



**21 March 2017**

**Agenda Item:**

**REPORT OF CORPORATE DIRECTOR – PLACE**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/17/00107/CMA**

**PROPOSAL: TEMPORARY USE OF LAND FOR THE PROPOSED RECYCLING OF EXCAVATED MATERIAL FROM NEWARK SEWER SCHEME INCLUDING PROCESSING, CRUSHING AND SCREENING**

**LOCATION: LAND WEST OF DROVE LANE, CODDINGTON, NEWARK, NG24 2NY**

**APPLICANT: MR SHAUN LAFFEY**

**Purpose of Report**

1. To consider a planning application for a temporary aggregates waste handling and processing facility on land at the Former RAF Winthorpe Airfield to the north-east of Newark on Trent. The facility would manage waste arising from the Newark Sewer Scheme. The key issues relate to development in the open countryside, impact on landscape, noise impact, the availability of industrial or employment land in the Newark area and the need for the facility. The recommendation is to refuse planning permission.

**The Site and Surroundings**

2. The site lies to the west of Drove Lane, to the north-east of Newark-on-Trent, approximately 650 metres to the east of the northernmost extent of the town's urban boundary (see Plan 1).
3. The wider area around the site is bounded to the west by the A46 and to the south by the A17, which meet at a roundabout 1.35km to the west of the application site, from which traffic joins the A1, A46 Newark bypass or travels into the town of Newark. Two hundred metres eastwards along the A17 a roundabout provides dedicated access to a large distribution centre development.
4. To the north west of the A46 lies the village of Winthorpe and to the south of the A17 the village of Coddington, both of which are designated as conservation areas with Open Breaks identified by Newark & Sherwood Council Allocations and Development Management DPD Policy NUA/OB/1, to ensure they remain distinct settlements from the Newark urban area. The topography of the area is predominantly flat, slightly rising to the south towards Coddington and rising slightly in the north towards Danethorpe. In the wider area, there are local

wildlife sites to the east, the closest of which being Moor Brats Drain (1.2km from the application site), stated as being of interest for Water Beetles.

5. The application site is contained within the former RAF Winthorpe area (see Plan 2). The northern and western parts of the former airfield are occupied by the Newark Showground and is occupied by a leisure motorsport centre, driving school, antiques centre and golf centre. Newark Air Museum lies between the Showground (to its south-east) and the application site (to the immediate north). Access to the Showground, Air Museum and application site is via Drove Lane, which from leaving the A46 via roundabout to the north-west runs towards the A17 in a south-easterly direction. Access from the A17 onto Drove Lane is assisted by a filter lane for traffic travelling from the east. There is a 7.5 tonne limit on through traffic along Drove Lane, with HGVs above the 7.5 tonne weight limit being only permitted for access. A right of way footpath (Winthorpe FP3/Coddington FP4A), connecting Winthorpe and Coddington runs across south western areas of the airfield site, before crossing the A17 via an overbridge. A drain runs from east to west across the airfield site, to the north of the application site across areas utilised by Newark Air Museum (see Plan 2).
6. The application site comprises the south eastern extent of one of the former airfield's runways and a gravel access track extending from the runway eastwards to Drove Lane, which it joins to the immediate south of an access point to the Air Museum's site (though the main public access point is a further 400 metres northwards along Drove Lane). The total application site is 0.7ha in size (see Plan 3).
7. To the immediate north of the access track is Newark Air Museum, with predominantly arable land use to the east, south and west of the site. The runway area subject to this application is currently used for agricultural (bale) storage. Roadside hedges bounding the site and surrounding fields run along the A17 and Drove Lane partially obscuring views into the site.
8. The closest dwellings to the site are three properties to the east of Drove Lane, approximately 220 metres from the closest extent of the airstrip area. From these properties the application site is visible, with the skyline behind it being dominated by the large distribution centre building to the south of the A17. The application site is flat, with the runway area comprising of hardstanding with a small degree of vegetation overgrowth.
9. The entire length of the access track is prone to some degree of surface water flooding, with the 70 metres closest to the entry/exit area onto Drove Lane being deemed at 'high risk' (or 3.3% chance of flooding from surface water in any year). The airstrip area is not designated as being at risk of surface or fluvial flooding.
10. An area to the south and south-west of the showground has been designated for mixed use development under Newark & Sherwood District Council's Allocations and Development Management DPD Policy NUA/MU/1. Planning permission for sui generis development in one section of this area (to its east) was granted by Newark and Sherwood District Council (NSDC) on the 27th January 2017. The development is intended to be accessed by a dedicated access road from the A17, from the roundabout to the east of the intersection of the A17 and A46.

