



**2<sup>nd</sup> June 2015**

**Agenda Item:9**

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

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/14/00614/CMA**

**PROPOSAL: ERECTION OF A STEEL FRAMED BUILDING FOR USE AS A  
MATERIALS RECYCLING FACILITY (MRF)**

**LOCATION: TRENT SKIP HIRE LIMITED, QUARRY FARM TRANSFER STATION,  
BOWBRIDGE LANE, NEW BALDERTON, NEWARK**

**APPLICANT: REGIONAL WASTE RECYCLING**

**Purpose of Report**

1. To consider a planning application for the development of a Materials Recycling Facility (MRF) with a maximum annual throughput of 60,000 tonnes of privately contracted commercial, industrial and municipal waste, at the former Trent Skip Hire Waste Transfer Station, Quarry Farm, south of Newark. The key issues relate to the routing of HGV traffic between the site and the strategic road network; impacts on the amenity of neighbouring properties; landscape and visual impact; and impacts on the setting of nearby listed buildings. The recommendation is to grant planning permission, subject to the satisfactory completion of a lorry routing agreement as part of a Section 106 agreement.

**Introduction**

2. Members will recall that this planning application was reported to the 24<sup>th</sup> March 2015 meeting of the Planning and Licensing Committee. After some discussion members resolved to defer their determination of the planning application in order to allow a member site visit to take place. Members were particularly keen to inspect the proposed route of access to the facility, particularly the character of the roads and suitability of the junctions. These matters were inspected by members during their site visit which was undertaken on the 20<sup>th</sup> May 2015.
3. The application is now returned to Committee for its determination, the original report remains the basis of officer advice and sets out the consultation responses received, including from the Highways Authority. In addition the comments of Hawton Parish Council which were reported orally at the meeting

on the 24<sup>th</sup> March are set out below which should be read alongside the main report, as appended.

### **Comments of Hawton Parish Council**

4.

- i) The Parish Council realise the need to recycle waste, which is going to become a bigger and bigger problem;
- ii) The building would be huge in size (to process waste from outside the area);
- iii) There is a need for joined up thinking with regards to what development is already planned in this area;
- iv) The massive structure would be right next to 2600 new houses, and also the new industrial development;
- v) The largest HGVs already access via county lanes from A52;
- vi) The new link road connecting the A46 to the A1 is only to be single carriageway;
- vii) Concern about creating another bottleneck bypass;
- viii) The road system will be inadequate in a very short time.

5. In response to these points, it is noted that whilst a large building is proposed, it would be of similar height to the existing building on site (to be retained) and would be sited on an industrial estate featuring other similar buildings. The building has been subject to amendment to reduce its height and overall footprint to the minimum practicable for the planned operations.

6. Strategic planning for the area is set out in the Newark and Sherwood Development Plan Documents which makes an allocation for a Southern Urban Extension (SUE). Quarry Farm is somewhat overlooked within this strategy - it is identified for 'Green Infrastructure' in association with the SUE, however it does not feature in the developer's approved plans for the SUE and is in separate ownership. It will therefore continue to be separate to the built extension to Newark, but would benefit from improved access via the Southern Link Road. (SLR). Quarry Farm would lie south of the SLR corridor with the new houses north of the SLR- the nearest would be approximately 330m away. No adverse impacts on these have been identified (in particular noise impact).

7. Whilst the SLR would be single carriageway it is not considered to be a strategic link - its primary purpose is to enable access to the proposed housing and new business park. Quarry Farm would benefit from this improved access and capacity, starting in Phase one with improved access to the A1.

8. The recommendation is to support a grant of planning permission subject to the applicant entering into a legal agreement under Section 106 of the Town and Country Planning Act to direct traffic to the most suitable route whilst the SLR is pending. This would avoid adding traffic to the C3 route to the A52 or to Bowbridge Road. Traffic would be directed along Staple Lane to Balderton. No capacity constraints have been identified along Bowbridge Lane or Staple Lane.

### **Other Options Considered**

9. 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**

10. 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. All implications remain as set out in the original report.

### **RECOMMENDATIONS**

11. It is RECOMMENDED that the Corporate Director for Policy, Planning and Corporate Services be instructed to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure an acceptable lorry routeing agreement whereby, with the exception of local collections/deliveries within the Newark built up area, HGVs (over 7.5 tonnes) shall in the first instance:
  - a) Route via Bowbridge Lane and Staple Lane, turning right out of Staple Lane onto London Road and vice versa.
  - b) On completion and opening of phase 1 of the Southern Link Road (SLR), route northwards via Bowbridge Lane to the new roundabout on the SLR and exit eastwards onto the SLR to its terminus at Balderton and vice versa.
  - c) The agreement shall cease to be effective on completion and opening of the SLR to its junction with the A46.
12. It is FURTHER RECOMMENDED that subject to the completion of the legal agreement within three months of the date of this report, the 2<sup>nd</sup> September 2015, or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman, the Corporate Director for Policy, Planning and Corporate Services be authorised to grant

planning permission for the above development subject to the conditions set out in Appendix 1 of the appended original report. In the event that the legal agreement is not signed by the 2<sup>nd</sup> September 2015, or within any subsequent extension of decision time agreed with the Waste Planning Authority, it is RECOMMENDED that the Corporate Director for Policy, Planning and Corporate Services be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time.

**JAYNE FRANCIS-WARD**

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

### **Constitutional Comments**

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

SLB 12/05/2015

### **Comments of the Service Director - Finance (SES 15/05/15)**

The financial implications are set out in the 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 Divisions and Members Affected**

Farndon and Muskham - Councillor Mrs Sue Saddington.  
Balderton - Councillor Keith Walker  
Newark East - Councillor Stuart Wallace  
Newark West -Councillor Tony Roberts

Report Author/Case Officer

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**24<sup>th</sup> March 2015**

**Agenda Item:**

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**Purpose of Report**

1. To consider a planning application for the development of a Materials Recycling Facility (MRF) with a maximum annual throughput of 60,000 tonnes of privately contracted commercial, industrial and municipal waste, at the former Trent Skip Hire Waste Transfer Station, Quarry Farm, south of Newark. The key issues relate to the routing of HGV traffic between the site and the strategic road network; impacts on the amenity of neighbouring properties; landscape and visual impact; and impacts on the setting of nearby listed buildings. The recommendation is to grant planning permission, subject to the satisfactory completion of a lorry routing agreement as part of a Section 106 agreement.
2. During the course of the application the proposals have been reduced in scale from a maximum waste throughput of 100,000 tonnes per annum (tpa) to 60,000 tpa, with consequent reductions in HGV movements as detailed later in the report. The proposed building has also been reduced in size both in terms of height and footprint.
3. The application has been accompanied by various supporting assessments dealing with issues of noise, dust, flood risk, ground contamination and ecology. Transport impact is dealt with in a transport statement, whilst landscape and heritage impacts have been addressed in a photographic and photomontage based report. Where relevant, such reports have been updated to reflect the reduced scale of the revised proposals and to address material concerns raised.

## The Site and Surroundings

4. The Quarry Farm site is a collection of mixed industrial and business premises surrounded by open countryside to the south of Newark, off Bowbridge Lane. (See plan 1) It lies 1km to the south of the current built up area of Newark (Grange Road and Hawton Road) and 3km from the town centre itself. The built up area of Balderton is some 1.2km to the east, whilst the small village of Hawton is just under 1km to the west. The surrounding countryside is a mixture of arable fields, small paddocks and former quarry land. There are a number of large industrial sites in proximity, notably the Jericho works (Saint Gobain/BPB) to the east on Staple Lane and the Flowserve factory to the north-east.
5. A large tract of land on the southern side of Newark is allocated for and has outline planning permission for, a Sustainable Urban Extension (SUE) including provision of a Southern Link Road to link the A46 at Farndon with the A1 at Balderton. (See plan 2) This project is locally known as the Newark Growth Point, but has yet to commence.
6. The approach from Newark is via Bowbridge Road which continues south as Bowbridge Lane, passed its junction with Hawton Lane. As the road approaches Quarry Farm it passes a terrace of former works cottages (Lowfield Cottages) and an electricity substation just before its junction with the Quarry Farm access road. At this junction Bowbridge Lane bends sharply to the south-east over Middle Beck, before continuing towards a former railway bridge, crossing what is now a Sustrans cycle route. The access road meanwhile turns off to the west at this junction.
7. The approach to the site from Balderton is via Staple Lane, from its junction with London Road, then Bowbridge Lane back towards the Jericho works and over the former railway bridge.
8. Grange Lane (forming part of the C3) meanwhile runs from the south to meet Staple Lane and Bowbridge Lane. This route passes through the villages of Kilvington and Alverton before eventually reaching the A52. It is subject to an Environmental Weight Restriction for HGVs, the extent of which is to be extended imminently by the County Council to include both Staple Lane and Bowbridge Lane past Quarry Farm. This matter is further considered in detail within the report.
9. The location of the site along with the possible vehicular routes and the aforementioned extension to the weight restriction is shown on the appended plan 1.
10. Access into Quarry Farm itself is via a privately owned and maintained road, joining Bowbridge Lane at its bend over Middle Beck. About 350m of this access road is metalled, with a number of speed humps before it becomes an unmade track serving various plots. The Middle Beck follows alongside the access road before the road turns to the south.
11. The estate has its origins in connection with historical gypsum workings, the remnants of which remain along with large areas of restored land. The most notable reminder of the old Hawton Gypsum works is the Grade II listed derelict

remains of the former grinding mill located 340m to the east. A significant area of surrounding land once formed the quarry and was subsequently back-filled and semi- restored to rough grassland. Part of this is also designated as a Local Wildlife Site (Hawton Works Grassland LWS). These features are shown on plan 3.

12. Present on the estate are a mixture of businesses employed in such trades as vehicle repairs, aggregates, surfacing/asphalt, skip hire, and ready mix concrete. There is also a STOR (Short Term Operating Reserve) electricity generating station. These are shown on plan 4.
13. In and around the site are several residential properties: 'Wigeon Flights', situated behind a screen of Leylandii trees in the north-west corner; 'The Spinney' situated adjacent to the access road on the eastern side and 'Quarry Farm House', situated within the estate and immediately south of the application site. Several mobile homes are also situated around Quarry Farm House.
14. In terms of the immediate neighbouring uses, an asphalt depot and a trailer repair company bound the site to the east, the latter of which has a portal frame building. To the south there are several small workshops and yards but also Quarry Farm House and several mobile homes within close proximity. The open land to the west of the site is used as a paddock and is in the control of the applicant.
15. The application site is located centrally within the Quarry Farm estate and is operating as a private waste transfer station and formerly had an attached skip hire business under the banner of 'Trent Skip Hire'. As shown on plan 5, it is an L-shaped fenced compound on level ground of approximately 0.9ha, comprising of an external hard surfaced storage yard and an open fronted portal frame building sited in its south-east corner. Also on site are a weighbridge and three portable site cabins. The entrance is on the northern side, through a steel palisade gateway. The various boundaries are similarly fenced by steel palisade fencing.
16. The existing portal framed building measures some 24.5m in depth by 42m in length in two bays and with an open front facing west into the yard. It is 10m in height to its eaves and 14m to the ridge. It is clad in grey sheet cladding.
17. The external surfaced yard covers less than half of the site area, with the western side being unsurfaced and formerly used for inert waste processing and stockpiling. A bund of inert waste and soils exists along the western side.

### **Planning history and background**

18. The site has a lengthy planning history as a waste processing site and has operated under various guises and ownerships in that time. The key planning records of note are as follows:
19. In 1991 planning permission was granted for the change of use of a redundant farm building for the storage of mini-skips and operation of an associated Waste Transfer Station.

20. Planning permission was refused in 1994 for a proposal to store, sort and transfer waste including processing of rubble and short term, small scale landfill. Permission was refused on three grounds: due to it being outside the built up area and introducing employment development into the open countryside and due to adverse amenity impacts by reason of noise, dust and increased vehicular movements.
21. In 2002 permission was granted to replace a former building with the existing steel framed building along with new hard surfacing in association with the transfer activities. This permission also allowed the external storage of waste fridges.
22. In 2005 permission was granted for a new County Council Household Waste Recycling Centre on adjacent open land to the west. A condition of this permission was the delivery of a new road junction at the access onto Bowbridge Lane, along with improvements and a maintenance agreement to the private access road. This project was not taken forward.
23. In 2006 planning permission was granted (3/05/01464/CMW) for an extension to the portal framed building, the erection of a two storey welfare building, an electricity substation, floodlighting, an additional weighbridge, and to operate the site as a Materials Recycling Facility. The facility would have had a maximum permitted throughput of 75,000 tpa. The permission was not implemented and has now lapsed.
24. In 2012 permission was granted (3/11/01566/CMA) for the reorganisation of the site and to increase the waste throughput from 10,000 tpa to 15,000 tpa. This is the current permission for the site and which was until recently operated by Trent Skip Hire.
25. The site has now been taken on by the present applicants, who have wound down and closed the Trent Skip Hire business. A legacy of waste stockpiles were cleared over the summer of 2014 including a large stockpiles of inert waste outside, but retaining the bund along the western boundary. The current planning application has been submitted whilst this clearance was undertaken.
26. Members may wish to note that the site was re-opened in December 2014 by a new tenant Recoverable Energy Solutions. The reopening of the site has resulted in complaints being directed to the Council which allege various breaches of planning control and adverse impacts, including out of hours operation, noise, odour and breaches of the approved site layout. These matters are the subject of ongoing investigations by both the County Council and the Environment Agency. Officers have raised these issues with the site operator and the applicant. Some progress has been made to resolve the breaches of planning control, however, the site continues to operate in breach of the permitted hours and enforcement action is now being prepared. The remaining breaches of planning control remain under investigation.



