



21 January 2020

Agenda Item: 7

REPORT OF CORPORATE DIRECTOR – PLACE

GEDLING DISTRICT REF. NO.: 7/2019/1089NCC

PROPOSAL: APPLICATION FOR HABITAT ENHANCEMENT AND PROVISION OF OPEN SPACE THROUGH SUSTAINABLE USE OF MATERIAL ARISING FROM THE CONSTRUCTION OF THE GEDLING ACCESS ROAD

LOCATION: GEDLING ACCESS ROAD - LAND OFF ARNOLD LANE, GEDLING

APPLICANT: NCC PLACE DEPARTMENT

Purpose of Report

1. To consider a planning application for the use and deposition of surplus excavation materials arising from the adjacent Gedling Access Road project for the creation of enhanced habitats and open space thereafter, on land to the east of Arnold Lane, Gedling. The key issues relate to the sustainability of the waste deposition at this site, having regard to the waste hierarchy, the proximity principle and alternatives, and impacts on the local landscape and views. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

The Site and Surroundings

2. The site comprises an area of disused grazing land situated at the northern end of Arnold Lane (A6211) before its junction with Mapperley Plains/Plains Road. This is a busy local road connecting Mapperley Plains, Gedling and Carlton, along the eastern side of the Greater Nottingham area. The northern part is relatively undeveloped in character and framed by Mapperley Golf Course to the west, and various areas of pasture and woodland to the east. This area is undulating, and the road dips before rising up a notable gradient on its approach to Mapperley Plains. Further to the east is the prominent landform of the former colliery tip which is now the new Gedling Country Park and a Local Nature Reserve. Parts of the former Gedling Colliery and its dismantled railway line are also designated as a Local Wildlife Site lying 120m to the east. The new Chase Farm housing development is being built out across various fields to the south east, including on some of the former colliery land.

3. The application site comprises a 2.5 ha area of semi-improved grassland, part of a disused farm holding to the side of Arnold Lane. It also includes a small part of scrubby woodland alongside a former railway tunnel. A 19thC ventilation shaft known as a 'Pepper Pot' stands at the corner of the site. The site slopes steeply from north west to south east (a difference of about 28m) and is also undulating in nature. Sporadic hedgerows and trees fringe the roadside. The site and surroundings are shown on the appended plan 1.
4. The new alignment for the Gedling Access Road (GAR) passes through this field (above the old tunnel) and its planning boundary partly overlaps with the application site. This project is being delivered by the County Council and its partners. The early stages of this are now underway. When completed the road will pass through on a raised embankment, continuing south towards Burton Joyce to provide a new 3.8 km link to the A612. The route is shown on plan 2.
5. The nearest properties are situated at Clementine Drive, situated 100m to the north, at a higher level, with views overlooking the wider area, and those within Bailey Drive, Swindell Close and Howieson Court – particularly those end-on and adjacent to Arnold Lane, to the west. The former Chase Farm buildings to the north have now been cleared for the new GAR project. The 3rd Woodthorpe (St. Mark's) Scout Group have a base and campsite located to the north west, off Mapperley Plains.
6. There is currently an outline planning application lodged with Gedling Borough Council for residential development on part of the former Chase Farm site to the south east of Clementine Drive, to the north of the site.

Background

7. This application is associated with the GAR project as a means of dealing with the surplus excavation spoil which is expected from the construction works.
8. The GAR has been a longstanding local highway and regeneration project intended to provide part of an eastern loop road around Nottingham (linking in to the earlier A612 Gedling Major Integrated Transport Scheme) and providing relief to Gedling village. Importantly it also forms part of the enabling infrastructure for the further development at Chase Farm/Gedling colliery and for other local development sites.
9. The road project was taken through planning by the Homes and Community Agency, with Gedling Borough Council granting planning permission in 2014 (Ref 2014/0915). This was later varied under planning permission 2015/0110 and varied again under permission 2015/1033 granted in June 2016 which is the permission being enacted.
10. Over more recent time the County Council, and its partner Via East Midlands have taken on the project delivery, including all necessary land assembly,

legal orders and tendering. The discharge of the remaining planning conditions is being completed through Gedling Borough Council. Enabling works including clearance/demolition and drainage works took place in 2019. Main construction works started earlier this month and the new road is scheduled to be completed by Autumn 2021.

Proposed Development

11. It is estimated there will be a surplus of circa 79,000m³ of spoil materials arising from the construction of the GAR, equating to circa 165,900 tonnes. The application proposes that this material be deposited and used to re-sculpt the adjoining land forming the application site to provide a more gradual slope down from the new road embankment and upon which additional native woodland habitat would be created as well as a new area of level grassland for the local Scout group as compensation for the loss of part of their current site. The application describes this as a sustainable use of the surplus materials and it is not anticipated that any other materials would need to be imported to the site.
12. Prior to the deposit of construction spoil, top and sub soils would be stripped and formed into temporary stockpiles in accordance with good practice soil handling techniques. As construction works progress on the GAR, surplus clean materials would be transported overland to the site using plant such as dump trucks, thereby avoiding the need to use the highway. The applicant calculates that this could negate the need for 9,300 HGV movements (18,600 two-way) on the public highway which would otherwise be required to transport the material elsewhere.
13. Works would take place concurrently with the GAR project and in daytime hours: 07.00-18.00 Mondays to Fridays and 07.00 to 13.00 on Saturdays. Materials would be progressively used to re-profile the site, with an average depth of 3.1m across the 2.5ha. site. However due to the current undulations, the depth of the deposit would range from 0m up to approximately 10m deep. The main change would be the creation of an engineered slope, starting at the top of the GAR embankment and providing a more gradual, but longer slope down to Arnold Lane.
14. Two broad areas with two differing after-uses are set out on the submitted plans. The north-western and smaller section would be created as a suitable piece of grassland as compensatory land to the Scouts. The plans indicate this area would be created as a roughly level plateau and which would be accessed internally from the current Scouts land.
15. The second and larger area comprising the south-eastern section would be set aside for additional habitat areas, primarily a new native woodland, along with some species rich grassland wildlife corridors. This would be upon the new sloping landform leading down to Arnold Lane. The planting schedules details 3,300 new trees would be planted with a selection of 10 native species. A network of sustainable drainage channels/swales is included in

the design to slow down surface water run-off and promote natural infiltration. The proposed site plan and cross section are included as plans 3, 4 and 5 with points A to D annotated to show the change in the land profile.