## **Background**

11. Severn Trent Water is currently undertaking major a waste and water improvement scheme across Newark to improve how the town's sewer system responds to flood events. Work includes a newly bored 2.8 metre diameter tunnel (along with 8 shafts connecting to it) from Crankley Point sewage works, south-west through Newark along the course of the B6166 Lincoln Road/Mill Gate to its intersection with Southfield Terrace or Farndon Road, to the north of Newark Marina. Adjoining this large tunnel will be a series of pipejack and open cut tunnel upgrades. The overall aim of the scheme is to reduce the risk to around 400 homes of flooding with sewage water in a future flood event.
12. The tunnel project central to the upgrade works is estimated to produce 39,000m<sup>3</sup> of spoil from both tunnel and shaft works, which equates to between 56,160 and 68,640 tonnes. The geology type for Newark is superficial alluvium deposits (sand, gravel, clay) above bedrock formations of (Branscombe, Edlwalton Member and Mercia) mudstone. Therefore the majority of material extracted will be of these types, along with any historic deposits as a result of settlement and development in the town.

## **Relevant Planning History**

13. The planning application site has historically been used periodically for topsoil storage, permissions for which have been considered by both Nottinghamshire County Council (NCC) and Newark & Sherwood District Council (NSDC), the last of which being granted on appeal in 2011.
14. Nottinghamshire County Council granted retrospective planning permission to retain a quantity of topsoil, which had been delivered and deposited at the site without the benefit of planning permission in 2002. Planning permission was issued on a temporary basis and permitted the retention and removal of the soil over a period of two years and nine months (3/02/01978/CMA). Subsequently further soils were delivered to the site, again without planning permission. In 2005 planning permission was given for a further temporary period to retain and remove these soils (3/05/014798/CMW) and subsequently in 2009 (3/08/01925/CMA), the soils at the site have now been removed. None of these planning permissions permitted any waste transfer or processing facilities at the site.
15. In 2011 application 10/00523/FULM to Newark and Sherwood District Council, for the storage of soils arising from the working of sugar beet at the Newark Sugar Factory, was granted on appeal. Newark and Sherwood District Council initially refused planning permission on the grounds of impact on landscape character. The Sugar Factory is not currently using the application site.
16. Newark and Sherwood District Council granted planning permission in 2003 for the operation of temporary mobile concrete batching plant associated with the construction of the Knowhow Distribution Centre (03/00309/TEM).

## **Proposed Development**

17. Planning permission is sought to process and recycle excavated tunnel material arising from the Newark Sewer Scheme, through crushing and screening

activities, with the intention that some of the material will be re-used in the laying of new sewers, or backfill material for open cut and trenching works. Other materials that would be generated would be used for other construction projects. Material that cannot be recycled is intended to be disposed to landfill elsewhere. The material to be processed is stated as falling within the definition of non-hazardous inert waste.

18. It is expected that the operation would process up to a maximum of 50,000 tonnes per annum over a period of three to four years. The time period for the proposed operation would be dictated by the progress of the Newark Sewer Scheme. It is estimated that between 56,160 and 68,640 tonnes of material would be generated by tunnel and shaft works. Material produced by tunnelling works would be deposited at tunnel exits around Newark, where material would be collected for recycling.
19. The intention is for a shuttle fleet of lorries to carry out an average of 30 lorry movements per day across the project timescale (fluctuating according to the amount of material being produced by tunnelling works). The number of vehicle movements would be likely to rise during the period of tunnelling and shaft works (estimated to be around a year) and lower during the period when only the traditional open cut/trench construction replacing existing sewers is undertaken.
20. Due to the continuous nature of the proposed works in Newark, the proposed development would operate 7 days a week, with vehicle movements between 06:00 to 19:00 and on site processing between 08:00 and 17:00.
21. Proposed environmental control measures include: vehicle sheeting; hard standing at access and egress points (to prevent deposition of mud onto the highway; vehicle wash at Crankley Point; road sweepers and a proposed noise abatement bund (to a height of 4 metres) of spoil material along the eastern side of the airstrip.

## Consultations

22. **Newark and Sherwood District Council – Objection.**

*Newark and Sherwood District Council (NSDC) are mindful that whilst described as temporary the proposed works are significant in terms of scale, involving some 56,160 - 68,640 tonnes of material and 1,950 wagon loads of spoil to be moved. Even to deal with associated noise issues it is noted that 4m bunds are proposed nearby.*

*Whilst the Council note the hard surfaced runway from the previous use it is noted that the consent sought, both in terms of required mitigation and during its operation will involve significant visual impacts of bunds, storage of materials, and the general activities and coming and goings associated with the sheer scale of operations. This will have a wholly different and materially new effect on the character and appearance of the area that the hardstanding which currently exists. Visual harm and impact is likely. The issue in planning terms is whether such harm, on a temporary basis, is acceptable.*

*In answering this point NSDC is aware that the proposal is linked to wider works within Newark, works it is accepted will, once complete, deliver a significant*

*benefit. That said, NSDC is of the opinion that it should not automatically follow that such supportive works should take place on this site in the first instance. NSDC consider that alternative more appropriate sites should be robustly explored and discounted before sites such as this are even considered.*

*NSDC is of the opinion that the 5 no. sites explored by the applicant are insufficient, both in terms of the scope of sites explored and the reasons they have been discounted. The Council is particularly concerned that available sites elsewhere, including off Brunel Drive, have not been fully assessed. In the absence of evidence that an exhaustive search has been undertaken and discounted the Council remains of the opinion that the proposed site is unacceptable.*