## Proposed Development

27. The application seeks to develop and expand this waste transfer station into a modern enclosed Materials Recycling Facility (MRF) to mechanically sort through mixed commercial and industrial waste which would be sourced from contracts won within 'the Nottinghamshire area'. This would be a road-served facility whereby unsorted waste materials would be transported to the site via HGVs of various sizes, sorted by the facility into recyclates and non-recyclates and then exported by bulker-type HGVs to reprocessors and disposal facilities.
28. The MRF would have an initial waste throughput of 30,000 tonnes per annum (tpa) rising to an eventual maximum 60,000 tonnes per annum, equating to around 192 tonnes per day. The now closed skip hire business previously had a maximum throughput of 15,000 tpa. The application states that the types of waste to be accepted would be of the same composition as those handled within the transfer station, namely dry mixed recyclables such as paper, card, plastics and metals, and inert wastes such as concrete, bricks and soils although the list of such materials would be controlled by an Environmental Permit.
29. The main aspect of the proposed development would be the erection of a new steel-framed MRF building on the western part of the site to house a variety of 'state of the art' mechanised sorting and separating equipment. This set-up would allow waste processing to be undertaken quickly, safely and more efficiently to maximise the recycling fraction of waste.
30. The new MRF building would be a long rectangular steel framed hall, measuring some 94m long on its western and eastern sides by 30m on its northern and southern sides, thereby providing an internal floorspace of some 2820sqm. This would be a pitched roof building, with a height to the eaves of 8m and a maximum height to the ridge at 12m. The building would be clad in insulated profiled metal sheeting finished in a neutral grey colour. (See plan 7) Along the roof would be two rows of louvered rooflights. Access for vehicles delivering or accepting waste would be via two roller shutter doors on the eastern side. Separate pedestrian doors would also be provided.
31. In order to accommodate the size of the building it is proposed that the current western boundary be extended out into the adjacent paddock by between 8 and 20 metres. A 1.5 metre high landscape bund with native woodland tree and shrub planting would then be formed along the new western boundary between the perimeter fence and the building. (See plans 6 and 8)
32. The external areas would be completed in concrete to provide an impermeable surface and the MRF would have a new drainage system to deal with surface and foul drainage which would include a buried tank to harvest clean rainwater for use in wheel washing and as a means of suppressing dust. A soakaway system would also be used for excess clean surface water. Foul water would be collected and removed by tanker.
33. A 1MW containerised generator to power the site would be sited externally in a central position within the site.

34. Also included in the development are two acoustic fences on the northern and southern site boundaries. The northern fence would be some 2.5m high, whilst the southern fence would be 3m high.
35. Parking spaces for 19 cars, plus 2 disabled spaces, 5 motorcycle spaces and cycle racks would be provided against the southern boundary and eastern boundary near to the weighbridge.
36. The existing portal frame building on the eastern side would remain to be used for the storage of sorted baled materials prior to export. The weighbridge and portable offices would also be retained, with the office cabins relocated against the eastern boundary.
37. It is proposed that the MRF would operate from 07.00 to 18.00 hours Monday to Friday and 07.00 to 16.00 hours on Saturdays. The facility would be closed on Sundays and Bank Holidays.
38. It is stated that the new operation would generate 15 new jobs together with three existing positions.
39. In terms of the vehicular trips which would arise, the applicant sets out two possible scenarios. Under the first scenario whereby waste in and out is by using 22 tonne HGVs only this would generate a total of **9** HGVs in and **9** out per working day (18 two-way movements). Under the second mixed fleet scenario up to **33** waste carrying vehicles would enter and leave the site each working day (66 two-way movements). Not all of these would be HGVs. All exported waste would be by using 22 tonne bulker HGVs. The full details are set out in the reproduced table on page 23.
40. With the exception of any local waste collections from in and around Newark, it is now proposed that all such waste carrying vehicles would be routed to and from Quarry Farm via Bowbridge Lane and Staple Lane to Balderton and the A1. Full consideration to such routeing and its wider implications are further set out in the report.
41. During the course of the application the scale and throughput of the proposed MRF has been reduced by some 40%. Originally the facility was proposed to have an annual throughput of up to 100,000 tonnes per annum which would have generated some 112 two-way movements of mixed vehicles or 60 two-way HGV movements, depending on the fleet mix. The MRF building would have also been larger with an additional wing on the south side to form an L- shaped building. This wing has now been omitted to form what is now proposed to be a long rectangular building.

## **Consultations**

42. **Newark & Sherwood District Council** – *raise no objection provided that Nottinghamshire County Council is satisfied that the proposed development complies with the relevant Development Plan policies.*
43. **Newark Town Council** – *Objection is raised on the following grounds:*

- i) *This development will result in an estimated 80 HGV vehicles per day entering and leaving the site; this volume of traffic cannot be accommodated on the surrounding minor road network,*
  - ii) *The Town Council also believes that the proximity of the site to Newark town centre will exacerbate the congestion already experienced in the town,*
  - iii) *The site is a poor location for dealing with waste from across Nottinghamshire located as it is on the edge of Lincolnshire. There are better locations for such sites which are closer to the source of the waste materials which it will deal with.*
44. **Balderton Parish Council** - No response received. Any comments will be reported orally.
45. **Hawton Parish Council** - No response received. Any comments will be reported orally.
46. **Alverton and Kilvington Parish Meeting – Objection raised.** *[Response to initial consultation].*

*Alverton and Kilvington are villages along the C3 road, which has the benefit of an environmental weight restriction prohibiting its use by vehicles over 7.5 tonnes except for access within the area affected. It would be therefore illegal to simply use the C3 as a cut through to the A52.*

*The County Council propose to extend the C3 Order to include Bowbridge Lane. The Parish Meeting oppose this and has lodged an objection. If the change to the Order were to be made, HGV traffic from the application site would be allowed to use the C3 as a means of access to the A52.*

*At present the C3 carries quite a bit of HGV traffic to access local premises. It is an understatement to say that the C3 is not suitable for HGVs-there are numerous danger points along its length, poor visibility at its junction with the A52 and danger to property in Kilvington.*

*The site has poor linkages to the highway network, apart from the A1. The site is unsuitable for a development involving considerable numbers of HGV movements.*

47. **NCC (Highways) Newark & Sherwood** -No objection.

*Submitted details suggest that throughput will increase from 5,000 tpa to 60,000 tpa (a decrease of 40% on the initial submission).*

*In terms of traffic generation, this suggests an increase from say 3 HGV trips per day (2 way) to 36 trips (2 way), using typical 22 tonne lorries. An alternative scenario that considers a mixture of vehicle types suggests that HGV movements might increase to 48 trips (2 way) – HGVs being defined as goods vehicles with an operating weight exceeding 7.5 tonnes. Whilst these figures represent a significant proportional increase it is not considered to have a*

*significant impact on the safety and capacity of the local road network, providing a lorry routeing agreement is reached. In line with the National Planning Policy Framework, "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".*

*A review of the Staple Lane/London Road junction and accident data has been undertaken. Recent improvements have been made to this junction to provide a cycleway and this has significantly improved junction visibility splays. Over the past 5 years there have been just two injury accidents recorded at this junction. One of these involved an HGV, but it was tackling the left turn manoeuvre into Staple Lane; rather than the perceived riskier movement of the right turn out of Staple Lane. The accident record here is not considered to be high or extraordinary.*

*Details of vehicle type/size have been satisfactorily provided to clarify vehicle tracking drawings.*

*A lorry routeing agreement via a section 106 Agreement has been tentatively offered and it is believed that this could overcome concerns regarding lorries travelling through Newark unnecessarily. This should be pursued, and include measures to avoid lorries travelling on the C3 (through Alverton, Kilvington etc.) in light of a recent County Council approval of a Traffic Regulation Order that would otherwise allow access via this route from this site.*

*The recently approved application for the land south of Newark (NSDC application 14/01978/OUTM), which includes the provision of the Southern Link Road (SLR), should help to address access issues to this site in a more comprehensive and satisfactory manner. Once the first phase of the SLR is constructed (from the A1 junction at Balderton to Bowbridge Lane- currently expected to occur over the next 2 years), access to the Quarry Farm site will be made via a new roundabout that joins the SLR with a realigned Bowbridge Lane. Quarry Farm will lie to the south of the SLR and it is intended, then, that the current route from the site towards Staple Lane/C3 Grange Lane will be stopped up. Consequently the site will have easier access to the major road network which should naturally attract drivers to the Highway Authority preferred routes.*

*The Bowbridge Lane improvements that are part of the approved 'Land South of Newark' proposals, once implemented, will also provide improved sustainable transport links to Quarry Farm.*

*It is concluded that, subject to a lorry routeing agreement there is no objection to this application.*

48. **Environment Agency Midlands Region** – *Notes that there is an Environmental Permit in place on part of the existing site and that the applicant would need to apply to vary this permit to include the area, tonnages and activities in the scope of the proposed development.*

*Part of the site is shown to be located within Flood Zone 3, however the proposed building would be located entirely in Flood Zone 2 and as such standing advice on flood mitigation can be applied. [Officers consider the*

proposed building would be entirely within Flood Zone 1, although such flood zones are indicative].

49. **NCC (Reclamation) –**

*The application is supported by a phase one desk study and a phase two site investigation report with a fully developed conceptual site model and potential impacts from contaminations have been identified.*

*The made ground has been identified as contaminated but suitable for the proposed development. The presence of asbestos (a single sample) within the made ground is of concern however the proposal for a watching brief during site works is considered most prudent.*

*The risk from ground gases was identified as a moderate risk to both end users and buildings however the report concludes that the concrete slab will be sufficient to address the gas risk.*

*The presence of electrical generators and the activity of drum and tank cleaning would give rise to additional potential contaminants.*

*External areas would be hard surfaced to contain potential contamination and all water runoff would be controlled, with wash down and foul water runoff from the waste handling area controlled through construction of a new sealed foul water drainage system with an oil interceptor.*

*Rainwater runoff from the roof would be collected for re-use on site. A stormwater soakaway is proposed and is subject to infiltration testing, the testing should include an assessment of the mobility of any contamination suspected within the surrounding soils. The site falls within Flood Zones 1 and 2.*

*Consideration of dust suppression measures, as might be adopted during the actual operation of the site should be considered.*

50. **NCC (Noise Engineer)**

*The proposal includes a steel framed building to enclose a range of fixed plant for the processing of waste. In addition it is proposed to locate a 1MW generator externally. It is understood that the existing building to the east will only be used for storage and that the applicant is seeking to increase throughput from around 5000 tonnes per annum to 60,000 tonnes per annum. There will be no external activities in the yard except the movement of vehicles.*

*A noise assessment in accordance with BS4142:1997 has been undertaken and has considered noise impact of the proposed operations during the hours of operation as applied for: Mon-Fri (07:00-19:00hrs) and Sat (07:00-16:00hrs). Surrounding receptors have been identified (three houses and four static caravans).*

*Due to the close proximity of residential properties it is assumed the MRF building will have a high performance insulated acoustic cladding with a Weighted Sound Reduction Index of  $R_w=45\text{dB}$  for both the wall and roof*

*building elements to minimise the transmission of noise to the outside. The roof will have a total of 48 acoustically attenuated louvres used for ventilation. The roller shutter doors will be fast acting and remain closed at all times except for access/ egress of delivery vehicles. The doors will also be acoustically insulated to provide a sound reduction index of at least  $R_w=25\text{dB}$  when closed.*

[Additionally there would be a 3m high noise barrier to the southern boundary and a 2.5m high noise barrier along northern boundary.]