16. The primary justifications put forward for the proposal appears to be the need to support the timely delivery of the GAR project by providing a suitable site, in close proximity, which can take the surplus materials. The road project in turn unlocks notable housing growth in the area, including at Chase Farm/Gedling Colliery (1,050 homes) and also allocations at Willow Farm (110) and Linden Grove (115).
17. Also, as part of the GAR project the Council, the road developer is required by a legal agreement to agree a land exchange and replacement facilities for the 3rd Woodthorpe Scouts group and part of this proposal seeks to meet this requirement.
18. Further benefits are set out in the application, particularly the expanded area of landscaping and new habitats alongside the GAR and also the reduction in the slope gradient between the GAR and Arnold Lane. The proposal also identified the benefits of avoiding circa 9,300 HGV movements (18,600 two-way) on the public highway and its consequent traffic and emissions which would otherwise be required to transport the spoil elsewhere. It also states there would be a benefit in formalising the surface water drainage system towards the Ouse Dyke by holding and slowing down surface water run-off to facilitate natural infiltration.

Consultations

19. **Gedling Borough Council** - *No objection.*
20. **NCC Planning Policy** - *Considering the proposal and use of the waste material, this application would be seen as a land raising scheme through the disposal of waste and therefore Policy WCS5: Disposal sites for hazardous, non-hazardous and inert waste, is relevant to consider. Policy WCS5 outlines the preference for disposal sites is:*
 - a) *extensions to existing sites*
 - b) *the restoration and/or re-working of old colliery tips and the reclamation of minerals workings, other man-made voids and derelict land*
 - c) *disposal on greenfield sites where there are no other more sustainable alternatives.*
21. As the site is within the open countryside and is a greenfield site, this proposal would fall into the last preference and so will need to demonstrate that other alternatives have been considered. The applicant has within their supporting documents outlined five alternative permitted sites that the waste generated could be taken to for disposal. This includes the approved Dorket Head inert landfill site which is the closest site. Here inert waste is imported to restore the land which is excavated for brick clay and so would fall under preference b of

Policy WCS5. A southern extension to the quarry was permitted in 2018 and due to a housing allocation in Gedling Borough Councils Local Plan Part Two (2018) adjacent to this extraction area, the operator is required, through planning conditions, to have fully extracted and restored the site through the import waste by 2023 for phase 1,2 and 3 and 2026 for phase 4.

22. Considering Policy WCS5 preference for material to be disposed in mineral workings and the obligation to restore the mineral workings site, the case officer will need to be satisfied that Dorket Head is not a sustainable, suitable nor viable alternative for the disposal of the waste and that if the proposed development is approved, this does not hinder/prevent the restoration of the Dorket Head site through a lack of availability of suitable material.
23. In terms of a land raising disposal scheme being appropriate at this open countryside location, Policy WCS7: General Site Criteria indicates that a land raising disposal proposal can be appropriate in such a location, subject to there being no unacceptable environmental impacts.
24. With the proposal only using waste material generated from the construction of the GAR the importing of waste material from other sources will not take place. A key benefit of the proposal is that it will reduce/eliminate a substantial amount of HGV movements. Strategic Objective 5 and the latter part of Policy WCS11 in the Waste Core Strategy does seek to minimise the distance waste travels so to minimise the impact of waste development. This benefit of a reduction in HGV movements will need to be balanced with the policies mentioned above and any other impacts highlighted by other respondents.
25. Overall, the proposal to use waste material arising from the construction of the GAR to create open space and habitat enhancement will need to demonstrate, to the case officer's satisfaction, that this is the most suitable use of the waste and that there are no sustainable alternatives for the disposal of waste. This will need to be balanced with the benefits of the scheme, which include fulfilling the applicant's obligation to the Scout Group to provide adequate land, reducing the number of HGV movements, providing biodiversity enhancement and ultimately allowing this major project to begin construction.
26. **NCC Highways Development Control** – No objection. *The material will be sourced from the Gedling Access Road scheme. As the works will be carried out internally it means that the need for approximately 9300 HGV movements [18,600 two-way] is eliminated. The Highway Authority considers that the proposal has no negative highway related implications so subsequently has no objections.*
27. **NCC Nature Conservation** – No objection, subject to conditions relating to construction mitigation measures, the use of biodegradable tree guards, and extended aftercare of the woodland for 15+ years.
28. An Ecology Report indicates that the area affected by the proposals is of low ecological value, being an area of poor semi-improved grassland with no evidence of, and limited potential for, protected or notable species.

29. NCC Nature Conservation has accepted the proposed landscaping works in consultation with Via (Landscape) and the applicant. The inclusion of linear 'rides' within the planting area is welcomed, as these will provide sheltered areas for foraging bats (and their prey).
30. The 'Mitigation Recommendations' listed in section 6.1 and section 5.2.2 (e) of the report should all be secured through condition(s);
31. A condition should require the use of biodegradable and compostable tree guards. to avoid plastic tree guards lying around for decades,
32. It appears that only a basic 5-year aftercare period is offered, after which time the area will be managed 'by NCC'. Recognising that the woodland is likely to need ongoing management, including thinning, a longer aftercare period of 15+ years (in total) is suggested and should be secured through an appropriate mechanism.
33. **Via Landscape** - *Maintenance is outlined in the planning statement as a 5-year establishment maintenance period as part of the GAR construction works followed by management by NCC. These operations and longer-term management carried out by NCC have not been outlined and so this should be conditioned as part of any planning consent. The applicant should also be aware that the management of the species rich grassland will require grazing and/or hay cut with removal of arisings on a yearly basis to maintain species diversity and that the woodland will require thinning as it matures.*
34. **Via Project Engineer (Noise)** - *No objection. The works will be relatively short duration (several months) during the earthworks stage of the overall Gedling Access Road construction. Given works will only be conducted during daytime hours and that the development site is separated from the nearest noise sensitive receptors by the A6211 - Arnold Lane, it is expected that noise at these receptors will continue to be dominated by road traffic noise.*
35. **Environment Agency** – *No objection, subject to a condition governing remediation.*
36. The previous use of the site is farmland adjacent to an historic landfill which presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is within source protection zone 3 and is located upon a secondary B aquifer.
37. The application's 'Phase 1 – Geo-Environmental Desk Top Study' demonstrates that it will be possible to manage the risks posed to controlled waters by this development.