23. Additional correspondence relating to the availability of industrial/employment land provided as follows:

*It appears that the applicant has only considered two potential sites within their Planning Statement. Clearly there may be other potential sites within the Newark Urban Area such as at the existing Newark Industrial Estate. The latest employment land information in the Newark and Sherwood Local Development Framework Plan Review – Preferred Approach Sites & Settlements identifies that there is 129.18ha available in Newark and whilst not all of it may be suitable for the proposed use, equally some may be and this needs to be explored in terms of identifying the most appropriate site. See para 3.5 – 3.7 under ‘Newark Area Employment Allocations’.*

24. **Coddington Parish Council – Objection.**

*Industrial development in the countryside is unacceptable when alternative sites are available (such as land on the Brunel Drive Industrial Estate) which are much closer to the excavation works and therefore would greatly reduce transportation and its environmental impact.*

*The site would create an average/peak of 74/100 lorry movements, seven days a week from 06:00hrs to 19:00hrs on roads which are already heavily congested and frequently grid locked by accidents. The daily operation for such long hours of a noisy and dusty industrial process, which may include processing of sewer contents, are unacceptable in this rural location.*

*Planning consent has just been granted for a servicing depot opposite the Knowhow complex, with access from the A17, which will add another 77 vehicles a day to existing levels that are frequently congested.*

*Drove Lane is a narrow road which carries a weight restriction. If this route was to be used, a temporary 30mph speed limit, hazard warning signs and measures to control mud on the road would be required between SK83138.56343 (Motor Auctions/Air Museum entrance) and SK 83413.55356 (entrance from the A17).*

*For reason of safety, lorries exiting from site to the A17 would have to turn left from Drove Lane, returning to Newark on the A17 via the Stapleford Lane roundabout. A right turn would be extremely dangerous for slow moving vehicles crossing the carriageway at the staggered crossroads, which is unlit and already recognised as problematic for vehicles leaving events at the Showground.*

*Lorries are not permitted along the road of Coddington Village, so would be restricted both on deliveries to the site and return journeys whether empty or loaded with recycled material or waste for disposal at Balderton.*

*A noise impact survey and proposed sound barrier have only been assessed for three farm dwellings on Drove Lane, 215 metres east of the site boundary. The impact on the Air Museum and other properties along Drove Lane, and on homes sites on elevated locations at the edge of Coddington village have not been assessed. The hours of operation of the noisy crushing plant are excessive for such a tranquil area.*

**25. Winthorpe with Langford Parish Council – Objection.**

*Drove Lane has a 7.5 tonne weight limit and is not equipped for an extra 30 lorries per day that will be delivering to the site.*

*An increase in traffic – traffic is already a problem at the roundabout and this will only exacerbate the situation.*

*Concerns at the sewerage that is being recycled and that this may go into the drainage system and cause problems for the surrounding area.*

**26. NCC (Highways) Newark & Sherwood – No objection, subject to the following:**

*This proposal includes the temporary use (approx. 3-4 year period) of an existing field access, which is in poor condition. The access drive within the site is unmetalled.*

*The application site has been the subject of a previous application (10/00523/FULM), which was allowed at appeal, in which improvements to the existing access were recommended. It would appear that these were not carried out. The information submitted indicates that approx. 30 HGVs per day on average are expected over the project period, therefore, the access improvements are still required.*

*No part of the development hereby permitted shall be brought into use until the access has been designed and thereafter completed to a standard that provides a minimum width of 6m and hard surfaced in a bound material for the first 30m rear of the highway boundary, with 10 metre radius kerbs each side of the site access. Reason: In the interests of highway safety.*

**27. NCC Highways also state that as the applicant would be undertaking work in the public highway an agreement under Highways Act 1980 s278 would need to be made.**

**28. NCC (Nature Conservation) – No objection.**

*No ecological assessment has been provided in support of this planning application. However, the application site is an existing area of hard standing (on a former runway) which aerial photos from 2016 show to be devoid of any vegetation, whilst access would be along an existing track off Drove Lane. On that basis, it would appear that no direct impact on ecological receptors can be expected.*

*In terms of indirect impacts, the use of crushers and screeners, as well as lorry movements, will generate additional noise at the site and in the surrounding area. A noise assessment has been carried out, although this only considers impacts on human receptors. Nevertheless, it gives an indication of how noise levels will be affected around the development site.*

*From an ecological perspective, there may be some impact on wildlife, such as birds, due to increased noise (for example by masking territorial calls or songs). However, the area surrounding the application site is arable farmland, with small areas of plantation woodland/shrubs and lengths of hedgerow, habitats which are abundant in the surrounding area and which are unlikely to support any particular uncommon or noise-sensitive species. Therefore, whilst there may be some displacement of common and widespread birds (or effects such as reduced breeding success), the impact would be significant or long-term.*

29. **Severn Trent Water Limited** – No response received.

30. **NCC (Noise Engineer)** – Objection.