*An analysis of the baseline noise monitoring used for Saturday operations indicates significantly higher background noise levels in the morning than in the afternoon. There is a very clear change in the noise climate from Saturday lunch time onwards which is likely to be because of neighbouring operations only working for half a day. Therefore Saturday afternoons could be considered to be a quiet period which offers some respite to nearby residential properties. The proposal is for the site to operate until 4pm on a Saturday is not supported. A finish time in line with other operations in the area would be acceptable and the baseline levels indicate that this would be around 12.30pm. Therefore Saturday operations should extend up until no later than 1pm and be subject to a planning condition.*

*Other conditions are recommended requiring the building to be fully insulated for noise, as well as the provision of noise barriers, and broadband reversing alarms on vehicles. Restrictions on external plant (with the exception of the generator) and a noise limit on the site as a whole are also recommended.*

51. **Newark & Sherwood District Council (Environmental Health)** - *Notes that the findings of the revised noise assessment indicates a predicted increase in noise levels for an adjacent property- Wigeon Flights – but this would appear to have been dismissed as of no consequence by the applicant.*

*The nearby sustainable urban extension is noted and any impacts from the proposed development should be assessed on these future properties.*

52. **NCC (Planning Policy)**

*As a material recycling facility (MRF), the proposed facility can be considered as a recycling operation whereby it seeks to maximise the amount of waste sent for recycling and minimise residual waste for disposal. It is therefore consistent with the waste hierarchy set out in national waste policy.*

*In terms of local policy, Policy WCS3 of the Waste Core Strategy (WCS) gives first priority to the development of new or extended waste recycling (and composting/anaerobic digestion) facilities. The WCS identifies that an additional 430,000 tonnes per annum of recycling/composting capacity is needed for commercial and industrial waste over the plan period in order to meet the aspirational target of 70% recycling by 2025. This proposal would aid in contributing to this capacity requirement. The principle of the development of this type of facility is therefore supported in local and national waste policy terms.*

*In terms of the acceptability of the development on the site, there are three important considerations; its size, location in relation to the built up area of Newark and the land use categorisation. Firstly, in terms of size, in referring to (Appendix 2) of the WCS, the proposed MRF can be classed as a 'medium' facility by its maximum capacity (60,000tpa) and on the boundary between 'small' and 'medium' by the application area (0.99ha). Therefore taking a reasoned view it is considered the facility can be considered as 'medium' sized. In terms of the broad locations set out in Policy WCS4, the site can be considered to lie 'close to the built up area of Newark', although it is recognised that this may not correspond with the district definition of the urban area.*

*Looking at these two considerations in relation to Policy WCS4, the proposal would in principle be considered acceptable at this location subject to the criteria provisions of Policy WCS7 below.*

*However, the third consideration, the categorisation of the land, is less clear cut and raises more of a debate. The site is located in an area dominated by open countryside, but includes in part and is adjacent to employment uses/land with planning permission for employment uses. The site lies within an area identified in the Newark and Sherwood Core Strategy as a strategic location for mixed use growth ('Land South of Newark', Policy NAP 2A), but in an area identified for green infrastructure. The site is not allocated for employment use in the adopted Site Allocations and Development Management Development Plan Document.*

*Therefore, although the majority of the site can be considered as being in existing employment use, there is some question as to whether there would be encroachment into the open countryside as a result of the development. As an existing employment site, WCS7 would support the development of a small, medium or large MRF facility. As open countryside however, it would only be considered appropriate for a small MRF facility (where this could meet relevant aspects of WCS4). Therefore, establishing the land categorisation of the site is critical in establishing the acceptability of the proposal in terms of WCS7.*

*Policy WCS8 supports the extension of existing waste management facilities where this would increase capacity or methods and/or reduce the environmental impact of the facility. As the proposed development will not only be increasing capacity, but also improving the management method (i.e. enabling greater sorting resulting in greater levels of recycling) this policy would provide support for the proposals.*

*Although it is stated that the vast majority of the waste to be managed at the proposed facility would originate in Nottinghamshire, the provisions of Policy WCS12 should still be considered. As this facility would make a significant contribution to the movement of waste up the waste hierarchy (the first of the criteria in the policy) it is considered that there is no objection to the proposed development in terms of this policy. This would still apply if it became apparent that more waste than stated would be coming from out of county.*

*Policy WCS13 requires demonstration that there would be no unacceptable impact on any element of environmental quality or the quality of life of those*

*living or working nearby, no unacceptable cumulative impact and also that the opportunities to enhance the local environment be maximised.*

*WCS15 requires 'high standards of design and landscaping, including sustainable construction measures.' Detailed policies on such considerations and other development management issues are provided in the saved policies of the Waste Local Plan (WLP).*

*Taking into account these national and local policy considerations, the proposal is considered to be supported in planning policy terms, subject to satisfaction that the site can be considered employment use and there would be no encroachment into the open countryside. This is also subject to the environmental and amenity impacts of the development being acceptable, in line with WCS13 and the saved policies of the WLP.*

**53. NCC (Built Heritage)**

*There are two listed buildings in proximity with largely open ground between the site at Quarry Farm and these buildings. Heritage impact including impact on their setting should be assessed against para 129 of the NPPF.*

*Hawton Gypsum Grinding Mill is a sole surviving example of the Hawton Gypsum works and is an exceptionally rare example of this building type. It is identified as a building at extreme risk on the County Council risk register and stands in extremely poor and collapsing condition. Whilst it now stands in isolation, its working context would have been as a component of other industrial structures.*

*The proposed development would be to the west and it is likely the existing industrial buildings would mostly screen any direct views of the proposed development. Considering the industrial context of this listed building the proposed development is unlikely to have anything other than a neutral impact on the setting of this listed building and it should not affect any future viability to restore the building.*

*All Saints Church, Hawton is Grade I listed (putting it with the most significant 5% of all listed buildings in the country.) and is recognised by Pevsner as 'one of the most exciting pieces of architecture in the country', with notable carvings and tracery giving it an unusually high status for its setting. Its pinnacle topped tower is highly visible from the surrounding countryside.*

*Only glimpsed views of Quarry Farm can be seen from the churchyard.*

*Between the application site and the Church there are two public right of ways running parallel to field boundaries. These offer fine views of the church seen in its historic context as a dominating feature in the surrounding landscape. The proposed development would impact on the way the building is experienced from these locations.*

*The new building would be more than double the size of the existing building and form a bulky linear feature on the view to the east. It would also encroach further towards the public right of way. Any increased noise, lighting and traffic*



*activity would further erode the way the listed building appears to the west within a largely rural setting.*

*The existing eastern setting of the church would not be preserved nor enhanced by this development.*

*This impact is assessed in the application variably as having a 'moderate visual impact' and 'limited harm'*

*Also of relevance is a recent appeal decision granting four wind turbines at a site approx. 1km to the south-east. The two developments would have cumulative erosion on the setting of the Church, though the impact of the turbines is likely to be the greater of the two.*

*Some landscape mitigation is proposed, mainly a planted bund on the western boundary of the site which would in time appear as a similar feature to the established hedgerows in the area. The immediate effectiveness of this mitigation will be dependent on the maturity of the newly planted trees and hedge sets.*

*Whilst this will undoubtedly have some positive impact in screening the development when viewed from the west it should be noted that English Heritage Guidance advises that over time such features can be removed or changed unless secured by legal agreements or other statutory protections.*

*The officer concludes that the proposed development would have a level of harm upon the setting of the Listed Building, albeit this is considered to amount to less than substantial harm, as there are no direct views from the Church. However, harm carries some weight which should be considered in line with Para 134 of the NPPF. This advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*

*It is recommended that careful consideration is given to conditioning the colour of the building's roof and cladding to minimise its impact in the surroundings.*

*The officer also strongly recommends that the minimum height and mass of the bund planting is controlled through condition to ensure effective screening in the short term and further that the long term management of the screening is secured through a legal agreement to ensure its permanence.*

54. **English Heritage (EH)** - *Do not wish to comment in detail, but provide the following observations.*

*EH have considered the supporting information including the landscape visualisations which reference the Grade I listed All Saints Church, Hawton and the Grade II former gypsum grinding mill. It is noted however, that there is limited assessment of potential impact on the historic environment.*

*Paras 128 and 129 of the NPPF require sufficient information to make such an informed assessment. Advice should also be sought from in house*

*conservation officers and the application should thereafter be determined in accordance with national and local policy guidance.*

[Further heritage information and assessment has subsequently been provided and assessed by NCC Built Heritage.]

55. **NCC (Landscape)** - *The applicant has supplied photomontage information and carried out a brief visual impact appraisal in support of the application.*

*The information demonstrates that the main area of concern is the view from viewpoint 3, which is the public footpath to the west of the development site. Users of Public Rights of Way are considered to be of high sensitivity, and whilst the magnitude of impact is not considered in the report, the landscape officer considers the level of impact to be **moderate adverse**.*

*The intention is that the planted bund to the west of the building will provide screening. As all plants are to be planted as transplants, it will take some considerable time for the trees within the mix to become tall enough to give any screening (10m growth will be needed). If the plant mix can be amended to include nurse species, and a greater mix of nursery stock to accelerate the screening effect, the mitigation would be considered acceptable in this context.*

56. **NCC (Nature Conservation)**

*The application has been accompanied by an up to date extended phase 1 habitat survey which indicates that the habitat to be affected by the proposals are of low nature conservation value; the western extension area is species-poor grassland, heavily horse-grazed (at the time of survey), and small in size.*

*The site is located near several Local Wildlife Sites, which have been taken into consideration; the closest of these is Hawton Works Grassland which is approximately 250m away to the south. No SSSIs are present in the vicinity. It is highly unlikely that this proposed development will have an impact on designated nature conservation sites.*

*No evidence of protected or notable species was found on the site; the buildings on the site were not considered to have any potential for supporting roosting bats and no badger setts were located. Limited potential habitat for reptiles was identified on site, although no surveys were carried out.*

[An additional survey for the possible presence of Barn Owls has found no evidence of this species in the portal-frame building and on review of the revised plans, no further ecological impacts have been identified.]

*Conditions are recommended to ensure that the paddock (on which part of the development is to be sited) is maintained in a way to continue make it unsuitable for reptiles. A condition also is required for the development to avoid the bird nesting season, unless otherwise approved and a further condition should require placing of bird and box boxes around the completed development.*

*It is further recommended that a condition is used to require the submission of details relating to the establishment and maintenance of the landscaping.*

57. **Nottinghamshire Wildlife Trust** - *In principle the Trust supports the promotion of higher levels of recycling and agrees that a modernised facility should lead to a safer and more effective use of the site.*

*The site as well as the adjacent grassland are of limited ecological value. The recommendations within the Habitat Survey are fully supported. The proposed landscape bund is supported. It should be ensured that any external lighting does not spill out of the development to the detriment of foraging bats.*

*The Owl Survey Report concludes that no barn owls (or other owl species) are present in the existing buildings and there are limited suitable nesting opportunities.*

58. **Trent Valley Internal Drainage Board** – *Raises no objection subject to satisfaction that the proposed surface water soakaway would prove to be suitable in accordance with BRE Digest 365.*
59. **Severn Trent Water Limited** - *No objection, subject to inclusion of a standard condition requiring the submission of drainage plans for surface and foul water disposal.*
60. **Western Power Distribution** - have not responded. Any response received will be orally reported.
61. **National Grid (Gas)** - have not responded. Any response received will be orally reported.

## **Publicity**

62. The application has been publicised by means of site notices, a press notice in the Newark Advertiser and neighbour notification letters sent to the nearest residential addresses and a selection of commercial addresses in accordance with the County Council's adopted Statement of Community Involvement.
63. On receipt of the revised package of plans setting out a revised scope and scale of the development, the public consultation period was reopened and further notification letters were sent out to the same addresses and interested parties. Further site notices were also displayed at and around the Quarry Farm estate.
64. Objections have been received from a neighbouring property (Quarry Farmhouse), raising the following concerns:
- a) Traffic and access
- (a) The access from Bowbridge Lane onto the private access road is hazardous and has a history of accidents. It involves a blind corner both ways.

- (b) The private access road is unsuitable for the volume of traffic [proposed] and vehicles will have to access the site via a single lane track [in part], causing inconvenience to existing homes and businesses. The road is already in a state of disrepair and it would need a major repair/alteration before it could withstand the additional traffic. A survey should be undertaken to confirm whether it could cope with the numbers of vehicles and safely.
- (c) Road safety risk from the 12 foot (3.7m) drop from the access road into the adjacent Middle Beck.
- (d) There are seven residential properties involving at least 30 people and children, cyclists and pedestrians who also use the road.

b) Noise

- (a) [Original comments]- The noise assessment predicted an unacceptable noise impact, but that this would be deemed acceptable due to the resident's business involvement with the proposed development. The resident has no such connection with the applicant or the application and further work is needed. The assessment also fails to assess the impact on other properties [Mobile homes] within 50m of the site.
- (b) Comment on revised plans- The volume of waste throughput has been reduced, but this will not resolve the unacceptable noise impact to nearby housing.

c) Odours

Possible dustbin type waste may be brought to the site which they are currently not allowed to do so. This would cause major smell, vermin, flies etc.

d) Dust

The site does not have an official water supply and has to rely on neighbours. There have been previous dust episodes in dry conditions.

e) Visual scale and layout

The sheer scale of the proposed building will have a significant visual impact on neighbouring property. [Original comments based on larger building].