38. The proposed development will only be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be *carried out by a competent person in line with the NPPF.*
39. Advice is provided to the applicant in relation to whether the works would require an Environmental Permit, or whether they would be an exempt activity.
40. **NCC Flood Risk** - *No objection and recommends the approval of the surface water management for the site.*
41. **NCC Built Heritage** -*On the basis of the information provided, it is not considered that the proposals will have any impact on the built heritage in the vicinity, beyond that already considered as part of the GAR development.*
42. **NCC (Archaeology)** - *The archaeological issues of the wider scheme have been dealt with. There are no outstanding archaeological issues with regard to the current application site.*
43. **Western Power Distribution** – *No objection, however notes the presence of electricity lines within the site that may be directly affected. (These have now been removed.)*
44. **Via Land Reclamation** and **Nottinghamshire Wildlife Trust** have not responded. Any response received will be orally reported.

Publicity

45. The application has been publicised by means of three site notices, a press notice and 16 neighbour notification letters sent to the nearest occupiers (including the Woodthorpe Scouts Group) in accordance with the County Council's adopted Statement of Community Involvement. No representations have been received.
46. Councillors Boyd Elliott, Michael Payne and Pauline Allan have been notified of the application.

Observations

Responsibilities

47. In this case the County Council is the determining planning authority in two respects. Firstly the applicant is a department of the County Council and the application has been prepared by Via East Midlands on its behalf. It is therefore a 'Regulation 3' application pursuant to the Town and Country Planning General Regulations 1992 allowing the County Council as the County Planning Authority (CPA) to determine its own development proposals. Secondly the proposal involves waste and so the County Council

is therefore also the prescribed planning authority in its remit as the Waste Planning Authority (WPA).

Principle of the development

48. In accordance with the statutory requirements, this planning application must be determined in accordance with the Development Plan, unless there are material considerations which indicate otherwise.
49. The Development Plan in the context of this proposal comprises:
 - The Greater Nottingham Aligned Core Strategy (2014)
 - The Gedling Local Planning Document – Part 2 Local Plan (2018)
 - The Nottinghamshire and Nottingham Waste Core Strategy (2013)
 - The Nottinghamshire and Nottingham Waste Local Plan (saved chapter 3 policies) (2002)
50. The following are material considerations:
 - The National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG);
 - National Planning Policy for Waste
51. As noted in the background section above, this application must be seen in the context with its specific relationship with the Gedling Access Road project. This additional land has been put forward in order to support the timely delivery of this important local highway project, which has been a longstanding regeneration and growth priority.
52. In turn the GAR is a prerequisite for further phases of housing at the nearby Chase Farm/Gedling Colliery development, which is also a major regeneration priority and forms a key part for the Borough's housing land supply. The Greater Nottingham Aligned Core Strategy (2014) identifies this area for a strategic location for circa 600 houses, an employment area and local centre served by the GAR. A subsequent outline planning permission for the Chase Farm development increased this to 1,050, however construction is limited to 315 being occupied until the full GAR is complete. The Gedling Local Planning Document (Part 2 of the Local Plan) (2018) includes the committed Chase Farm development within its housing and regeneration strategy. Two other housing allocations also depend on the completion of the GAR. It is clear therefore that a solution for the material is an important and pressing issue, upon which much else depends.
53. In terms of the current status of the application site, the Local Plan does not allocate or designate this for development. The accompanying policy map shows the indicative alignment of the GAR passing through the area. The site

is shown within the urban boundary and therefore does not form part of the open countryside or Green Belt. Though now disused, the land remains as agricultural pasture.

54. Turning now to waste planning policy, it is necessary to consider the sustainability merits of the selected site and of the proposed use of the surplus waste materials.
55. A key plank of waste planning policy is the waste hierarchy. This is encompassed in Policy WCS3 of the Waste Core Strategy. This policy sets out that future waste management proposals should accord with the Council's aim to achieve 70% recycling and composting rates. Priority is therefore afforded to the development of these facilities, followed by energy recovery and lastly new disposal where it can be shown that this is necessary to manage residual waste which cannot be economically recovered or recycled.
56. Policy WCS 5 (Disposal Sites) states that where it is shown that additional inert landfill capacity is necessary, priority will be given to sites within the main shortfall areas (including around Nottingham) and preference will be given to sites in the following order:
 - a) the extension of existing sites
 - b) the restoration and/or re-working of old colliery tips and the reclamation of mineral workings, other man-made voids and derelict land where this would have associated environmental benefits;
 - c) disposal on greenfield sites will be considered only where there are no other more sustainable alternatives.
57. Policy WCS7 (General Site Criteria) indicates that disposal by land raising is likely to be suitable on agricultural land (not subject to any environmental designation) and land which is derelict, previously developed, or abandoned, including poorly restored colliery or railway land as examples.
58. The proposed development appears to have elements of disposal and elements of beneficial reuse from that disposal. In particular it is relevant to take into account the extant planning requirements placed upon the Council, as the road developer, to provide compensatory land to the 3rd Woodthorpe Scouts group. Through the provisions of a legal agreement pursuant to the planning permission for the GAR, the County Council, as developer, is required to agree a land swap and replacement facilities for the Scouts. Approximately a third of the site would therefore be given over to them and the material would be used to create a roughly level plateau of species rich grassland suitable for their needs. At the time of producing this report Policy Committee on 15th January is due to consider a land acquisition/disposal agreement with the Scouts group whereby 0.71ha forming part of the application proposal would be transferred in exchange for 0.34ha of their current site which is required for the GAR.

59. However, the majority of the site, and where the levels are proposed to be raised the most (up to 10m), would form an enlarged landscaping and habitat area next to the GAR primarily comprising woodland. Whilst this is of apparent benefit to the environment, the new woodland area could be undertaken without the deposition of the remaining materials in that situation.
60. Taking the above policies together, it is considered that there is tension with some of the sustainability objectives of waste planning policy. Whilst there is some policy support for land-raising on such greenfield sites under WCS7, the proposal first needs to demonstrate that the waste material cannot be viably recovered or recycled at a more sequentially preferable alternative location such as for restoration works under WCS5 part b) as opposed to the use of this green field location falling under part c). This is notwithstanding that the application site itself is currently unused and not subject to any environmental designations and so could be suitable if the test under c) is satisfied. For this reason, the applicant has investigated a number of alternative disposal solutions/sites, both locally and further afield in order to show that there are no other more sustainable alternatives to the proposal.