*The proposals in their current form are unacceptable as they have the potential to cause a significant noise impact at the residential properties to the east of the site for the following reasons:*

- 1) *The existing assessment has assessed noise impact in accordance with the PPG Minerals Guidance which in my view is inappropriate as this guidance is intended for minerals extractions at source where they naturally occur, where it may be more difficult to achieve environmentally acceptable extraction in terms of noise impact. The proposed operations do not suffer the same restriction in terms of location and while considered 'acceptable' against PPG Minerals criteria, it is considered likely that if assessed against more appropriate noise Guidance such as BS4142:2014 "Methods for rating and assessing industrial and commercial sound" the assessment is likely to indicate a "Significant adverse impact" once any appropriate penalties for impulsive/tonal noise are applied from crusher/screener bangs/clanks, reversing alarms etc.*
- 2) *The noise assessment has not fully considered the impact of HGV noise from access traffic at the receptors on Drove Lane. The assessment only considers the noise impact from HGVs travelling along the access track within the site boundary and does not consider the impact of the additional traffic along Drove Lane itself where lorries will pass in close proximity (<10m) to the receptors located to the east, despite the noise assessment indicating noise levels of HGVs being 83dB LAeq at 10m. Such levels of noise from passing HGVs, for however short a period, are likely to be disturbing to residents with up to 10 passing vehicles per hour. Especially as the existing road benefits from an environmental weight limit of 7.5t (except for access). The additional access traffic of 10 HGVs per hour is therefore likely to represent a significant increase in noise levels against existing levels.*
- 3) *The proposed hours of operation do not offer sufficient respite from noise for the nearest receptors where noise levels are likely to be audible. The operator has indicated that processing of material will take place 7 days/week, including bank holidays. When balancing the noise*

*impacts of an operation where noise from operations are likely to be audible at the nearest receptor, then some weight should be given to the duration (Including time periods – hours/days of week etc.) of the operation. Whilst the Minerals PPG nor BS4142:2014 does not make specific reference to days of the week, it is my view that operations 7 days a week without any respite on more sensitive days (Sundays and bank Holidays) is excessive.*

31. **Western Power Distribution** – No response received.
32. **NCC (Landscape)** – No objection. A list of native tree and shrub species that are commonly found within the East Nottinghamshire Sandlands County Landscape Character Area was provided.
33. **NCC (Reclamation)** – No objection, subject to the following:

*The materials excavated from the Newark Sewer Scheme are to be processed at the Drove Lane site, the large proportion of the material will be by assumption natural ground, so the question is would this require processing prior to disposal? There may be materials near surface or associated with the boring activities that require crushing and grading these should be segregated and deposited and stored on site in a designated area.*

*The risks from dust have only been assessed with respect to the human receptor located in dwellings to the west of the site. Dusting of vegetation is another aspect to consider, although reference is made that there are no designated status assigned to the area immediately adjacent the site.*

*The Materials Management Plan for the proposal should include for surface water drainage from the stockpiled materials and provide for the management of the waste streams such that all processed materials are allocated to the correct stockpile.*

34. **EA (Waste)** – No objection, with the following comments.
- The development may require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency, unless a waste exemption applies.*
35. **Highways England** : No objection, with no further comment.
36. **National Grid (Gas)** – No response received.
37. **Trent Valley Internal Drainage Board:** No objection, stated that the board's consent is required for any works, temporary or permanent, in, over or under, any Board maintained watercourse or culvert.

## **Publicity**

38. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement Review.

39. Newark Air Museum has provided a representation raising the following concerns:
- (a) Lorries accessing the application site would generate dust as they drive up and down the access track to the former runway area. The dust comes in various forms, not least from blowing off from the loads themselves, but also from the speed with which the empty lorries travel along the track generating dust from the surface.
  - (b) The passage of the lorries close to a display hangar (at its nearest point, 6 metres away from the access track) would also cause a noise nuisance to visitors viewing exhibits in the hangar (they also state that this would be the case for refreshments facilities that they intend to install).
  - (c) The Air Museum state that damage has been sustained to the fence and access junction onto Drove Lane, without repair, through previous operations on the application site.
40. The Air Museum also appended an objection letter issued to the application for topsoil storage processed in 2010 by Newark and Sherwood District Council. Many of the points raised in this letter apply specifically to the application it was in response to and therefore do not directly relate to this application, especially given that each application should be adjudged on its own merits. General concerns about site drainage (stating that existing drainage schemes run alongside the runway), adjoining access points off Drove Lane and proximity to the museum site are all of potential general relevance.
41. **Councillor Maureen Dobson** has been notified of the application.
42. The issues raised are considered in the Observations Section of this report.

## Observations

### Principle of the Proposed Development

43. The proposed development seeks to utilise an area of former airstrip off Drove Lane in the processing of waste arising from the Newark Sewer Scheme. By processing and recycling tunnel excavation works material through crushing and screening activities, the applicant seeks to generate backfill material for open cut/trenching works and generate material for other construction projects. By re-using and recycling material, the proposed development would support sustainable management of waste in accordance with the waste hierarchy (Waste Framework Directive 2008).
44. Nottinghamshire and Nottingham Waste Core Strategy (WCS) Policy WCS3 aims to achieve 70% recycling or composting of all waste by 2025, with priority given to new waste recycling facilities. Crushing and screening activity associated with the Newark Sewer Scheme would therefore be crucial for the whole scheme to provide a sustainable waste management system.
45. The Newark Sewer Scheme (of which the proposed development is a contributing component) aims to add capacity to the town's ability to respond to flooding events, with infrastructure likely to experience increased demand due to

changing weather patterns associated with climate change. Therefore, the proposed development, in contributing to the overall scheme accords with Policy WCS14 in assisting Newark's sewer network increase adaptability to climate change.