Question was raised as to whether the site could accommodate the proposed building and/or whether there would be some encroachment into the countryside.

f) Unauthorised operations

The site has recently reopened and operating outside of its planning and licensing conditions, causing nuisance.

g) Question is raised about possible owls on site.

65. Councillors Mrs Sue Saddington, Stuart Wallace, Tony Roberts and Keith Walker have been notified of the application.
66. The issues raised by the objectors are considered in the Observations Section of this report.

## **Observations**

### Principle of the development

#### *Waste hierarchy and need*

67. As a recycling facility, this application falls to be determined against the policies in the Nottinghamshire and Nottingham Waste Core Strategy (WCS) and the saved policies of the Nottinghamshire and Nottingham Waste Local Plan (WLP). In addition the local policies and land allocations within the Newark and Sherwood Local Development Framework are also relevant, particularly with regards to the strategic plans in place for the south of Newark. The National Planning Policy Framework (NPPF) and the new National Planning Policy for Waste (NPPW) (replacing PPS10) are material considerations.
68. At the heart of sustainable waste management policy within the NPPW and the WCS is the principle of the waste hierarchy, whereby waste should be driven up the hierarchy as much as possible so that recycling is maximised. As a materials recycling facility (MRF), the proposed facility would support this aim by sorting waste materials for maximum reuse and minimising residual waste requiring subsequent landfill or incineration. The MRF would employ modern, mechanised sorting systems which would be a step-change in the method of working at the site, which was labour intensive. It would also be a significantly larger scale of operation, over what was previously a local skip hire business and it is possible that it could deal with quantities of waste from further afield, although the applicant states that waste would be sourced from the 'Nottinghamshire area'.
69. With regards to the County's waste policies, the WCS seeks to achieve a headline target of recycling (or composting) 70% of all the County's waste by 2025, including commercial and industrial waste (C&I) which the proposed facility would accept. The WCS identifies that an additional 430,000 tpa capacity of such facilities is needed in order to meet the aspirational 70% target. Policy WCS3 takes the concept of the waste hierarchy to prioritise the development of new or extended waste recycling (and composting and anaerobic digestion plants) facilities. The proposed MRF would accept up to 60,000 tpa, thereby making a useful contribution to the quantity of such recycling facilities and according with the hierarchy within Policy WCS3. The need for such facilities within the County is therefore not in question and there is no requirement to demonstrate quantitative need.

#### *Locational assessment*

70. Consideration needs to be given to the general or broad locational policy criteria within Policy WCS4 of the WCS. This policy categorises waste facilities by their

size and directs a certain scale of facility to similar sized settlements. Appendix 2 of the WCS sets out the indicative measures to categorise waste facilities. The proposed MRF would be judged as a medium sized facility based on a maximum capacity of 60,000tpa, but based on its site area of 0.9 hectares would be at the boundary of medium and small scale. Taking a reasoned view therefore it is considered that the proposed development can be classed as a *medium sized* facility. Policy WCS4 therefore supports the location of such proposals in or close to the Newark built up area. This particular location can be considered close to the Newark urban area being some 1km from the current southern extent of the town and accessible from both Newark and Balderton.

71. It is next necessary to assess the acceptability of the actual site and whether the proposal would be acceptable in broad policy terms. Key to this process is categorising the site's existing land use. Policy WCS7 deals with general site criteria. Under this policy MRF facilities are supported (*subject to there being no unacceptable environmental impacts*) at employment land, such as industrial estates and derelict or other previously developed land.
72. On first assessment the site would appear to be in use as an existing waste transfer station, which would accord with Policy WCS7 although it is proposed to extend the site into the adjacent paddock. There is though some question as to whether the application site lies within the open countryside, either in full – due to a policy technicality– or in part – due to the actual enlargement of the site into the adjacent paddock. This matter requires assessment, as both waste policy within the WCS and Newark and Sherwood Core Strategy planning policy places various limits and tests for development in such situations, in particular Policy WCS7 would only permit small scale facilities on sites within the open countryside. District planning policy also places certain development restrictions. The assessment is complicated to a degree by the planned Sustainable Urban Extension to the south of Newark as set out in District planning policy, of which there are two Development Plan Documents (DPD) to note.
73. The Newark and Sherwood Core Strategy (CS DPD) focusses future residential and commercial growth within the Newark urban area and in doing so allocates three Sustainable Urban Extensions (SUE), including one to the south of the town. The 'Land to the south of Newark' SUE (under Policy NAP2A) is allocated for in the region of 3,100 dwellings and 50 ha of employment land, two local centres and landscape, ecological and sporting land. A Southern Link Road (SLR) is also included in the plans. Its Strategic Site boundary envelopes a large area to the south of Newark and includes Quarry Farm which is identified as within an area of land for 'Green Infrastructure' associated with the SUE. This Green Infrastructure is shown south of the proposed alignment of the SLR and south of the proposed new housing.
74. The Newark and Sherwood Allocations and Development Management Development Policies Development Plan Document (A&DM DPD) identifies further land allocations in and around Newark and provides further local planning policies. It also sets the urban boundaries and Map 2 of this document shows the Quarry Farm industrial area situated outside of the Newark Urban Area, the boundary of which has been drawn along the proposed route of the SLR, so to take into account the planned housing. On the basis of the District

Development Plans therefore, whilst Quarry Farm is within the SUE allocation in the Core Strategy (as part of the Green Infrastructure area), it is also outside of the urban boundary and therefore could be considered to be a site inset within the open countryside. The proposed development should therefore be considered against District Policy DM8 which seeks to limit development in the open countryside to small scale employment uses only (amongst other land uses). However it also confirms that:

*Proposals for the proportionate expansion of existing businesses will be supported where they can demonstrate an ongoing contribution to local employment. Such proposals will not require justification through a sequential test.*

75. When considered against policy in the Waste Core Strategy, in particular Policy WCS7, it is apparent that the site is reasonably well contained within a long established industrial estate which is already characterised by the numerous steel-framed buildings, workshops, vehicle yards and aggregate plants. The open countryside surrounds the wider Quarry Farm estate. It is also the case that the proposal would sustain and expand this site's use, generating additional local employment opportunities as required by District Policy DM8. Whether the proposed MRF would represent a *proportionate expansion* as required by this policy is open to interpretation.
76. In terms of the site area, whilst the application site is an existing WTS, it is however proposed to extend the site into an adjacent paddock and realign the boundary fence. This western strip of land taken from the paddock, could be more confidently regarded as part of the open countryside and therefore this would represent a small encroachment into such.
77. The size of the encroachment can be approximately quantified as follows, the existing site, measures some 0.83ha in area and the proposed site area with the additional strip of land would take this to 0.99ha. This strip therefore equates to an addition of 19% of the total site area. Of this additional area, the majority (around 70%) would be used for the proposed landscape bund along this realigned western boundary. The current boundary line/fence which is in a stepped or dog-leg arrangement, would be realigned further west into a single continuous run. At its maximum, the new fence line would extend some 20m further west than the current boundary along its main stretch and some 8m further out than the shorter stepped or dog-leg part of the current boundary. The MRF building itself would extend 8m further west from the current boundary fence along its main length, but within the shorter stepped area of fencing. This expansion is illustrated on plan 6. Therefore notwithstanding this expansion, the vast majority of the site would be using the existing land formerly used by Trent Skip Hire and the additional strip would be primarily for the purposes of accommodating a replacement landscape bund to partially screen the MRF building.
78. Consideration should be given to a further policy - Policy WCS8 (Extensions to existing waste management facilities) as a redevelopment and extension of this existing waste management facility. The policy supports such extensions, or developments or improvements to waste facilities where this would increase

capacity or improve existing waste management methods and/or reduce existing environmental impacts.

79. The operations at the site would be increased from a current permitted throughput of 15,000 tpa as a WTS and skip hire business to 60,000 tpa an increase by a factor of four. The associated characteristics of this increase in scale of operation, such as additional employment positions, vehicular movements, etcetera would also be at a much greater level than is currently permitted for the existing WTS. Therefore whilst solely in terms of the physical expansion of the site – such an expansion of 19% could be regarded as a proportionate expansion, the increase in the overall scale of operation at this site would be at a level which may not fully accord with the aims of Policy DM8 in terms of being proportionate.
80. Furthermore though, the MRF would be a fully enclosed facility, equipped with mechanised sorting equipment, thereby enabling greater sorting results and levels of recycling that what would not previously have been achieved by hand work in the former use. As an enclosed facility (together with an impermeable yard area) it potentially would also reduce environmental issues formerly arising from the skip hire business. Such environmental impacts are separately considered below.
81. Within this analysis it is also worth noting the previous grant of planning permission in 2006 for an extension to the current building, and new offices so to develop the site as a MRF. This permission was not implemented and has lapsed, however it was accepted on the basis of a maximum annual throughput of some 75,000 tonnes of recyclable waste and subject to 32 conditions to control its operation.
82. On final analysis then, taking both District policy and waste policy together, whilst the site could be technically placed as in the open countryside, it is evidently an existing employment site and is previously developed land, (with the slight exception of a strip of adjacent paddock land) and which is capable of being redeveloped and returned to economic use. The expansion of the site in terms of the operations, would potentially not accord fully with Policy DM8 (which postdates the 2006 grant of planning permission) due to the increased scale of the facility, although this is tempered somewhat by the not insignificant generation of new jobs. Newark and Sherwood District Council have not raised any policy objection on this matter.
83. The expansion of the site into the adjacent paddock would also not fully accord with WCS Policy WCS7 although it should be noted that the provision of a landscape bund within this strip of land currently forming part of the paddock can be acceptable in principle and would help fix and define this western boundary, effectively preventing any further expansion into the paddock.
84. On balance therefore, it is considered that the site is a previously developed waste management site and that the proposed development would be supported by Policy WCS7 and WCS8 subject to its environmental acceptability. Partial non-compliance with District Policy DM8 has been identified.



### *Waste sources*

85. Policy WCS 12 concerns the issue of non-local waste. Although the application states that the vast majority of the waste would be sourced from within Nottinghamshire, it is entirely possible that waste could be sourced in part from elsewhere. WCS12 permits the development of facilities which would likely dispose of non-local waste (outside of Nottinghamshire) where they can demonstrate that:
- the envisaged facility would make a significant contribution to the movement of waste up the waste hierarchy, or
  - that there are no facilities or potential sites in more sustainable locations in relation to the anticipated source of the waste stream, or
  - that there would be wider social, economic or environmental sustainability benefits arising.
86. It is considered that the redevelopment from a small scale WTS and skip hire business to a medium sized, modern MRF would significantly increase recycling and reduce residual disposal. The plans therefore comply with WCS12 on the first ground alone and no consideration is required of the further two criteria.

### *Principle policy - conclusions*

87. When taken and read as a whole, the policies within the WCS do support what is a medium sized recycling facility, located on appropriate previously developed land, which is predominantly in use as a waste transfer station. The proposed MRF, could therefore be supported in principle as a new stand alone development or as an extension to the existing WTS.
88. The proposed MRF would be of a much greater scale in terms of its throughput and vehicular movements for example and it is therefore necessary to assess the individual environmental impacts which may arise. Policy WCS13 of the WCS requires proposals to demonstrate 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 an unacceptable cumulative impact. All waste proposals should seek to maximise opportunities to enhance the local environment through the provision of landscape, habitat or community facilities.*

89. The saved environmental policies in the WLP are also relevant to assessing each applicable environmental issue or impact, which are assessed in turn.

### Traffic, Access/routeing and Parking

90. Two main transport aspects need to be considered; the accessibility of the site for the envisaged members of staff; and the routeing of HGVs serving the MRF

coupled with the suitability of those routes for the type and level of traffic which could result from the proposed development.

91. Saved Waste Local Plan Policy W3.14 states that planning permission will not be granted where the vehicle movements likely to be generated cannot be satisfactorily accommodated by the highway network or would cause unacceptable disturbance to local communities. Policy W3.15 empowers the Authority to restrict HGVs to certain routes.
92. The National Planning Policy Framework requires that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are “severe”.
93. Newark and Sherwood Spatial Policy 7 states that development proposals should amongst other criteria:
  - *minimise the need for travel and maximise opportunities for use of cycleways, footpaths...*
  - *be appropriate for the highway network in terms of the volume and nature of traffic generated,*
  - *provide appropriate and effective parking provision and vehicular servicing arrangements and provide safe, convenient accesses for all,*
  - *ensure that the safety, convenience and free flow of traffic using the highway are not adversely affected and ensure that vehicular traffic generated does not materially increase other traffic problems*
94. Policy WCS11 (Sustainable Transport) seeks to maximise the use of alternatives to road transport and minimise distances travelled in undertaking waste management.