Alternatives

61. An obvious potential alternative would be to transport the material to Dorket Head quarry which is only 3.5 km to the north via Mapperley Plains. This clay quarry has planning permission for a southern extension, with restoration requirements to backfill using inert waste materials. Furthermore a nearby housing allocation on Killisick Lane is dependent on the timely prior extraction of clay, followed by a rapid backfilling as part of the phased delivery and stand off requirements expected for this housing allocation.
62. Enquiries with the quarry operator confirm that the site is currently not importing material as there is insufficient void space at this point of working. Void space will start to become available in Autumn 2020 following further clay extraction, but the infilling operations will be contracted to a third party operator. It is therefore not immediately available to coincide with the main works now under way. Unfortunately therefore, the site has to be adjudged as unviable at this time.
63. Other sites considered have been ruled out for various reasons including lack of short term capacity, low rates of waste acceptance, timings or restrictions on their planning permissions, developer risk and haulage distances. Officers agree in all cases that these are not viable to use for the reasons summarised in the following table.

Alternative site	Distance from GAR by road	Constraints and/or reason not viable
Springwater Golf Club, Calverton.	7.7 km north	Time limited planning permission for the importation of materials and grading works to remodel the golf course expired in July 2019 and the operator does not intend to apply to extend this any further. The site is therefore unavailable.
Various waste operators at Wigwam Lane, Hucknall	14.8km from the site	Operations typically undertaken include crushing and screening of a variety of inert wastes, including soils, at various waste transfer stations. However there is no final disposal at these sites and the surplus material is not suitable for recycling and only suitable for engineering fill, capping or inert cover. The sites are unlikely to have sufficient storage capacity to take all the material that would arise from the proposed development, or the markets to then move the material on to allow more to be accepted. Therefore, other outlets would also be required.
Coneygre Farm, Hoveringham	14.2km east	The farm has permission and accepts inert waste. Permit allows for up to 60,000 tonnes to be recovered per annum (but generally accepts much less). The site therefore has insufficient capacity and it would take 2 to 3 years to accept the materials which goes beyond the GAR project timescales
Canalside Industrial Park, Cropwell Bishop	23.5km to the south east	Planning permission has now been implemented for the reclamation of this site through the importation of inert materials. However only 60,000 tonnes is to be imported and the permission limits it to 40 HGV movements per day (20 on Saturdays) and further limited to 392 in any 4 week period. The site therefore has insufficient capacity.
Bentick colliery, Kirkby in Ashfield	23.1km north-west	Time limited planning permission to import inert waste materials has expired and the site is currently closed.
Other distant sites: Vale Road Quarry, Mansfield Woodhouse, Welbeck Colliery, Styrrup Quarry	25km, 35km +	These are active inert landfill sites but are distant from the GAR project site. The haulage distances have fuel and emissions considerations which render these sites less sustainable in the round.

64. One further alternative considered was to utilise and remodel a portion of former farmland to the north, beyond the former railway tunnel, but still next to

the GAR. However this is of insufficient size to accept all the expected material (only 18%) and is not large enough to offer to the scouts at 0.25 ha. In policy terms this also has much the same considerations as the application site.

Conclusions on site selection

65. Officers are satisfied that the applicant has considered and made appropriate enquiries into a range of alternative sites and agree that whilst the Dorket Head site would be sequentially preferable in terms of the waste hierarchy, it is not available during the main works for the GAR. The future restoration of Dorket Head is not dependent on this material and given its proximity to the major population centre, it should not have difficulties in sourcing appropriate restoration materials in subsequent years. Other sites would involve greater transport requirements, with a consequent increase in fuel and transport emissions, which could be avoided.
66. The application site is therefore considered an appropriate and sustainable solution when considered against waste planning policy. The particular facts in this case justify the use of this site. This is in the context that it is to accept a clearly defined and one-off source of waste, from a neighbouring infrastructure project (which does not require road haulage), hence it meets a further facet of waste planning policy – the proximity principle from waste source to its destination. The site is not subject to any environmental designation and is suitable for accepting the clean waste materials. On this basis, the proposal is considered to accord with WCS Policies WCS3, WCS5 and WCS7 after considering alternative options.
67. A grant of permission on this basis will not create a precedent for other greenfield disposal sites, as there are particular and unique circumstances in this case which justify the proposed approach. On the merits of the application it would not be considered appropriate to permit the site to operate on an open market basis and any grant of planning permission should be restricted to receiving only materials arising directly from the GAR construction works.
68. Furthermore, the proposed end uses would provide community and environmental benefits in terms of a new level site for the Scouts and an enlarged area of woodland planting to buffer the GAR. This should result in benefits for ecology, climate change, and local amenity. In the wider context of the new road, ultimately the additional works area is small and comparable to other areas of landscaping and engineering works along the route.
69. In principle therefore, the use of the application site for the proposed works can be supported, subject to assessing impacts to the environment and local amenity, as further considered below.