46. The alternatives of landfill or transport outside the area are considered to be not sustainable, with the former not satisfying the Waste Framework Directive 2008 and transport to sites or facilities further afield contravening WCS11, which seeks to make the best use of the existing transport network and minimise the distances travelled in undertaking waste management.
47. As detailed in the Planning History for the site, this area of airstrip has been used previously for the storage of non-hazardous, inert waste, predominantly in the form of topsoil. These planning permissions were issued for a temporary period to retrospectively regularise the removal of soils from the site, which had been delivered to the site without planning permission, the most recent planning permission being granted on appeal in January 2011. In the appeal decision the inspector concluded that mounds of topsoil can be assimilated within a rural landscape without causing harm and that topsoil storage is not a particularly suitable use for an urban area (industrial estates in particular, due to low employment to land extent ratio). None of these facilities incorporated any processing of waste.
48. The applicant states that the use of this area for the holding and handling of inert waste is established and the hard surface provided by the airstrip would provide an established platform to operate from, meaning there would be no encroachment on agricultural land, leading to reduced cost, flexibility and speed in establishing the operation at the site. They also state that there is no other suitable site of equivalent size (0.5 to 0.75ha) and condition for this process available in the area.
49. Under National Planning Policy for Waste, paragraph 4 it is stated that;  
  
*'Waste planning authorities should give priority to the re-use of previously-developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages.'*  
  
The applicant has stated that as the area of the application site is a previously developed area (airfield runway), it meets the objectives of National Planning Policy in prioritising the re-use of a previously developed area.
50. The scheme is also temporary in nature and linked to a specific local need (Newark Sewer Scheme), in close proximity to the sites from which the waste would be arising. The importance of delivering the Newark Sewer Scheme to the overall growth and development of the Town is considered to be a material planning consideration in support of this application (which forms a component part of the overall scheme).

#### Open Countryside

51. The application site is situated in an area of open countryside, surrounded by arable field systems to the south, west and east, with the Air Museum site to the immediate north, beyond which (and Newark Showground), further open

countryside. Currently the site area is assimilated into the open countryside by nature of it being a flat area of former airstrip.

52. Proposals for development in the open countryside are strictly controlled by Newark and Sherwood District Council Local Plan Core Strategy Policy SP3 and Adopted Allocations and Development Management DPD Policy DM8. Policy SP3 specifies how proposals for new development will be considered (in respect of location, scale, need, impact on infrastructure and area character). The policy states;

*'Development away from the main built-up areas of villages, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting such as Agriculture and Forestry.'*

53. Policy DM8, in accordance with the requirements of Policy SP3 specifies the strict control of development away from the main built up areas of villages. While this focusses on development types typically handled by District Councils, it states that employment development will only be supported where it can demonstrate the need for a particular rural location and a contribution to providing or sustaining rural employment to meet local needs.

54. Through providing no additional employment and not being sympathetic to the development need of a rural area or requiring a rural location, the proposed development does not meet the criteria established in Policies SP3 and DM8.

55. While the proposed development is in relatively close proximity to Newark, the application site is within open countryside and when viewed in its context of surrounding field systems, can be viewed as a small area of hard standing in a countryside location. The application site has been described by the applicant as previously developed land, however, when viewing the National Planning Policy Framework (NPPF) previously developed land is defined as;

*'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or waste disposal by landfill purposes where revision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.'*

56. Given the topography of the site, that the hard surfaced area is not visible from surrounding areas, the former airstrip would fall under the final exclusion present in the NPPF definition. This being that the fixed surface structure has blended into the landscape in the process of time, meaning it falls outside the NPPF definition of previously developed land.

57. Therefore, the application should be viewed as a proposed development on land defined as open countryside/agricultural land. Nottinghamshire and Nottingham Waste Core Strategy Policy WCS7 establishes locations in which waste management facilities would be supported. The policy does not support the location of aggregate recycling facilities in areas other than those defined as employment land, excluding the suitability of previously developed land and the

open countryside. The policy deems few recycling facilities suitable for an open countryside location, with small materials recovery facilities only likely to be suitable. This application is neither a materials recovery facility in the spirit of the policy or a small operation and therefore contravenes Policy WCS7.

58. Nottinghamshire and Nottingham Waste Core Strategy Policy WCS4 supports the principle established by Newark and Sherwood District Council policies that proposals for development within the open countryside would only be appropriate in specific circumstances;

*Development of facilities within the open countryside will be supported only where such locations are justified by a clear local need, particularly where this would provide enhanced employment opportunities and/or would enable the re-use of existing buildings.'*

The lack of additional employment provision due to the proposed development and a development seeking throughput of up to 50,000 tonnes of construction waste per annum would not fit in with the character of the surrounding area. As the site is not categorised as previously developed land, in the open countryside, an aggregates and waste handling and processing facility is not suitable at this location, contravening the stipulations of Policies WCS4, WCS7 and District Council Policies DM8, SP 3.