#### *Sustainability transport issues*

95. As has been recognised in the applicant’s transport statement, the site is accessed by rural roads from Newark and Balderton and there is limited opportunity to access the site other than by means of private car. There is no footway along Bowbridge Lane or Staple Lane, nor do any local bus services offer any feasible access. There are options for cyclists with much of the Newark area within reasonable cycling distance and the proximity of the Sustrans cycle route along the former railway line to the east, does assist. Car sharing is also an entirely feasible option and could be expected. A cycle rack is proposed and sufficient car parking spaces would be provided for staff. It is therefore considered that despite its situation, the site can be accessed in a sustainable way and many of the 18 employees are likely to live locally. The highways officer notes that, as part of the planned Southern Link Road, sustainable access would be maintained and improved as part of the changes to the local road network.

*Traffic generation, routing and capacity*

96. The proposed MRF is a road served facility, likely to accept waste from a wide range of sources, albeit the applicant indicates that the facility would predominantly serve the 'Nottinghamshire area'. Such facilities are inevitably reliant on road haulage and access to the strategic road network and whilst it has to be recognised that waste could be sourced from further afield, the financial realities somewhat limit the haulage distances for unsorted waste inputs. On the other hand sorted bulk waste outputs can be transported further distances and indeed the market for materials is an international one. This bulking up of waste would accord with WCS11 and it is reasonable to assume that the facility would serve a local need.
97. The applicant's transport statement has set out the predicted maximum vehicular movements, excluding staff cars, as set out in the table below. These are the revised figures based on the 60,000 tpa facility now proposed and represent a 40% reduction from the original proposals. Two scenarios are set out, depending on the mix of the vehicle fleet. The first scenario would be using HGVs only for inbound and outbound and would result in 18 HGVs in/18 out per day (36 two-way). Taking the worst case scenario 2, up to 33 waste carrying vehicles of varying sizes would enter and leave the site each working day (66 two-way movements), which if assumed to be evenly spread throughout the day, would result in six 2-way trips per hour, 3 arrivals and departures, or one every 20 minutes. However unlike with the first scenario, not all such vehicles would be HGVs- there would be 48 two-way HGV movements.

Scenario 1 (All HGV Movements)				
Operation	Vehicle No (size)	Waste Through-put (Tonnes)	Daily traffic movements (one-way)	Daily traffic movements (two-way)
Scenario 1				
Waste in	9 (22t)	198	9	18
Waste out	9 (22t)	198	9	18
Total Vehicle Movements	-	-	18	36
Scenario 2 (Mixed Vehicle Movements)				
Operation	Vehicle No (size)	Waste Through-put (Tonnes)	Daily traffic movements (one-way)	Daily traffic movements (two-way)
Scenario 2				
Waste in	2 (22t)	44	2	4
Waste in	8 (9t)	72	8	16
Waste in	9 (4t)	36	9	18
Waste in	5 (8t)	40	5	10
Waste out	9 (22t)	198	9	18
			33	66

98. Comparison with existing or former vehicle movements at the site are difficult as historically, vehicle movements are likely to have varied considerably as the site evolved and the former skip hire business had the ability to generate a

considerable number of trips, but which later tailed off as the business wound down. Currently the WTS is permitted to accept 30 waste carrying vehicles entering the site each day, which would be 60 two-way movements, albeit that these would be considered to be a mix of smaller commercial vehicles and skip wagons. Also planning permission was previously granted to develop the site into a MRF with a capacity of 75,000tpa, which would have resulted in 40 two-way movements per day. The current proposals therefore represent similar levels of vehicle movements, except a greater proportion of HGVs would be expected when compared with its current use, especially under scenario 1.

99. The transport statement also assumes that the majority of staff would arrive by car from Newark in the morning peak, probably before the site opens to waste carrying traffic. This traffic could be adequately accommodated on the local road network.
100. It is possible that the facility could source waste from within the Newark urban area- the application makes an allowance for 20-30% of the total trips for such local contracts. Such traffic in that case could utilise Bowbridge Road and Bowbridge Lane. Given that such collection vehicles would already be on the local urban roads, it would be unreasonable to restrict access to Quarry Farm from Bowbridge Road for such vehicles. However the above percentages may be an optimistic assumption and the majority of inbound waste trips would in any case be from out of town using the surrounding road network.
101. For a road-served facility designed to take waste from the 'Nottinghamshire area' it has to be recognised that at present, the available access routes from Quarry Farm to the strategic road network (the A1 and A46 in particular) are not ideal in terms of their impact on local communities and also in terms of their junction geometry. The route from the north would involve passing through parts of the town-notably Farndon Road, Boundary Road and Bowbridge Road, passing several schools, in order to access the A46. The route via Staple Lane to Balderton involves a T-junction at London Road which can be difficult to pull out of, as well as passing a group of properties. A third route option, south, along the C3 is subject to a weight restriction for the benefit of the villages along this route.
102. Whilst initially no set route was proposed in the application for the HGV traffic to follow, officer and Member concern was raised that additional heavy traffic using routes through the town, could result in a detrimental impact on the amenity and potentially safety of the surrounding communities and vulnerable land uses, notably the schools. Existing HGV traffic using such less than suitable routes is already a concern and has resulted in a long-term degradation of the road structures. The Town Council also commented at the time that in their view there was no coherent traffic plan within the application.
103. With regards to the C3 option, the County Council via Transport and Highways Committee agreed in September 2014 to extend the 7.5 tonne weight restriction order to include Staple Lane and Bowbridge Lane. The result of this, when concerning Quarry Farm (as identified by Alverton and Kilvington Parish Meeting in their objection) is that the site (and surrounding businesses) is very shortly (the order is expected to be made imminently) to be within the restricted

area for local access only and as such HGVs will be able to access Quarry Farm by using the C3, through Alverton and Kilvington, from the A52. Allowing the additional HGV traffic which would arise from the proposed MRF to use the C3 would run counter to the purposes of the environmental weight restriction and result in consequent detrimental amenity to these communities.

104. Taking into account the above constraints on the routes from the north and south, the applicant offered to fix the route for HGVs via Staple Lane to Balderton and the A1 and a routeing agreement has been tentatively offered to that regard. Clearly this would still involve a rural road with width and junction constraints however it must be recognised that the roads are already used by large HGVs such as those which access Staple Landfill site. Balderton Parish Council have not commented on the application.
105. The applicant's transport statement has looked at two points of constraint along this route and demonstrated that firstly, HGVs turning out of Staple Lane would have clear visibility both ways along London Road, including back to the A1 roundabout. It is true that vehicles exit the roundabout at speed, however such vehicles would likewise see a HGV waiting to turn out of Staple Lane. HGVs turning into Staple Lane would though have to enter the opposite lane to make the turn, just as any existing HGVs of this type have to. Secondly, at the old railway bridge on Bowbridge Lane, it is noted that it will not be possible for two HGVs to pass each other at that narrow point.
106. Highways officers raised several concerns during the course of the application, however under the revised plans now presented, the highways officers are content that the additional traffic can be accommodated on the local road network and would not result in cumulative severe impact. The figures do still represent a significant proportionate increase in HGV traffic, but are not considered to have a significant impact on road safety or capacity. Officers are also satisfied with the layout and use of the Staple Lane/London Road junction, which has benefitted from recent footway widening works, thereby improving visibility. A review of the road traffic accidents in the area has also been undertaken, raising no particular concerns with the highways officers.
107. Highway officers are further content with the proposals now that there has been significant and recent progress with the delivery of the proposed Southern Link Road (SLR), the first phase of which is expected to be started this spring and could be delivered within two years. The developers of the southern urban extension, working with the District and County Councils and D2N2 (the Local Enterprise Partnership) have secured enabling finance to build phase 1 of the SLR. In a change to the project phasing, phase 1 would now run from the A1 at Balderton to a new roundabout at Bowbridge Lane, just to the north of Quarry Farm. The southern arm of this roundabout would link back onto Bowbridge Lane to serve Quarry Farm, whilst the current road would be stopped up at the point of the old railway bridge, outside of the Jericho works. The plans for the SLR are shown on plan 2.
108. The purpose of the early delivery of the first part of the SLR is of course to enable the currently stalled housing and industrial developments to come forward, but even in phase 1 the SLR would offer improved access to Quarry

Farm from the A1, avoiding the junction at Staple Lane and London Road and other pinch points such as at the former railway bridge. Access to and from the A46 at Farndon, however would still be constrained, until the full SLR is completed. The timing of the future phases of the SLR are much more uncertain and tied to the rate of house building to the south of Newark over the coming years. Therefore the full benefits of a through route from the A1 to the A46 may not be realised for many years.

109. Whilst progress on the SLR would clearly be of benefit to the proposed development, there is always a chance that works could be delayed, which would require use of the current road network as discussed above. The highways officer's advice is that the proposed development could be supported, but subject to the signing of a lorry routeing agreement to utilise Staple Lane in the interim.
110. Therefore taking into account all of the above relevant factors and developments it is considered necessary to require the applicant to enter into a lorry routeing agreement (as part of a Section 106 agreement) and that any grant of planning permission be dependent on the sealing of such agreement. Such an approach would accord with WLP Policy W3.14 and W3.15 and WCS13 to protect local communities and direct traffic to a route considered to have the least adverse highway and amenity issues. The routeing agreement would control and apply to HGVs over 7.5 tonnes, so that any smaller vehicles which may access the facility under the second mixed fleet scenario, would not be unreasonably restricted. The affected roads are able to accommodate the volume of traffic, but it is the heavy type of vehicle which raises most local concern.
111. In the first instance the agreement would require HGVs to route via Staple Lane to/from London Road, with outbound trips turning right towards the A1. The purpose of specifying this route, would be to encourage any HGVs originating from the A46 side of the town, to bypass around the town via the A46 and A1 exiting at Balderton. Once phase 1 of the SLR is opened the agreement will require (by default –as a result of the road layout changes) HGVs to use the SLR to/from the A1 at Balderton. The agreement would be required to be in place until as and when the full SLR is completed, otherwise routes though the town would still be possible.
112. Officers consider it would be inappropriate and unacceptable to have additional HGVs running though Newark town centre and housing areas on the grounds of safety, capacity and amenity. There are a number of high footfall and vulnerable user generating sites along such a potential route as well as it being a residential area. The utilisation of the C3 would also be unacceptable in terms of highway amenity impact on the small villages along its route. The requirement for a lorry routeing agreement is therefore considered necessary to make the proposed development acceptable in planning and highway terms. The proposed extent of the designated HGV route and its application to vehicles over 7.5 tonnes only (to/from the proposed MRF), would result in it being fairly and reasonably related in scale and kind to the development as required by the NPPF.

## Design, Landscape and Visual Impact

113. The Quarry Farm estate is situated in a somewhat detached location south of the Newark urban area, surrounded by open countryside. The built development at the estate and the use of other land for open storage means that the visual character is generally not of high quality, however the estate is detached from main urban areas, distant from public road frontages and is relatively well contained as a group of business uses.
114. Development at the proposed site would though have impacts on views in/from the surrounding countryside, particularly when viewed from positions to the west, such as from public footpaths. The proposed development includes a substantial steel-framed building some 94 metres long and 12m to ridge height, whilst also retaining the existing portal framed building. The size of the proposed building, together with its positioning along the western side with its long blank elevation facing out into the open countryside requires assessment.
115. To assist in this landscape and visual assessment, supplementary information was requested to demonstrate the appearance of the proposed MRF building from pre-agreed viewpoints. It includes a brief visual impact appraisal and a series of photomontages to show the proposed building from these viewpoints.
116. Firstly, in terms of the existing landscape character of the area, the site is situated within the Village Farmlands area of the South Nottinghamshire Farmlands Regional Character Area, (as per the Newark and Sherwood Landscape Character Assessment 2010) which characterises the area as:

*Gently rolling agricultural landscape with a simple pattern of large arable fields and village settlements.*
117. It notes that there are patterns of large arable fields, with Hawthorn hedges, with several small nucleated and traditional villages. However it also notes that to the south of Newark and Balderton, there are industrial influences associated with historical and continuing gypsum mining, with a number of voids, earth mounds and restored areas within the open countryside. There are also areas of industrial units, scrap-yards and areas of rough grassland around the urban edge of Newark. The landscape condition is classed as moderate and its sensitivity also moderate, leading to a policy action of conserve and create.
118. Indeed the industrial influence around the peripheries of Newark are self-evident at Quarry Farm, itself developed alongside the former Hawton gypsum works - the remaining Listed Grinding Mill being the surviving relic from this quarry. The character is also despoiled by numerous electricity pylons and lines in and around a substation, adjacent to the Quarry Farm access road. The estate itself features several industrial buildings and workshops, including the existing open portal framed building on the application site. There are also three permanent residential properties and additional mobile residences.
119. Around and beyond Quarry Farm there is an openness to the countryside due to the large fields, notably to the west where this openness permits views across to the Hawton and the Grade I Listed All Saints Church.