Transport and Access

70. WCS Policy WCS11 (Sustainable Transport) states that waste management proposals should seek to maximise the use of alternatives to road transport, make the best use of the existing transport network and minimise the distances travelled in undertaking waste management. This policy embodies the 'proximity principle' in undertaking waste management. Policy WCS14 (Managing Climate Change) states all new or extended waste management facilities should be located, designed and operated so as to minimise any potential impacts on, and increase adaptability to, climate change.
71. The NPPF states that the environmental impacts of traffic and transport should be identified, assessed and taken into account, including appropriate opportunities for avoiding and mitigating any adverse effects, and providing net environmental gains (para 102).
72. Unusually this application does not propose or require direct access to the highway in order to receive the waste materials or undertake the land shaping and landscaping works. Instead it is intended that the site be incorporated into the wider construction site for the GAR works, which will have its own access arrangements for construction vehicles elsewhere. During this time all the material would be internally hauled to the application site using mobile plant such as dump trucks.
73. The avoidance of HGV movements is a key part of the site selection and sustainability justification as presented in the application. It states that utilising this land adjacent to the GAR construction site would negate the need for approximately 9,300 HGV movements (18,600 two-way) which would otherwise be required to transport the material to an alternative destination. This additional heavy traffic, whilst temporary, would nonetheless impact negatively through the surrounding areas and is a factor to be weighed when considering the assessment of possible alternatives as set out above.
74. The benefits of the site's proximity to the source of the materials along with the avoidance of any associated transport requirements (and the associated adverse environmental effects) should be afforded significant weight in the overall planning and sustainability balance and is clearly supported by policy WCS11, WCS14 and national planning policy. The closest alternatives sites are not viable for the GAR project requirements, leaving more distant alternatives which would entail long distance road haulage to the north of the County and the associated emissions and fuel use that would entail.
75. It also warrants reiterating that the proposed project is critical to the timely completion of the GAR, which is a priority local transport project for the County Council and the Gedling Local Plan.

Landscape and Visual Impact

76. Saved WLP policies W3.3 and W3.4 seek to limit the visual appearance of waste management facilities and requires the provision or maintenance of screening and landscaping which should retain, enhance protect and manage existing features of interest and value for screening and provide further measures such as fencing, or landscaped bunds as may be required to reduce a site's visual impact.
77. Policy LPD 19 – Landscape Character and Visual Impact states that planning permission will be granted where a proposal would not result in a significant adverse visual impact or significant adverse impact on the character of the landscape. Where practicable, development should enhance the qualities of the landscape character type in which it is situated, including the distinctive elements, features and other characteristics, as identified in the Greater Nottingham Landscape Character Assessment. Proposals will be required to respond to the recommended landscape strategy and landscape actions for the policy zone within which it is situated.
78. The site lies within the Mid-Nottinghamshire Farmland policy zone MN043 (Gedling Colliery Green Space) as designated in the Greater Nottingham Landscape Character Assessment. The Landscape Condition for this policy zone is assessed as “moderate” and the Landscape Strength is assessed as “weak”. The overall landscape strategy for the area is “Enhance and Restore”.
79. In considering effects to local landscape character, the application identifies there would be a **substantial adverse** impact to the landscape character as a result of the works (this is further assessed as **‘major adverse’** during the actual works). The impact stems from the change from the natural, undulating rural landform (as seen in passing on Arnold Lane) to one featuring a prominent engineered slope as is proposed. After 15 years the landscape impact would **slight adverse**, particularly as the woodland upon this slope would have become established by then, helping to soften the wider road project.
80. In terms of visual impacts, views will forever be changed as a result of the GAR passing by the site along a raised embankment up to 14m high. Impacts will be prominent during the construction works and cumulative with the proposed additional works on this additional area of land.
81. The main impact would be to passing traffic, particularly those heading north-bound/west bound (and pedestrians utilising the footway on that side). Such impacts during construction and up to 15 years post completion would be *substantial adverse* due to the visual prominence of the engineered slope and the presence of a substantial gap in the roadside hedgerow, which otherwise provides a good degree of screening to passing traffic when travelling southbound. After 15 years the woodland (and grassland) would have developed to soften the view leading to a *slight to moderate adverse* visual impact when seen in the context of the GAR. It is also worth noting that the current speed limits are planned to be reduced from the current 60mph

national limit to 40mph past the site (and then 30mph on approach to the new roundabout as part of the GAR to the south), meaning passing views will be prolonged.

82. Some nearby properties such as those at Clementine Drive which overlook the area, will primarily be affected by a view of the GAR, particular during its construction and the additional impact is considered *slight adverse* as a result and improving to negligible impact upon restoration. Properties at Swindell Close and Howieson Court, situated to the north-west, although closer, benefit from a good degree of vegetation screening and therefore would be affected to a similar slight degree.
83. Both in terms of landscape and visual effects the proposal has to be considered in the context with the new GAR and also the local housing developments. Currently the site has a certain rural attractiveness when travelling northbound with open views across the undulating fields and framed by the woodland beyond. The GAR will permanently change this, cutting through part of the site on an elevated embankment and later joining Arnold Lane at a 5-arm roundabout further to the south.
84. It is acknowledged that the proposed additional works and land take would lead to the further erosion of this natural and interesting landform. However, the plans for the new road show that there would be quite extensive areas of engineered cuttings, embankments and landscaped mounds along the route and the additional works now proposed would in effect be no different in this context. It would also be across a relatively small and contained area which will become a remnant parcel of land after the new road is complete and which would be of little practical agricultural use. The plans would deliver a new area of native woodland of some 3,300 trees, (as well as grassland for the Scouts), responding to some of the landscape improvement recommendations in the Landscape Character Assessment and which would help to screen the new road. When seen in this context, the additional engineered slope down to Arnold Lane would not appear incongruous.
85. The retention of the roadside hedgerow (to be enforced by a recommended condition) is required to reduce adverse visual impacts to residents and passing road users, particularly during the works. There is scope to reinforce a gap in the hedgerow under planning condition as part of the restoration planting. Any temporary soil bunds can be required to be seeded if they are to be left longer than 6 months. These measures satisfy policies WLP W3.3 and W3.4 but cannot completely overcome the identified impacts to local landscape character and also in terms of the visual prominence of the proposed engineered slope. However, this level of impact is relatively temporary, the physical works would coincide with the wider GAR construction, and its condition will continually improve as the new woodland and grassland develops, such that after 15 years the impact is slight. Therefore, in the context of the proposed planting, and taken in the context of the GAR project, it is considered that the proposals are compliant with Policy LPD19 and would not lead to a substantial adverse impact.

