, as part of the requirements of extant planning permission 1/42/02/00006 to deliver nature conservation through progressive phased restoration.
136. Whilst it is acknowledged that the increase in the size of the waste site is inevitably going to delay the restoration of a larger part of the quarry site, it is considered that the benefits of the recycling operations outweigh the reduction in restoration.

Timescale for the development

137. The timeframe for the cessation of the operational development and its restoration would continue to be linked to the minerals use of the wider Scrooby Top Quarry. At the present time, planning permission for mineral extraction at Scrooby Top is time limited to February 2042. Whilst minerals for the applicant's other sites have also been processed at Scrooby Top, there are no extant permission beyond that date. Therefore, it is considered reasonable to

limit the life of the recycling operations to tie in with the life of the minerals permissions, i.e. February 2042.

138. It is entirely possible that future permissions for sand and gravel extraction will be granted at other sites operated by the applicant. If the minerals from those sites are also transported to Scrooby Top for processing, there might be a need to extend the life of the processing site beyond February 2042. If this is the case, then this would be the suitable time to deal with any extension in time to the recycling operations that the applicant might wish to seek permission for.

Sustainability

139. This proposal represents a sustainable approach to the supply of aggregates. It is important that any recycled aggregates are technically, economically and environmentally acceptable as substitutes for primary materials; and therefore, there has been an onus on using demolition and construction waste. This affords the saving of raw materials and can reduce the areas worked for new materials, as well as pushing waste higher up the waste hierarchy. National and local policies therefore encourage the use of secondary and recycled materials in construction, and there has been a commitment to increasing the level of use. This objective has been increasingly strengthened through the NPPW and WCS.
140. The application has been considered against the NPPF, the NPPW, the WCS and the WLP, all of which are underpinned by the objective of achieving sustainable development. The proposed development would deliver sustainable development by directly increasing the capacity of a sustainable waste management operation.
141. The proposal accords with the principles of sustainable development, and in line with this policy direction, delivers on core objectives in terms of supporting and enhancing an existing waste materials recycling operation.

Other Material Considerations

142. The use of the extended area within the quarry bottom would not materially impact upon the operation of the remainder of the quarry as consented under extant planning permissions 1/42/94/17 and 1/42/02/00006 despite its encroachment into the worked out initial phase of the north-western extension to Scrooby Top Quarry; and in view of the close proximity of the recycling area to haul roads and the processing plant. The existing and proposed operational area is located in a long term operational area within the quarry and as such would not conflict with quarry operations.
143. Recycling has historically been an integral part of the quarry's overall operation with mineral being used for blending with the processed waste stream to produce a marketable product and hardcore/crushed concrete which is used as a raw material for the production of primary concrete. Overall, it is considered that the recycling of construction and demolition waste continues to be a wholly compatible use with that of the operational quarry.

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

Conclusions

145. The existing operation is located discretely within an existing quarry operational area, where all processing operations take place at depth below surrounding ground levels. The operation is controlled through the environmental controls which are successfully applied to the wider operational area. There is nothing to indicate that the expanded waste operations would generate any significant environmental impacts, subject to the reinstatement of extant planning conditions, which have acceptably controlled environmental impacts to date, supplemented by additional controls regarding throughput and lorry numbers.
146. The breach in planning control has been demonstrated to cause no material harm or adverse impact on the amenity of the surrounding area and to those sensitive receptors nearest to the site, subject to appropriate planning controls. The development continues to be acceptable on its planning merits, with the planning application providing the appropriate way forward to regularise the development and place controls over annual throughput of construction and demolition waste and HGV traffic.
147. It is concluded that the operation is discrete, is controlled within the overall operation of the existing minerals working and processing environment and wholly accords with national and development plan policy.

Other Options Considered

148. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly no other options have been considered.

Statutory and Policy Implications

149. 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

150. The development would be located within an established quarry site on the quarry floor and benefits from being relatively inaccessible.

Data Protection and Information Governance

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

Human Rights Implications

152. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

Public Sector Equality Duty Implications

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

Implications for Sustainability and the Environment

154. Any relevant sustainability and environmental issues have been duly considered in the Observations section of the report.
155. There are no Crime and Disorder, Financial, Human Resources, Public Sector Equality Duty, Safeguarding of Children and Adults at Risk, and Service Users implications.

Statement of Positive and Proactive Engagement

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

RECOMMENDATIONS

157. It is RECOMMENDED that planning permission be granted subject to the conditions set out in Appendix 1. Members need to consider the issues set out in the report and resolve accordingly.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments [RHC 5/4/2018]

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

Comments of the Service Director - Finance [RWK 05/04/2018]

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

Background Papers Available for Inspection

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

Electoral Division(s) and Member(s) Affected

Misterton

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