120. A total of four viewpoints were agreed with the applicant's consultants for assessment; two along Bowbridge Lane to the east and two on the west side at Cotham Lane and at a public footpath. The views from the east side, show that the proposed MRF building would be largely obscured by the existing industrial buildings at Quarry Farm and would be viewed as part of this grouping of buildings. The long view from Cotham Lane (though a hedgerow gap) would be of the gable end at distance and would be partially screened by trees and hedging.
121. The key viewpoint of concern has been from viewpoint C, which is from the public footpath running along a field boundary 270m to the west. The photomontage from this point shows the view across the arable field towards Quarry Farm and the top two-thirds of the MRF building being visible along its full length above the existing hedge/tree line. It is illustrated in a neutral grey colour, although the applicant is willing to confirm a final colour choice. The existing portal framed building and other surrounding buildings are not visible behind the proposed new building.
122. The landscape officer considers that the illustrated impact would be of a *moderate adverse* level to users of the right of way. Such users are considered to be of high sensitivity to visual change. These peoples' enjoyment of the view towards All Saints Hawton, may also be impacted and this is separately considered under the heritage impact section. Overall the impact is therefore assessed as *moderate adverse*.
123. As mitigation, a proposed landscape bund is proposed to be positioned along the western boundary to attempt to partially screen the bulky elevation of the MRF. The bund itself would be 1.5m high and planted with a native woodland mix of trees and shrubs. The landscape officer comments that it will take some considerable time for the trees to become tall enough to give any screening and recommends that more nursing stock are used.
124. In terms of the applicable planning policy, Core Policy WCS 15 requires that all new or extended waste management facilities should incorporate high standards of design and landscaping, including use of sustainable construction measures.
125. Saved Policy W3.3 from the Waste Local Plan requires the consideration of the following criteria with regards to the proposed building. Such buildings should be:
- Located in such a position to minimise impact on adjacent land.
  - Where practicable, grouped together to prevent the creation of an unsightly sprawl.
  - Kept as low as practicable, with appropriate cladding/colours and satisfactorily maintained thereafter.
126. Saved Policy W3.4 requires screening and landscaping measures to be provided to reduce visual impact.



127. Core Policy 13 of the Newark and Sherwood Core Strategy says that development proposals will be expected to contribute towards meeting the landscape conservation/enhancement aims for the landscape area.
128. Attempts have been made to reduce the scale and impact of the proposed building. The plans as first submitted proposed a larger building in an 'L' configuration, with the small wing set against the southern boundary with Quarry Farmhouse. The revised plans, removed this wing, resulting in a longitudinal portal frame building against the western boundary. This has resulted in the building footprint being reduced from 3700m<sup>2</sup> to 2820m<sup>2</sup>. The height of the building has also been reduced from a maximum ridge height of 15m to 12m (and height to eaves reduced from 10m to 8m) in order to lessen its impact. However it remains a large building which also requires an additional strip of land in order to accommodate it. Whether this reduced scale of building amounts to an over development remains a matter of debate, however there is now a larger manoeuvring yard within the remaining space and there would no longer be a 12m high elevation directly facing onto Quarry Farm House, some 35m away.
129. The previous planning permission in 2006 involved developing the existing open fronted building into a larger enclosed MRF building. This would have added an extension of some 12m in depth to the building, thereby extending this 10-14m high building further out and along the southern site boundary with Quarry Farm House. Whilst this design would have resulted in a large building set against the house, it would have had a considerably lesser impact on surrounding landscape, due to it being better contained within the site.
130. The current proposal therefore when assessed against Policy W3.3 would minimise impact on adjacent land at Quarry Farm House, but as a result would have a greater landscape and visual impact on land to the west (assessed as moderate adverse). The building would be relatively well grouped with other buildings when looking at the estate as a whole and would not cause sprawl. The height has been minimised to the minimum practicable height to accommodate loading bay doors and the necessary internal equipment. A neutral grey colour cladding can be secured by condition.
131. The design as a whole is a typical portal frame industrial building finished in a neutral grey cladding, which is considered appropriate to its setting and intended use. The proposed landscape bund would assist in screening the building and limiting landscape impact in accordance with Policy W3.4. It would also assist in enhancing tree cover and habitat value in accordance with the aims of the landscape policy area. The submitted planting scheme for this bund requires some improvement, so that more mature specimens are used, such details are capable of being required by a suitably worded planning condition, should Members decide to approve the application. Subject to agreeing this planting and a final neutral colour for the cladding, the aims of Policy WCS15 are considered largely met in terms of providing sustainable design, however the moderate adverse impact to the landscape element remains a consideration weighing against the application.

### Ecological Impact

132. Appropriate ecological surveys have been undertaken for what is predominantly an existing developed site, comprising hard surfaces and buildings associated with its use as a waste transfer station. However given that some development would extend into the adjacent paddock and the proximity of surrounding countryside, the phase 1 habitat survey was necessary.
133. The site, including the adjacent paddock, was found to have a low to negligible ecological value as a result of human activities including the grazing of horses on the paddock and no notable or protected species were found. In addition the buildings on site were deemed unsuitable for roosting bats. There is some limited potential for reptiles on the bund, however no further surveys were considered necessary.
134. A subsequent survey for owls alleged to be using the existing open fronted building was undertaken and found no evidence of barn owl or any other species of owl on site or within the building. There were no suitable nesting opportunities for barn owls. If though, any owl had chosen to occupy the building it is reasonable to assume that they would be able to continue to do so, as the use and nature of the building would be maintained as a store for sorted waste within the wider proposed development.
135. The survey work also identified there are no nationally designated sites of ecological interest within the area, but that there are a number of Local Wildlife Sites, the nearest being grassland on the former Hawton quarry land, approximately 250m to the south. There are no continuous habitat corridors between these sites and the development site and surrounding land uses such as for horse grazing deters such movement of species.
136. The Nature Conservation Officer and Nottinghamshire Wildlife Trust (NWT) concur with the findings and recommendations of the survey work. The recommendations include measures to ensure the paddock does not develop into a sward which would be attractive to reptiles or ground nesting birds- prior to the commencement of works, or use of alternative mitigation to check for such species upon construction and soil stripping. NWT request that any external lighting is designed so to minimise light spill to the detriment of foraging bats and a suitable condition can be made.
137. The proposed development would therefore not cause any harm to habitats or notable ecology and is considered to comply with Policy WCS13 on this environmental aspect

### Heritage impact

138. The application site lies within the setting of two nearby listed buildings, these being:
  - The remains of the former gypsum grinding mill at the former Hawton works (Grade II), situated 400m to the east. This is the last remnant of the extensive gypsum works before operations moved across to the Bantycok site and is on the Buildings at Risk register.

- All Saints Church Hawton (Grade I) approximately 1km to the west. This is one of the finest churches in the County, the tower of which is visible from the site and from the intervening public footpaths crossing the adjacent fields.
139. As with the visual impact assessment, the proposed building, by virtue of its size and siting, was identified as affecting the setting of the above buildings and it was requested that a proportionate level of information in relation to heritage impact be provided in accordance with the requirements of the NPPF. This information has been assessed with the application by the Conservation Officer.
  140. Firstly in terms of impact upon the grinding mill, it is clear that this is in an extremely perilous and deteriorating physical condition, however its future chances of being restored would not be affected by the proposed development. In terms of its setting, it continues to be seen as part of an industrial setting and views between it and the application site are further screened by the other industrial buildings. Therefore it is considered that the proposed development would lead to a neutral impact upon the setting of this listed building.
  141. All Saints Church meanwhile is of much more significance as it is listed Grade I (putting it in the top 5% of all listed buildings) and is a fine local landmark in its rural setting. Its unusually high status within a small parish, as demonstrated by its pinnacle topped tower and fine internal carvings, forms part of its significance.
  142. In terms of intervisibility between the Church and the application site, only glimpsed views can be obtained from the churchyard, however users of a public footpath across the intervening fields are able to appreciate views of the church in its historical and rural setting. Such walkers, when looking east, would also be able to view the proposed MRF building, so that it would impact on the way the church is experienced from this location.
  143. The Conservation Officers finds that the proposed development would not serve to preserve or enhance the eastern setting of All Saints Church. This is relevant to the statutory provision in the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires planning authorities to have special regard to the desirability of preserving the building and its setting. The main reasoning for this view would be from its visual size and bulk, but also any potential increase in noise, light and traffic may also erode the rural setting of the church.
  144. The relevant planning policy for heritage impact is set out in the NPPF and at Policy DM9 in the Newark and Sherwood A&DM DPD. NPPF Para 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be attached. Significance can be harmed through development within its setting. Policy DM9 states that development proposals affecting heritage assets and their settings should be expected to secure the continued protection or enhancement of the assets and such proposals should be appropriately designed, sited and use appropriate materials and methods of construction.

145. In this case a level of impact or 'harm' upon All Saints Church has been identified should the proposed development proceed. Whilst greater weight should be attached to conserving the church and its setting, as a Grade I listed asset, the conservation officer's advice is that the overall level of harm amounts to 'less than substantial' harm in this case. Paragraph 134 of the NPPF states that where a proposal would lead to such a level of harm, this harm should be weighed against the public benefits of the proposal.
146. In terms of any cumulative impact Members will note a recent appeal decision granting permission for four wind turbines at a site to the south-east of Hawton, which if built would likely have a much greater impact. However the Inspector in that appeal did not identify significant harm to the setting of All Saints Church as a result of the proposed wind farm. Unlike the wind farm, the proposed development would be set against the existing built development at Quarry Farm.
147. The conservation officer has taken into account the proposed landscape mitigation, which would, in time, assist and appear as part of an established hedgerow, however the officer cautions that English Heritage advise that such landscaping should not be depended on over the long term, given that, unless protected in some way, planting can be removed or changed, thereby removing the mitigation screening. However should planning permission be granted a suitable condition requiring an effective landscaped bund can be made, the requirement of which would run with the land so that it would be thereafter maintained to provide the screening vegetation.
148. In conclusion, a level of less than substantial harm has been identified against All Saints Church which must be weighed against the wider public benefits of the proposal when considered in the round.

#### Flood Risk and drainage

149. The submitted Flood Risk Assessment (FRA) identifies (from Environment Agency mapping) that the application site is predominantly situated within Flood Zone 1- at a very low risk of flooding. The existing building in the south-east corner and at the margins of the site entrance are shown as within Flood Zone 2, with a small area of the current yard area shown in Flood Zone 3.
150. The Environment Agency raise no objection to the proposed development stating the proposed MRF building appears to be within Flood Zone 2 and that standing advice can apply. However since the size of the building has been reduced it is now evident that the building would now be wholly located in Flood Zone 1 and at very low risk of flooding from fluvial sources including from the nearby Middle Beck or River Devon.
151. Parts of the neighbouring land at Quarry Farm have been identified as being very susceptible to ground water flooding based on BGS data, however the applicant contends that there have been no reported instances of such ground water flooding at the site from the current occupiers of the site.
152. The site and surrounding area is not considered to be at risk from surface water flooding and there are no known historic surface water flooding issues. The

majority of the existing site is either covered by the buildings or paved with concrete. The western side of the site is not paved, but formed as hardcore and has an existing bund of inert material.

153. A drainage strategy for the site has been developed in association with the completion of the external yard as an impermeable hardstanding. The strategy also seeks to maximise capture and reuse of rainwater from the roof of the proposed new building, with a rainwater harvesting system, for use in processes on site and for use in suppressing dust and washing vehicle wheels.
154. Any surplus clean roof water would be directed to a new on-site soakaway buried below the yard. Surface water collected from the external yard would typically be uncontaminated, but could contain silts and residues and so it would be first put through a three-stage interceptor before discharge to the soakaway. This storm water soakaway would be able to accommodate a 1:100 year storm event and there would be no annual increase in the volume or peak surface water discharge rate from the site.
155. The internal surfaces of the proposed building where waste would be handled and sorted would have a sealed foul water system that would again channel such waters through a separate three-stage interceptor before being discharged into an on-site cess pit. This would be emptied via tanker as required as there are no mains sewers in the vicinity of the site.
156. Overall whilst the further development of the site would reduce the site's overall permeability due to the construction of the building on the area of land currently laid as hardcore, the provision of the sustainable drainage system and rainwater harvesting should mean that the development wouldn't increase the risk of flooding elsewhere.
157. The proposed drainage along with provision of complete hard surfacing provides for a satisfactory means of protecting the environment from any potential contamination from the site waters. Furthermore the provision of a rainwater harvesting system and storm water soakaway is considered to offer a highly sustainable solution to managing clean surface waters.
158. Subject to appropriate detailed design the proposed development is capable of according with Policy WCS13 and saved WLP Policy W3.6 on drainage. The comments of Seven Trent Water has therefore been taken into account.