Residential amenity

86. WLP Policy W3.9 seeks to ensure noise is appropriately controlled. Requirements could include setting maximum noise levels when measured at nearby sensitive receptors, controls on plant and machinery, restrictions on the hours of operation, and alternative types of reversing alarms.
87. Policy WCS13 supports development proposals where it can be demonstrated that there would be no unacceptable impact on the quality of life of those living or working nearby.
88. With the works planned concurrently with the wider construction of the Gedling Access Road, a level of local disruption is already anticipated in order to deliver this ultimately beneficial infrastructure project. The proposed development would bring such earthworks closer to properties off Bailey Drive at the top of Arnold Lane, however there would still be a good degree of separation and works would only take place during daytime hours, with half day working on Saturdays and no working on Sundays or public and bank holidays.
89. The works would employ 'best practicable means' including use of well-maintained plant, fitment of broadband reversing alarms, and minimising engine idling. The works would be temporary and relatively short term during the construction of the GAR and any grant of planning permission could require the site to only accept materials from that project, thereby ensuring impacts are not prolonged.
90. The County Council's noise advisor raises no objection, noting in particular that road traffic noise along Arnold Lane is the dominant noise source during the day and that the additional works now proposed would be of short duration. As such, noise from earthmoving plant is not likely to cause undue impacts to the occupants of the nearest properties.
91. On completion of the works and implementation of the after uses, it is not expected that these would result in any unacceptable impacts to residential or local amenity. Over time the new woodland planting would assist in buffering impacts from the GAR.
92. It is also worth noting that the proposal negates the need for any HGV haulage operation, which itself would cause additional traffic noise, vibration and related emissions, if the material had to be transport elsewhere.
93. Therefore, subject to conditioning the hours of works, and other construction management measures, the proposed application is considered in accordance with policies W3.9 and WCS13.

Ecology /biodiversity considerations

94. Policy 17 of the Aligned Core Strategy sets out to increase biodiversity by:

- (a) protecting, restoring, expanding and enhancing existing areas of biodiversity interest, including areas and networks of habitats and species listed in the UK and Nottinghamshire Biodiversity Action Plans;
 - (b) ensuring that fragmentation of the Green Infrastructure network is avoided wherever possible and improvements to the network benefit biodiversity, including at a landscape scale, through the incorporation of existing habitats and the creation of new habitats;
 - (c) seeking to ensure new development provides new biodiversity features, and improves existing biodiversity features wherever appropriate; and
 - (d) supporting the need for the appropriate management and maintenance.
95. National planning policy seeks to conserve and enhance the natural environment through minimising impacts on and providing net gains for biodiversity. Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged (para 175).
96. WLP Policy W3.22 states that planning permission for a waste management facility which would harm or destroy a species or habitat of county importance will only be granted where the need for the development outweighs the local conservation interest of the site.
97. The overarching environment policy WCS13 supports proposals where it can be demonstrated that there would be no unacceptable impact on any element of environmental quality. All waste proposals should seek to maximise opportunities to enhance the local environment through the provision of landscape, habitat or community facilities.
98. An Ecology Survey to inform the works was undertaken by the same ecologists overseeing the GAR construction. The survey indicates the area affected is of generally low ecological value, primarily comprising poor, rough, semi-improved grassland with limited potential for protected or notable species.
99. There are a small number of trees on site including two semi-mature Ash trees and a stand of hawthorn, which would be lost. There would also be a loss of scrubby woodland around the former railway alignment and Pepper Pot, some of which is already scheduled for removal under the GAR works. The Pepper Pot is a known bat roost /access point and would be retained. A Natural England Licence has been granted in relation to the GAR works and its effects to bats in the area and which has required construction of a Bat House elsewhere, as well as other measures including a planned 'bat hop-over' across the GAR.
100. A range of mitigation measures have been identified to limit impact to ecology during works. These include set methodologies for site clearance to avoid

harming nesting birds, or common amphibians or reptiles that may be present. The hedgerow beside Arnold Lane would be retained and it is recommended that this be protected by fencing during works. The County Ecologist raises no objection to the proposals subject to securing these measures under planning condition.

101. A major aim of the project is to maximise the site's value for biodiversity once all material importation and soil replacement works are complete. The majority of the site would be planted as native woodland comprising a greater range of woodland species to that currently present including, field maple, silver birch, dogwood, hazel, hawthorn, holly, crab apple, wild cherry, blackthorn and oak. Grassland strips or 'linear rides' would be run through the woodland and would be sown using a species rich grassland mix which will provide foraging corridors for wildlife, particularly bats. All this would expand on the existing landscaping strip planned to run alongside the GAR and connect into features such as the bat hop-over and a mammal tunnel.
102. It is clear therefore, that the proposed works can be undertaken on site without causing unacceptable impact to biodiversity, and which upon completion of the site's restoration would provide for a much-enhanced site for wildlife and the environment generally. The works would be undertaken in conjunction with the GAR construction, which itself is requiring careful ecological mitigation measures as detailed above.
103. The additional habitats would help minimise the fragmentation of local habitats which will result from the GAR corridor and help the recovery of priority species such as bats. Appropriate management can also be secured, as discussed further in this report. As such the application is considered to accord with the aims and objectives of ACS Policy 17, WLP Policy W3.22, WCS Policy WCS13 and national planning policy seeking to deliver ecological net gains.

Air Quality/Dust

104. WLP Policy W3.10 seeks to ensure fugitive dust generation is suppressed. Measures may be required including the use of water bowsers, dust screens, and the siting of dust generating operations away from sensitive areas. The overarching Policy WCS 13 is also relevant.
105. The proposed works are likely to generate dust, particularly during periods of dry and windy weather where areas of spoil/soils are left bare of vegetation. The movement of plant and machinery and the unloading of materials may also generate dust.
106. As the works would effectively be an extension of the GAR construction project, dust emissions would be managed and mitigated across the sites. A variety of mitigation measures have been identified. The applicant correctly identifies the need to revegetate exposed areas at the earliest opportunity and to seed any top soil bunds which remain in situ for longer than 6 months. The

existing hedgerow vegetation along Arnold Lane would be retained, thereby providing a buffer to the road and to the nearest properties off Bailey Drive/Arnold Lane. A water bowser would be used to damp down as and when required and if conditions are particularly unfavourable, operations can be temporarily suspended.

107. It is considered that the dust mitigation measures, as will be employed on the GAR construction are equally applicable to the additional works and area as proposed. A condition is recommended to embed these measures into the project. Subject to this, the development proposal is considered to comply with WLP Policy W3.10 and the general WCS Policy WCS13 with respect to limiting dust emissions.