#### Landscape and Visual Impact

59. As stated in the previous section, the application site is within a predominantly flat area of open countryside, within sight of large distribution centre development to the south-west and buildings associated with Newark Air Museum.
60. The area forms part of the East Nottinghamshire Sandlands Regional Character Area, as a section of Landscape Policy Zone (LPZ) ES PZ 04 Winthorpe Village Farmlands, described as an area of *'flat and gently undulating arable landscape with numerous woodland blocks'*, it is stated as having a coherent functional integrity, with the area being categorised under Newark and Sherwood District Council Core Strategy Policy CP13 (Landscape Character) as a *'conserve and create'* landscape. Under the threats and drivers for the landscape increased industrial development is stated.
61. Though the site is somewhat obscured to the south by the A17, it is highly visible from the north and east along Drove Lane and areas of Coddington, as the land rises to the south of the A17. The site is also visible from the southern section of the Air Museum (to the north of the application site).
62. The stated need for a noise abatement bund, the height of which being specified as 4 metres, is likely to obscure views of plant and stockpiles. This is likely to be placed along the site's eastern edge in order to break line of sight with the closest residential properties to limit noise pollution.
63. Therefore, though the proposed development is in an area where the landscape is somewhat compromised by peripheral development to the west (including the recently approved vehicle and plant servicing and repair building to a height of 13.5 metres within Newark Urban Area – Mixed Use Site 1, NUA/MU/1) and is not in a mature landscape area (with saved Policy W3.25 therefore not

applying), the area's open character and medium distance views indicate that a development with an intended height of 4 metres is likely to have a significant impact on the surrounding landscape, especially with regard to open areas to the north, east and south.

64. At present, given the site's topography, the area of flat airstrip does not have a visible impact on the surrounding areas and its current use as an area of ad-hoc agricultural storage is in-keeping with an area of arable farmland. The proposed development, with views of either 4 metre bunds of earth or waste material, or crushing and screening plant, is likely to have an adverse impact on what is described as a visually coherent landscape, especially when viewed in the context of land to its east. For this facility to be in place at this location for up to 4 years would be a significant impact.
65. Attempts to adhere to saved Policies W3.3 and W3.4 of the Nottinghamshire and Nottingham Waste Local Plan (WLP) regarding mitigating the visual impact of the development would be severely limited by the site and surrounding landscape and also the length of the proposed development, as longer term measures such as tree planting would not be likely to be effective over the proposed development's lifespan.
66. Newark and Sherwood District Council Core Strategy Policy CP13 states that;  
*'...applications are expected to positively address the implications of the Landscape Policy Zones in which the proposals lie and demonstrate that such development would contribute towards meeting Landscape Conservation and Enhancement Aims for the area.'*
67. The application fails to adequately address the demands of this policy and though the development is temporary, does not address any impacts to landscape for the period in which the development is active.

#### Showground Policy Area Amenity Value Impact

68. The application site lies within the area designated as Newark Showground Policy Area (NUA/SPA/1). Newark and Sherwood District Council Allocations and Development Management DPD states that new development which supports and complements the East Midlands Events Centre (Newark & Nottinghamshire Agricultural Society Showground) and other leisure uses on the site will be supported, provided that it meets the wider requirements of the Core Strategy and the Development Management Policies in Chapter 7.
69. Within this policy area a mixed use allocation is designated for the area NUA/MU/1, with permission for a vehicle and plant servicing and repair building recently granted. The mixed use allocation does not cover the area of the planning application site being considered for this application and would use access from the A17 rather than off Drove Lane.
70. The proposed development therefore does not accord with the designation of NUA/SPA/1. Furthermore, the access road running along the southern edge of the Air Museum, and having a passing place for vehicles awaiting to departure from the site to the south of the Air Museum's display hangar may cause disturbance to the air museum's visitor operations through noise impact from HGVs stationary in the current access road passing place, the development

therefore does not complement the leisure facilities on the showground and is contrary to Newark and Sherwood Development Management DPD on these grounds.