### Contamination

159. The application has been accompanied by a Phase 1 desk-top study and Phase 2 intrusive investigation to assess the ground conditions at the site. It includes a fully developed conceptual site model and any potential impacts from contamination have been identified.
160. The desk top work identified there are a number of potentially contaminative land uses in proximity which may affect the site, such as the asphalt plant and ready-mix concrete plant, as well as extensive historical (and ongoing) mineral extraction sites with associated infilling/backfilling. Quarry Farm itself has been

in use as a waste site and has its origins in association with the former Hawton Gypsum works.

161. The conceptual model considered the risk from potential contamination on receptors such as site workers or upon groundwaters. This work in turn informed a Phase 2 intrusive stage of work.
162. A total of six window sample boreholes and four trial pits were undertaken across the site area and laboratory testing undertaken on the material. In addition soil samples were taken from the existing earth bund along the western site boundary. The ground was found to comprise Made Ground of variable composition to depths of up to 1.6m, (including compacted rubble hardcore, silts, ash, cobbles, brick, tile, glass etc) below which is the solid geology of the Branscombe Mudstone formation. Samples from exploratory boreholes were found to contain contaminants within the made ground, with elevated concentrations of benzo(a)pyrene from one sample as well as a single sample of elevated concentrations of polycyclic aromatic hydrocarbon (PAH). In addition a single sample of asbestos fibres was found and it is possible that further asbestos materials may be present at the site, which would pose a hazard to site workers, during construction, however a watching brief is proposed and the Reclamation Officer believes this to be adequate.
163. End users of the facility are considered to be at low risk from any ground contaminants as the proposed concrete hard surfacing would effectively block any pathways.
164. The solid geology beneath the site is designated as a Secondary B Aquifer and it is not within a Source Protection Zone. Controlled waters are considered to be at low risk of impact.
165. The potential risk from any ground gases is considered low and the Reclamation Officer is now content on this matter.
166. The site is considered suitable for the proposed development, and the provision of suitable drainage and hard surfacing (as discussed below) would provide the necessary safeguards to the environment. Conditions are recommended in accordance with WLP Policy W3.6 to contain any fuel or oil tanks within bunds, and the provision of hard surfacing and sealed drainage.

#### Economic development and Employment

167. The applicant states that the proposed development would generate fifteen new jobs, in addition to three existing positions. The generation of new jobs weighs in favour of the development, as reflected in the NPPF which advises that significant weight should be placed on the need to support economic growth and deliver the industrial and business units the country needs. Newark and Sherwood Core Policy 6 also seeks to enhance the town's employment base, thereby supporting its role as the Sub—Regional Centre. It seeks to retain and safeguard employment land and sites that can meet the needs of modern business.

168. The redevelopment of the site would provide a modern fit for purpose facility, enabling the applicant to increase efficiency and win and thereafter provide waste services to customers. The facility would support haulage contractors and provide recycle materials for re-processors.

#### Hours of operation

169. The proposed hours of operation are: Monday to Friday 07.00 to 18.00hrs and Saturdays 07.00 to 16.00hrs. The site would not operate on Sundays or Bank Holidays.
170. Currently the WTS is permitted to operate 07.00-19.00 Monday-Friday and 07.30-13.30 Saturdays. Planning permission was previously granted for a MRF on this site with a capacity of 75,000 tpa and with permitted operating hours of 07.00-19.00 Monday-Friday and 07.00-13.00 Saturdays.
171. The proposed hours of operation include a notably longer working Saturday when compared with the current operations and also when compared against the previous grant of planning permission to develop the site as MRF. It is also clear from the noise assessments that much of the surrounding business also close on Saturday afternoons. Working longer hours on a Saturday, therefore has potential to generate increased levels of noise, traffic and general activity, impacting on the residential properties situated within the estate. Of critical importance is that of noise impact and this is separately considered below.

#### Noise impact

172. The proposed MRF would feature several items of plant and machinery likely to generate noise as well as external movements of vehicles and mobile plant in the yard. Despite this being a primarily industrial area, there are several residential properties within the estate and in close proximity to the site. A BS4142 Noise Assessment concerning mixed use environments has therefore been provided with the application which sets out the predicted likely noise impact on the nearest affected residences and the Best Available Techniques to limit such impacts.
173. The application as originally submitted proposed a larger operation and larger building on the site. The Noise Assessment and the design approach for the building made an erroneous assumption that the occupants of the adjacent Quarry Farm House would tolerate higher noise levels which would be generated, due a business connection to the application site. This is in fact not the case, and the applicant does not have a business relationship with the neighbouring residents as has been confirmed in their objection.
174. Subsequently the application has been revised and the design approach revisited so as to provide a package of acoustic mitigation measures to enable the proposed development to operate within the acceptable noise thresholds as part of the relevant British Standard. This BS4142 assessment has been fully reviewed by the County Noise Engineer, who concludes that in order to limit noise impact to an acceptable level upon the nearby residences, all of the proposed mitigation measures would be required to be completed to a high specification, notably a high standard of acoustic cladding to the building.

However it is also recommended that operations on a Saturday afternoon should be restricted.

175. With the exception of one externally positioned generator, all fixed plant would be housed within the proposed building. This will have fast acting roller shutter doors to enclose operations and a high specification of acoustic cladding to all elements of the building. Whilst such cladding will be challenging (and not inexpensive), it is considered technically achievable and product specifications have been provided to that regards. The cladding would be necessary to mitigate noise leakage from the various fixed machinery within the building.
176. Externally, two acoustic fences would be required. One along the northern boundary nearest to the property known as Wigeon Flights would be 2.5m high, whilst the second would be along the southern boundary with Quarry Farm House and be 3m high. The visual impact of this is considered separately. These fences would assist in containing noise from external activities such as from the movement of vehicles and from noise emanating from a generator. Mobile plant would also be required to have broadband reversing alarms and other Best Available Techniques would be applied to the operation of the site.
177. The weekday hours of operation are proposed to be 0700-18.00. With regards to these proposed hours, the noise assessment finds that with all the mitigation measures in place, weekday noise impact would be within acceptable noise thresholds (+10dB) for all residential properties. The assessment finds that at Wigeon Flights there would be a rise of +5dB (L90), which would be of marginal significance. At The Spinney, there would be a reduction of 4dB. There would be a neutral noise impact on Quarry Farm House and elsewhere, one mobile home would be neutrally impacted and three mobile homes would experience a 5dB reduction. The predicted reduction in noise impacts at the above can be explained by the current operations being enclosed within the new building.
178. On a Saturday however, the background noise levels were found to reduce significantly after lunchtime as the surrounding businesses close for the weekend. The character of the estate on a Saturday afternoon is one that is much quieter and generally less busy and it is clear that it offers a period of respite to the residents who live close to the industrial premises. The site itself under its former Trent Skip Hire banner operated until 13.30hrs on Saturdays and it is quite typical within the waste industry for such firms to work half day on Saturdays. The proposed hours of operation on a Saturday from 07.00 to 16.00 have therefore been a concern and indeed the noise assessment finds that increases of +10dB would occur at Quarry Farm House and at one of the adjacent mobiles, which is at a level likely to generate noise complaints, as informed by BS4142. The Noise Engineer therefore does not support the hours applied for on Saturdays, on the basis that the prevailing background noise reduces at around 12.30 and that the operations at the MRF would lead to unacceptable impacts on the neighbouring residents. The proposed development is only supported if these hours were to be cut to 07.00 to 13.00hrs.
179. In accordance with Policy WCS13 of the Waste Core Strategy, subject to providing suitable mitigation and safeguards, including on the hours of



operation, it is considered that the proposed development would not lead to an unacceptable level of noise impact on those living or working nearby. An acceptable level of noise impact is dependent on the development being completed with all the necessary noise mitigation measures being put in place, and which are subject to recommended planning conditions. These reasonable measures are in accordance with the powers under Policy W3.8 of the Waste Local Plan. Whilst, particularly in the case of Quarry Farm House, properties are in close proximity to the development site, the application can demonstrate that operational noise can be successfully mitigated to protect the amenity of these residents, albeit that on a Saturday afternoon the operations would not be acceptable and hence the recommendation to curtail such operations until 13.00hrs.

### Air Quality/Dust

180. The recent use of the site as a skip hire and waste transfer station has led to instances of dust plumes causing nuisance to one of the nearby residential properties. Primarily this was related to the processing of a large stockpile of inert waste and soils on site. Following the closure of the business, the present owners cleared the site of waste, including the remaining stockpiles of inert soils and hardcore, but leaving an existing bund along the present western boundary.
181. The proposed development would enclose operations within the new building which would be an improvement on the current/previous open air operations. The application also proposes the completion of concrete hard surfacing across the external areas, which would allow the operator to sweep or wash down the area and prevent the build-up of materials likely to cause fugitive dust. Together with the proposed drainage system, which would harvest roof-water for use in such on-site cleaning, whilst also capturing any silts or oil residues, the potential for fugitive dust emissions would be greatly minimised.
182. The application includes a Dust /Air Quality assessment and it is recognised that with such waste handling sites there is always some potential for dust, particularly during the drier months, however the operator has extensive experience of running such sites and employing what are considered to be standard best practice dust control measures.
183. Potential sources of dust have been identified. In general, fine particles can typically arise from vehicle movements and can be carried further on the wind. More coarse particles can escape from the waste processing, but are less likely to be carried on the wind. In addition the construction phase also has potential to generate dust from associated earthworks and from the movement of HGVs and plant.
184. There are three dust sensitive properties in close proximity, these being the residential properties at Wigeon Flights (35m distant), Quarry Farmhouse (35m distant) and The Spinney (110m distant).
185. Based on the prevailing metrological conditions, the assessment has concluded that the magnitude of impact from dust would be negligible to minor at all properties. The position of the Spinney to the north-east would place it downwind from the application site, where there could be up to 38 dry windy

working days, however its distance, the presence of intervening buildings, together with the mitigation measures would minimise this impact.

186. Wigeon Flights just to the north-west would be expected to receive up to 16 dry windy working days, whilst Quarry Farm House to the south, would receive up to 12 dry windy working days. With the envisaged mitigation, any dust issues should be minimal and temporary in nature. A noise attenuation fence is now proposed along the southern and northern site boundaries, and whilst these predate the dust assessment, such fences are likely to provide a further barrier to dust or detritus leaving the site.
187. The close proximity of these properties is evident and dust has been an issue at Quarry Farm house in the past. However, the proposed development would enclose processing and storage of materials and thereby removing the element which previously was an issue.
188. One representation cites a lack of mains water at the site as a constraint on minimising dust, however the rainwater harvesting scheme addresses this problem to provide a stock of clean water for washing and dampening.
189. The assessment considers that there is also a negligible to minor impact from construction activities, however given the water shortage cited, it is recommended that a water bowser is maintained on site during any construction phase.
190. The aforementioned dust control measures which are proposed can be summarised as follows:
  - A dust/odour suppression/misting system installed within the building.
  - Installation of fast acting roller shutter doors.
  - The regular cleaning of all waste storage areas.
  - Minimal drop heights when handling materials.
  - Water suppression equipment (e.g water bowsers or sprays) to be maintained ready on site together with a supply of clean water.
  - Use of wheel and tyre cleaning equipment at the point of vehicles leaving the site.
  - Sheeting of HGVs carrying waste
  - Use of a road sweeper as required.
  - Appropriate staff training and instructions to maintain high standards of site operational practice, the making of appropriate site checks and keeping of records.

#### Other operational impacts

191. As with the above measures to minimise dust by enclosing operations within the proposed building, odour should also be managed to an acceptable level. In particular it is noted that the doors would be kept closed and the misting system will include use of an odour masking agent. As loading and unloading would

take place within the proposed building, waste materials should be contained within. In addition, the external yard would be well enclosed by buildings and solid fencing, helping to contain material on site. Any litter escaping could be captured and returned to the building as part of the day to day management of the facility.