Agriculture/Conservation of soil resources

108. Policy W3.18 of the WLP seeks to prevent waste management development on Best and Most Versatile (BMV) agricultural land (grades 1, 2 and 3a) except where proposals will not affect its long-term agricultural potential; or there is no available alternative and the need for development outweighs the agricultural interest; or available alternative land of lower quality has certain environmental considerations.
109. Policy W4.5 of the WLP requires waste disposal schemes to include measures for the proper striping, storage and replacement of original or alternative, suitable soil profiles, in order to achieve a satisfactory restoration.
110. The NPPF states that the planning system should contribute and enhance the natural environment by protecting and enhancing valued landscapes, biodiversity and soils in a manner commensurate with their status/quality (paragraph 170) and recognise the wider benefits from natural capital and ecosystem services including the economic and other benefits of BMV agricultural land.
111. Defra mapping indicates that the possible presence of Grade 3a BMV soils on site. However the site was previously grazing pasture and this use has now ceased in advance of the GAR construction. The land will be permanently severed by the new road and the remaining parcels such as this which do not form part of the Chase Farm development will unlikely be viable to return to any commercial agricultural use. The agricultural potential of this land has therefore already been affected to the degree that this proposal does not prejudice the aims and objectives of Policy W3.18. The soils can however be reused for the proposed after uses and so should be handled appropriately in any event.
112. The application has set out how soils would be handled in accordance with the established industry best practice – Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009) and the MAFF Good Practice Guide for Handling Soils (2000). Working this way will help

maintain soil structure and minimise its compaction so that it can be used for the restoration.

113. Top soils and sub soils across the site would first be stripped (when dry and friable) utilising tracked excavators or dozers and placed in temporary stockpiles no higher than 3m. These would be seeded if left longer than 6 months. Machinery would avoid unnecessary movement on unstripped or replaced soils and haul routes would be formed as required. Soils would be replaced atop the GAR spoil in sequential strips to the required thickness.
114. Subject to conditions relating to soil handling, and the locations for any temporary soil stockpiles, the proposal makes appropriate provision to safeguard soil resources for their beneficial reuse on site as required by WLP Policy W4.5.

Contamination issues

115. WLP Policy W3.5 states that planning permission will not be granted for a waste management facility where this is an unacceptable risk of pollution to ground or surface waters, unless the impact can be mitigated by engineering measures and/or operation management systems. WCS Policy WCS13 as the general policy to protect environmental matters also applies. Gedling Policy LPD6 also affords protection to aquifers from possible contamination.
116. The NPPF states that the planning system should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution. Development should, wherever possible, help to improve local environmental conditions (para 170). Planning decisions should ensure that new developments are appropriate for its location taking into account ground conditions and any risks arising from land instability and contamination (through adequate site investigation information). Decisions should also take into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area (paras 178-180).
117. In terms of the baseline, a Geo-Environmental Desk Top Study has been undertaken by the contaminated land officers within Via East Midlands to support the application. The site overlays a secondary aquifer and there is also a surface drainage network across the site. The site itself is undeveloped, and unlikely to pose a contamination risk but the ground conditions should nonetheless be proven through intrusive testing which in this case can be secured under planning condition. Due to historic surrounding land uses (notably the colliery) there are potential contaminant sources in the locality which could be mobilised through earth works, however due to their distance and lack of pathways to the application site, the desk top study considers this not to pose any risk to the project or to the environment as a result.

118. The Environment Agency confirms that the site is sensitive in terms of the ground water resource and notes the potential for contaminants to be mobilised from the works. It considers the development proposal to be only acceptable if a remediation strategy is secured under planning condition. This is not considered unreasonable or disproportionate and would provide confidence to protect the environment.
119. In terms of the waste composition, this would all be natural earth materials sourced from the GAR construction and would be subject to geo-technical testing and recording to confirm it is clean and suitable for the proposed after uses. The strict waste acceptance criteria would also ensure the protection of the underlying aquifer. Whether this would be additionally controlled through an Environmental Permit process, or whether it would be an exempt activity has yet to be determined and the Environment Agency has provided guidance to the applicant to assist this process. In this situation it is appropriate to control the management and acceptance of the waste materials through the planning system via planning conditions, primarily by means of a Materials Management Plan (MMP).
120. Subject to conditions for the MMP and remediation strategy the proposal is considered to accord with WLP Policy W3.5, WCS Policy WCS 13, Gedling Policy LPD6 and national planning policy with respect to safeguarding the environment from contaminative pollution.

Drainage

121. Policy LPD 4 (Surface Water Management) of the Gedling Local Plan Part 2 sets out to require measures to pro-actively manage surface water including through Sustainable Drainage Systems in order to minimise surface water flooding on site or elsewhere.
122. The drainage proposals include a swale and a series of timber check dams alongside Arnold Lane to capture excess surface water runoff from the planned slope down to the road and to hold and slow down this water so to promote natural infiltration and plant take-up. Excess water would then continue, as now, into an existing ditch (Ouse Dyke). A further stone filled ditch is planned beside the GAR embankment to deal with run off which also connects into the dyke. Beyond this the Dyke will be substantially diverted to form part of the wider surface water drainage system for the GAR which will provide a betterment to local land drainage, subject to the approval of the County Council as Lead Local Flood Authority (LLFA). This system has the capacity to accommodate the flows from the application site and the County Council Flood Team is satisfied with the arrangements. Consequently they comply with the requirements of Policy LPD4.

Restoration

123. WLP Policy W4.5 requires landscaping proposals to detail an overall landscape concept or masterplan; details of the final landform which should harmonize with the existing landscape character; and planting/preparation details and any necessary measures for replacing plant material which fails following initial planting.
124. Planting and landscape proposals have been submitted with a high degree of detail, including the numbers of trees (over 3,300), the selection of tree species and their planting spaces, and seed mixes for the species rich grassland. A total of 12,980m² of new woodland would be created, of which 8,382m² falls within the GAR planning boundary. An area totalling 10,590m² of species rich grass areas would be created, of which 1,703m² is within the GAR planning boundary.
125. As discussed in the landscape considerations above, the restoration planting is important to naturalise the appearance of the sloping landform which would be created from the spoil materials. Both the woodland and the species rich grassland would provide benefits for wildlife and local amenity as they develop. The planting details have been agreed with the County Ecologist.
126. The use of biodegradable tree guards, as requested by the County Ecologist has also been accepted by the applicant. These are now available on the market and last long enough to protect a young tree from pest damage, but ultimately removes them over time. With these, the restoration proposals are appropriate in accordance with WLP Policy W4.5.