### Alternative Sites

71. The planning application submission incorporates an alternative sites appraisal. This appraisal argues that there is a local need for the development, but there are no available sites within the Newark urban area to accommodate the facility and therefore planning permission should be granted at the Newark Airfield site, despite the overall policy direction which would not normally permit the facility in a rural area which is not designated for development purposes. The appraisal of alternative sites focusses on employment/industrial land. It identifies 5 sites in Newark and its immediate area (Newark Lorry Park, Former Newark Highways Depot, land off Jessop Way (2 sites) and Newark Sugar Factory) and argues these sites are not suitable for the development.
72. This alternative sites appraisal has been reviewed by officers who consider it does not represent a robust assessment which is sufficient to justify industrial development within a rural location, which is otherwise contrary to development plan policy. The appraisal does not appear to cover all industrial and employment land in Newark, a point highlighted in consultation responses from Newark and Sherwood District Council and Coddington Parish Council.
73. In particular consultees have suggested additional sites land at Brunel Industrial Park. Officers have investigated this with the landowner, Taylor Lindsey, who verbally advised that the sites off Telford Drive and Stephenson Way in Brunel Industrial Park would be potentially available for a 4-5 year period for waste transfer or aggregates recycling. They also verbally indicated that larger parcels of land could be partitioned for different uses.
74. The availability of land at Telford Drive and Stephenson Way was provided to the applicant, who responded stating the following reasons for the land being unsuitable:
  - a) The land at Telford Drive is a highly sensitive part of the industrial estate, as it backs onto residential property (Middleton Road), with previous applications (for motor vehicle repair and maintenance) being refused due to noise concerns.
  - b) The land off Stephenson Way is marketed through web material for larger scale development (distribution, manufacturing, offices, warehouses), also that the sites are not 'actively marketed' in the same way as other sites discussed in the original application.
  - c) The site is approximately 32 times the size of the area required. In addition, the following constraints are detailed:
    - i. That approximately 28 metres in depth of the site frontage to Stephenson Way is at high risk of surface water flooding. Local representatives have expressed concern over the effectiveness of the surface water network in relation Knowhow Distribution Centre.

- ii. That the site would require a noise and drainage assessment, which is stated by the applicant to impose an unreasonable delay to the overall project.
  - iii. That, in accordance with policy, any proposal in this area would require archaeological pre-investigation and screening from the A1 and an appropriate assessment of access issues arising from the proposal, which are described as unduly onerous and costly for this temporary use.
- d) The applicant states that a site is required for immediate use in a 'serviced and suitable' location, with a pre-existing hard surfaced (or compacted stone) area, suitable HGV access, away from sensitive land use and no risk of surface water flooding.

75. Input provided by Newark and Sherwood District Council in respect of the alternatives sites assessment states:

*It appears the applicant has only considered two potential sites within their Planning Statement. Clearly there may be other potential sites within the Newark Urban Area such as at the existing Newark Industrial Estate. The latest employment land information in the Newark and Sherwood Local Development Framework Plan Review – Preferred Approach Sites & Settlements identifies that there is 129.18ha of available [sic] in Newark and whilst not all of it may be suitable for the proposed use, equally some may be and this needs to be explored in terms of identifying the most appropriate site.*

76. It can be reasonably concluded from feedback during consultation, cursory discussion with a landowner holding employment land and input from the District Council that the alternative sites appraisal is far from comprehensive and does not adequately deal with the availability of land. This therefore undermines the exception test presented by the applicant that Drove Lane is the only available site and that no employment land better suited to the use is available.

77. The lack of a comprehensive alternative sites appraisal means that information has been submitted in support of this application in inadequate depth, contravening WLP Policy W3.1. The applicant has been given an opportunity to comment on two further sites raised in consultation, with feedback regarding one of these sites being relevant. However, some reasons provided in respect of Stephenson Way could be equally applicable to land off Drove Lane, with Highways (see section below) stating significant upgrades to access are required and that the access way off Drove Lane is at high risk of surface water flooding. In addition, the Air Museum to the north could be perceived to be a sensitive land use in the same way that contiguous land use is perceived at other sites.

It is also clear that, in line with the correspondence provided by Newark and Sherwood District Council, that the applicant has not exhausted all avenues in respect of available land in and close to Newark. Therefore, it is potentially feasible for the development to be sited on employment/industrial land, meaning the application cannot adequately display an exception to contravene Policies WCS4, WCS7, SP3, DM8, NUA/SPA/1 and save policy W3.1.

### Waste proposed to be handled

78. As detailed in the planning history, planning permission for the handling of topsoil has previously been granted on the application site, both by Nottinghamshire County Council and on appeal from Newark and Sherwood District Council.
79. It is worthwhile to note however, that the permission previously granted differ from that proposed in this application. The extent of material proposed in the 2011 application was stated to be a maximum of 15,000 tonnes stored at any one time. The excavated material considered as part of this application could extend to 50,000 tonnes excavated per annum.
80. This could mean that far more than 15,000 tonnes are held on site. Should there be no available source of deposition of recycled material, there is the potential for higher amounts of material to accumulate on site.
81. When viewing the two different types of waste subject to the present and the previous 2011 applications, the material subject to this application would be classed as a construction and demolition waste. Should the majority of this be soil, this would still be classed as '17 05 04 soil and stones, other than those mentioned in 17 05 03' under the List of Wastes (England) Regulations 2005. Whereas the waste subject to the 2011 permission is defined as '02 04 01 soil from cleaning and washing beet'.
82. As a location surrounded by arable land use, it could be stated that the material subject to the 2011 appeal was more appropriate for the location as topsoil resulting from agricultural processes (growing of sugar beet in rural areas), whereas the material subject to this application is likely to be a mixture of material from tunnel boring and excavation works, among which bedrock mudstone is likely to be present.
83. The application considered here is for material that would require crushing and screening as part of its processing, which indicates that it is not waste that could be as easily assimilated into the surrounding environment, as the material subject to the 2011 appeal was stated as being potentially capable of doing.
84. Concern has been raised that the waste being handled on the site could include sewerage waste. While the project is connected to a sewer upgrade project, the vast majority of waste arising is likely to be material arising from tunnel and trench excavation. The quantity of sewage content in waste arising is therefore likely to be minimal. However, this is a factor that would be controlled by the Environment Agency as part of the permitting process.
85. NCC (Reclamation) have also stated that though a large proportion of the material is stated to be natural ground, unsuitable material associated with boring activity would need a segregated storage area designated on site, which is not present in these proposals.