192. The existing open sided portal framed building would be used to stockpile sorted waste, typically in baled form. This would be not materially different to its current or previous use.
193. Details of external lighting have not been submitted, although the application explains that downward facing floodlighting would be required and that their orientation and positioning will seek to minimise light pollution out of daylight hours. Given the revised form of the proposed building, and the likely need to provide operational lighting in the yard area, there is potential for additional light nuisance to affect Quarry Farm House, although the acoustic fence along this boundary will aid somewhat in screening the yard. It is therefore appropriate to require by condition full details and lighting levels for any such floodlighting and require them to be turned off outside of operational hours.
194. Potential vermin would be controlled by minimising the time waste resides in the building and the contracting of pest control firms if required.
195. The operation of the MRF would need to secure and operate in accordance with a revised Environmental Permit as regulated by the Environment Agency. This permit would control any emissions and pollution and the types of waste accepted and processes to sort that material.
196. The NPPF at Para 122 directs that planning authorities should focus on whether the development itself is an acceptable use of land and the impacts of the use on the land, rather than the control of processes or emissions where these are subject to approval under the pollution control regime. It should be assumed that such regimes operate effectively in regulating the operation.

#### Overall impact on residential amenity

197. Although primarily a commercial estate, there are some three permanent residential properties as well as several mobile homes set within the Quarry Farm complex. Residents living on the complex, do so within a predominantly commercial context made up of various industrial and engineering businesses along with large buildings such as the existing storage building on the application site and on neighbouring sites.
198. The neighbouring Quarry Farm House was previously associated with the application site, but no longer has such a link. This property is likely to be most impacted by the proposed development, in terms of visual impact and from operational impacts, due to its proximity. Some short term construction impacts could also be expected. It should though be noted that the enclosure of operations within an acoustically clad building, would be an improvement in minimising some of the impacts previously experienced when the site has been operational as a transfer station. The detrimental impacts of external working can also be seen in the current unauthorised operations currently taking place,

which has generated amenity based complaints as a result. Operational noise, dust and odour impacts have been assessed and found to be acceptable or can be made acceptable by condition. The proposed development is therefore considered to accord with Policy WCS13. The proposal has been considered cumulatively with other land uses in terms of noise and traffic and appropriate safeguards form part of the suite of recommended planning conditions.

199. In terms of the visual scale of the proposed building, upon Quarry Farm House, the closest corner of the new building would be approximately 40m north of the house, with the gable end at an oblique angle towards the house. The new building would be 8m high to eaves and 12m to the ridgeline. It would be visible from certain viewpoints at this property, certainly from first floor windows, although at ground floor the presence of two single storey, flat roofed outbuildings would partially screen the new building. The comments of the objector with regards to the size of the building are noted, however the revised plans have removed a wing off the building, thereby moving it away from the property. Its height has also been reduced. The provision of a 3m high acoustic barrier along the southern boundary with Quarry Farm House, would also carry with it a visual impact, however it is considered to be beneficial in screening the site (replacing open palisade fencing) and better containing noise and litter therein. The form of the acoustic barrier is subject to a recommended condition, which would ensure it is of suitable material and construction, not just for noise mitigation purposes, but also in terms of visual impact.
200. The side effect of the revised building footprint may be that additional light pollution may arise, however with modern lighting systems, it is possible to reduce light spillage and closely light only the areas required for operational necessity. A comprehensive lighting condition is recommended to secure such a suitable floodlighting scheme, so as to minimise light spillage onto Quarry Farm House.
201. With regards to the concerns raised about the suitability of the access road, residents living on the estate may experience additional traffic on the access road, but it is considered capable of serving the operation without leading to an unacceptable cumulative amenity impact. It is not suitable for pedestrians or children and is not a public right of way or public highway, so any such users would be doing so at their own risk.

#### Other Material Considerations

##### *Impacts on Public Rights of Way*

202. As explored in the landscape and design and heritage sections above, whilst no public right of way would be directly affected or impeded, there are a number of public footpaths and bridleways in the vicinity of Quarry Farm from where the visual impact of the proposed development would be apparent and where this could also result in some harm to the setting and appreciation of All Saints Church. The particular visual impact would be on Hawton Bridleway No. 4 along a field boundary 270m to the west of the application site. Views of the site are however mitigated somewhat by intervening hedges and trees and the proposed planted bund would be designed to reduce visual impact from the west.

### *Impact on/from Newark SUE*

203. As noted above the area south of Newark is proposed for a large Sustainable Urban Extension (SUE). This SUE forms part of the development plan (Newark and Sherwood Core Strategy) and has outline planning permission, however the development has not proceeded due to viability issues. The permission has recently been subject to a Section 73 (variation) application which has been approved by the District Council. Changes to the scheme include a reduction in housing numbers and a change to the phasing and delivery. Of particular relevance to the Quarry Farm application is early provision of the first phase of the SLR from the A1 junction at Balderton to a new roundabout on Bowbridge Lane.
204. It is expected therefore that the character of this side of Newark will undergo significant change over the forthcoming years, bringing housing and other employment uses nearer to Quarry Farm, along with consequent traffic growth using the SLR and local roads.
205. Although potential noise impact on the new homes was raised during the consultation, given the separation distances between the proposed MRF and the new housing and the intervening SLR, it is not expected that there would be any significant noise impact on these properties. As noted above the residences at Quarry Farm itself are of most relevance. Once the SLR is complete the HGV movements from the proposed MRF would not be a significant element of the traffic likely to use this route.
206. The Newark and Sherwood Core Strategy allocates/overwashes Quarry Farm and much of the surrounding area for Green Infrastructure as part of the SUE, however it is clear that the developers do not have ownership of this area and it is not within their latest approved plans for the area. As part of their outline planning permission, land is included elsewhere, including on fields to the west, for green infrastructure such as for nature conservation areas and flood compensation land and therefore the redevelopment of this site at Quarry Farm would not prejudice plans for Green Infrastructure as part of the development as part of the SUE. Furthermore there is no likelihood or plan to relocate those existing businesses based at Quarry Farm.
207. In conclusion, therefore the proposed development at Quarry Farm is not expected to adversely impact on the wider plans for the south of Newark, indeed the SLR would improve access to the site.

### Other Issues

208. Although the present use as a Waste Transfer Station benefits from an existing environmental permit, the Environment Agency advise that should planning permission be granted, the applicant will need to apply to the Agency to vary the terms of this permit to take into account the expansion of the site and the processes sought. An informative is suggested.

## Conclusions

209. Assessment of the application has considered that the proposed redevelopment of this existing waste transfer station into a MRF would accord with the policies within the Waste Core Strategy taken as a whole. Principle support flows from the need, as set out in the National Planning Policy for Waste, and Policy WCS3, to drive waste up the waste hierarchy, by increasing the efficiency and effectiveness of recycling and the proposed MRF would make a contribution to the need for such commercial facilities and would provide a modern technological means of sorting materials.
210. The location at Quarry Farm, whilst somewhat isolated and outside of the Newark urban area is nevertheless an established and well contained commercial site and the size of the facility is now considered appropriate for the location in accordance with Policy WCS4 and WCS7. The proposed development would result in a small expansion of the site into the adjacent countryside, however a landscape bund would comprise the majority of this additional land and would provide a defensible boundary to assist in screening the size of the MRF building.
211. Whilst the height and massing of the building has been reduced, it would remain a relatively large building which would still result in a moderate adverse landscape impact. Its size, form and positioning would also result in a less than substantial harm to the setting of the Grade I Listed All Saints Church and the way it can be appreciated by users of a nearby public footpath. Whilst the plans are functional in design terms, they are considered to meet the aims of Policy WCS15.
212. There are a small number of residential properties situated within Quarry Farm itself, and potential impacts from the operation of the MRF upon these properties has been assessed. In particular, restrictions on the Saturday hours of operation and other mitigation measures are recommended to make the noise impact acceptable. The enclosure of waste operations within the proposed building would assist in minimising other impacts such as odour and mitigation measures to control this as well as dust, litter and lighting have been proposed or can be required by condition and would accord with the relevant Saved Policies in the Waste Local Plan. The facility would also have to abide by the terms of a revised Environmental Permit, which must be sought from the Environment Agency.
213. Access to the site is not ideal, however by routeing HGVs via Staple Lane, this would avoid undermining the purposes of the C3 weight restriction and avoid the built up area of Newark, which has areas of high and vulnerable pedestrian footfall, associated with residential areas and local schools. The safety and capacity of these routes has also been assessed. The recent progress to kick-start the delivery of the Southern Link Road will, as it is built out, greatly improve the access to the site. A lorry routeing agreement is recommended to ensure the HGVs adhere to the most suitable routes.
214. The site has been assessed as suitable for the proposed development in terms of flood risk, drainage, ground conditions and ecology. The expansion of this

existing waste site without leading to any unacceptable environmental impact would accord with Policy WCS8 and WCS13.

215. Paragraph 134 of the NPPF states that the less than substantial harm identified to the setting of All Saints Church should be weighed against the public benefits the proposal would bring. Great weight should be afforded to the preservation of All Saints in its rural setting. The Authority must also pay special regard to the desirability of preserving the setting of the heritage assets affected by the proposed development in weighing this level of harm against other factors. In addition to this harm, the moderate adverse landscape impact from the proposed building and the small expansion into the open countryside should be added to the balance weighing against the proposals.
216. The benefits weighing in favour of the development is that by reactivating and redeveloping this existing waste site to provide a piece of modern waste infrastructure, a useful contribution is made to the policy aims which seek to increase recycling and capture resources for reuse, in line with the waste hierarchy within the NPPW. Wider economic benefits would also flow, in terms not only of the direct generation of new employment opportunities, but also the support to other contractors and hauliers as well as recovering materials for a growing reprocessing industry. The NPPF emphasises the desire to support sustainable economic development to meet the needs of modern business.
217. It is considered that the balance weighs in favour of the grant of planning permission in this case and this recommendation is made in light of the proposed suite of planning conditions and the lorry routing agreement, necessary to make the development acceptable and sustainable.

### **Other Options Considered**

218. 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**

219. 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.

#### Financial Implications

220. The recommendation would require the completion of a Section 106 agreement, the costs of which would be recovered from the applicant.

#### Crime and Disorder Implications

221. The site would be secured by means of perimeter palisade fencing and gates and although the estate is relatively remote, there is a degree of passive security from adjacent residences. Private CCTV is also likely to be installed.

#### Human Rights Implications

222. 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) may be affected due to the close proximity of residential properties to the site. The proposals have the potential to introduce impacts such as noise, dust, odour, and light upon these properties. However, these potential impacts can be minimised using planning conditions and application of Best Available Techniques in the operation of the site and such residual impacts need to be balanced against the wider benefits the proposals would provide such as the economic development and employment opportunities, and the contribution the facility would make to sustainable waste management aims in Nottinghamshire. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

#### Implications for Sustainability and the Environment

223. The development of the site from a small scale waste transfer station to a medium sized MRF would contribute towards the identified need for such recycling facilities within Nottinghamshire to broadly serve the needs of the County. The MRF would greatly improve the handling of waste at the site and assist in the sorting of materials, so to generate recyclates which can be sold on for reprocessing, thereby diverting waste from landfill and driving such waste up the hierarchy in accordance with National Waste Policy.
224. There are no equalities, human resource or children safeguarding implications. There are no implications for users of County Council services.

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

225. 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. Issues of concern have been raised with the applicant such as impacts of noise and traffic and addressed through negotiation and acceptable amendments to the proposals. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.



## **RECOMMENDATIONS**

226. It is RECOMMENDED that the Corporate Director for Policy, Planning and Corporate Services be instructed to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure an acceptable lorry routeing agreement whereby, with the exception of local collections/deliveries within the Newark built up area, HGVs (over 7.5 tonnes) shall in the first instance:
- d) Route via Bowbridge Lane and Staple Lane, turning right out of Staple Lane onto London Road and vice versa.
  - e) On completion and opening of phase 1 of the Southern Link Road (SLR), route northwards via Bowbridge Lane to the new roundabout on the SLR and exit eastwards onto the SLR to its terminus at Balderton and vice versa.
  - f) The agreement shall cease to be effective on completion and opening of the SLR to its junction with the A46.
227. It is FURTHER RECOMMENDED that subject to the completion of the legal agreement the Corporate Director for Policy, Planning and Corporate Services be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 of this report. Members need to consider the issues, including the Human Rights Act issues set out in the report and resolve accordingly.

**JAYNE FRANCIS-WARD**

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

### **Constitutional Comments**

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

[SLB 12/03/2015]

### **Comments of the Service Director - Finance (SES 12/03/15)**

The financial implications are set out in the 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 Divisions and Members Affected**

Farndon and Muskham - Councillor Mrs Sue Saddington.  
Balderton - Councillor Keith Walker  
Newark East - Councillor Stuart Wallace  
Newark West -Councillor Tony Roberts

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