After-use and Long-Term Management

127. WLP Policy W4.9 states that aftercare conditions will be imposed upon all planning permissions for waste disposal where reclamation is to be to agriculture, forestry, or amenity.
128. Policy W4.10 states that where planning permission involves the reclamation of a waste disposal site the scheme shall include full details of the proposed after-use and be designed to maximise opportunities to enhance the environment.
129. The proposed after-uses in this case are aligned with the environmental and community objectives of 'sustainable development'. Not only does the development deliver a new native woodland area beside the new GAR, but it also provides a new site for the local Scout group (this part being on a level plateau).
130. As considered above the proposed restoration and landscaping plans are acceptable and are supported by the County Ecologist. The new woodland in particular will assist in reducing the landscape and visual prominence of the new landform to be created from the spoil disposal. It is important that this successfully establishes itself. Standard practice in minerals and waste

planning would be to control this period of aftercare for 5 years, during which the new planting would be checked and replaced in the event of disease or tree death. As highlighted by the County Ecologist however, new woodlands require ongoing management. The woodland planting would require thinning out and the 'rides' and open grass corridors need to be kept free from encroaching vegetation, so to maintain them for foraging wildlife. The County Ecologist requests that extended aftercare arrangements for the ongoing management of this area be secured through the planning process.

131. The applicant advises that the landscaping and its maintenance would form part of the wider GAR project and that for the first 5 years, responsibilities for the maintenance and establishment of the habitat area would be through the landscape contractor, after which the maintenance passes to the County Council as part of a 25 year maintenance programme. Such a programme covering the GAR landscaping is in place and has approval from Gedling Borough Council and a similar and supplementary strategy can be drawn up to cover the additional land and works now proposed.
132. It is therefore considered that 5 years of initial aftercare should be secured through planning conditions covering both parts of the site - the Scout land and the woodland. It is further considered that additional aftercare and management be secured for the woodland habitats through requiring a long term management strategy under condition. Extended aftercare can be secured under planning condition, in accordance with statutory planning provisions. The long term management of the Scout land would fall outside of the planning conditions and would ultimately be their responsibility. On this basis it can be ensured that the long term benefits from the new woodland are secured and the application complies with WLP Policies W4.9 and W4.10 and also Gedling Policy LPD 19.

Other issues- heritage

133. The works would take place next to the standing Pepper Pot ventilation shaft, part of the former GNR Mapperley railway tunnel. Whilst not listed, it is of local heritage value. The application proposal would leave it physically unaffected and retained next to the GAR. There are no objections from the heritage consultees.

Overall Conclusions

134. After considering the proposal against sustainable waste management objectives, including alternative disposal sites and the objective of minimising transport requirements, and after assessing impacts to local landscape, soils, ecology and amenity, the proposal is considered to be an appropriate and sustainable form of development, within its specific context of supporting the timely delivery of the new Gedling Access Road, which is an important local highway and regeneration project.

135. Works would take place concurrently with the road project and the use of this site would negate the need for road haulage. On completion it would provide environmental and community benefits from the use of the waste material, through the creation of an extended area of new native woodland (with some 3,300 new trees) and replacement grassland for the local Scouts, enabling them to remain at their current base. Over time the area would assimilate into the wider landscaping buffer alongside the road and provide ecological net gains and benefits for tackling climate change.
136. The proposal is therefore viewed as sustainable development, supporting environmental, community and economic elements. It complies with local and national planning policy, particularly Waste Core Strategy Policies 3, 5, 7, 11 and 13, relevant saved policies of the Waste Local Plan, Gedling Aligned Core Strategy Policy 17 and is supported by paras 170 and 175 of the NPPF. It is therefore recommended that planning permission be granted.

Other Options Considered

137. The report relates to the determination of a planning application. Alternative disposal options have been considered in the report. The County Council is under a duty to consider the planning application as submitted.

Statutory and Policy Implications

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

Crime and Disorder Implications

139. The development of the site would be undertaken as part of the wider construction project for the Gedling Access Road. Construction sites will be subject to security arrangements arranged by the main contractor, but are likely to include perimeter security fencing, an onsite security presence and the secure storage of plant and machinery at night.

Data Protection and Information Governance

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

Financial Implications

141. The works form part of the overall Gedling Access Road project budget. In recommending planning permission, conditions governing initial and long term aftercare/management are recommended. The initial 5 years of aftercare management for the site including for the portion to be transferred to the 3rd Woodthorpe Scouts group would be the responsibility of the County Council, through its landscaping contractor and this is already accounted for in the GAR budget. Thereafter extended management is sought for the woodland habitat area only and the applicant has confirmed that its future management would be the responsibility of the County Council.

Human Rights Implications

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

Public Sector Equality Duty Implications

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

Implications for Service Users

144. The Gedling Access Road is priority highway and regeneration project for the Council. The report details how the sustainable use of excavation materials would enable construction of the new road to proceed according to current schedules.

Implications for Sustainability and the Environment

145. These have been considered in the Observations section above including an assessment of the sustainability merits of the chosen site against alternatives, as well as consideration of any impacts to local ecology and landscape. The planting of over 3,300 trees and their future management would be of benefit to local air quality and for tackling climate change.
146. There are no implications in relation to human resources; children/adults at risk safeguarding.

Statement of Positive and Proactive Engagement

147. In determining this application the County Planning Authority has worked positively and proactively with the applicant by 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 and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

It is RECOMMENDED that planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1. Members need to consider the issues set out in the report and resolve accordingly.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments (SG 10/01/2020)

I confirm that the recommendation falls within the remit of the Planning and Licensing Committee by virtue of its terms of reference. Responsibility for the regulatory functions of the Council in relation to planning, monitoring, enforcement and licensing.

Financial Comments (SES 10/01/2020)

The financial implications are set out in the report. The initial 5 years of aftercare management for the site including for the portion to be transferred to the 3rd Woodthorpe Scouts group would be the responsibility of the County Council, through its landscaping contractor and this is already accounted for in the GAR budget.

Background Papers Available for Inspection

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

Electoral Divisions and Members Affected

Calverton	Councillor Boyd Elliott
Arnold North	Councillor Pauline Allan
Arnold North	Councillor Michael Payne

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