### Noise

86. Concern has been raised in consultation with NCC (Noise Engineer) regarding the impact that noise from crusher and screener activity on site and HGV movements along Drove Lane would have on residential properties.

87. The means by which the applicant has assessed the noise impact of the proposed development is considered to be inappropriate, being a measure used typically for mineral extraction development, which suffers from restriction in terms of finding a location for development (where the mineral is available). Therefore the development should have been assessed against '*Methods for rating and assessing industrial and commercial sound*'. With the noise engineer reviewing the application stating that '*significant adverse impact*' is likely from on-site operations.
88. The noise assessment is stated to have not considered the impact of HGVs driving along Drove Lane within 10 metres of residential properties. HGVs produce 83dB LAeq at 10 metres, which given the intermittent nature of the sound and the relatively quiet conditions along Drove Lane (due to a 7.5 tonnes environmental weight limit with exemption for access) would mean that significant disturbance is likely.
89. The proposed hours of vehicle movements between 06:00 and 19:00 7 days a week, along with 7 day a week activity on site (including days deemed to be more sensitive such as Sundays and Bank Holidays) lead to the assessment that the noise impact from the development would be unacceptable and affect the amenity of residents. This contravenes Nottinghamshire and Nottingham Waste Core Strategy WCS13 which states that new waste development would have no unacceptable impact on quality of life.

#### Ecological Impact

90. As noted by NCC Ecology, though no ecological assessment has been submitted, no direct impacts within the application site are anticipated due to the site being made ground lacking areas of vegetation.
91. It is also noted that land use around the site is unlikely to support any unusual or noise sensitive species, so though noise may have an impact on what have been described as common or widespread birds, significant or long term impact is not expected.

#### Archaeology/Heritage

92. The aggregates recycling operation is proposed for a hard-standing, made area, with the access road established and previously used by HGVs. No penetration of the ground is proposed by the proposals.
93. There are no nearby listed building or scheduled monuments for the development to have the potential to have an impact on their setting.

#### Traffic, Access and Parking

94. Drove Lane is subject to a weight limit of 7.5 tonnes, with exemption for access. The current order in force for Drove Lane is Environmental Weight Limit reference 3132 (enforced by Traffic Regulation Order), in force since 2011. The order prevents through traffic from the A46 to the A17 via Drove Lane, however with exemptions for access. The principle of regular HGV movements to and

from a prospective site on Drove Lane would be covered under the following exemptions, as written in the order:

*Article 2. Nothing in Article 1 of this Order shall make it unlawful for an heavy commercial vehicle to proceed in the length of road specified in the Schedule to this Order if the vehicle is being used:-*

- 1) For or in connection with the conveyance of goods to or from premises situated on or adjacent to that length of road;*
- 3) In connection with the carrying out on, or on the premises situated on or adjacent to, that length of road of any of the following operations, namely –*
  - i) building, industrial or demolition operations;*
  - x) to gain access to land or premises, which access is obtained only by proceeding along the length of road referred to in the said Article 1.*

95. The access track from Drove Lane detailed in the application as being 5 metres to 5.5 metres wide with a passing place of 9.9 metres in width and 43 metres in length. As previously discussed, this passing place is to the immediate south of the Air Museum's display hangar.
96. The consultation response provided by NCC Highways details that the current access arrangements require significant improvement in order for the site to be of satisfactory standard. It is stated that previously agreed works still need completing. Improvements to the access track to a minimum width of 6 metres and hard surfaced in a bound material for the first 30 metres rear of the highway boundary are required, with 10 metre radius kerbs each side of the site access.
97. Newark Air Museum raised the applicant's alleged previous conduct in regard to damage sustained along the access track and adjacent Museum site and track access point off Drove Lane. Damage is stated to have been sustained and compensation not provided. However, previous conduct of an applicant is not normally a planning consideration and therefore is not considered in the determination of this application. Notwithstanding this, comments received from NCC Highways and the Air Museum indicate that improvements would be required to the access off Drove Lane and the access track itself for adequate HGV access to the site.
98. Though concerns regarding congestion on the road network has been noted in consultation by both Coddington and Winthorpe with Langford Parish Council, no issues have been highlighted by NCC Highways or Highways England in relation to the road network. Given the exportation from the excavation works in Newark is inevitable, there are likely to be vehicle movements on the Newark road network irrespective of whether the proposed site is used or not. The routing arrangement proposed by the applicant utilises routes along major roads suitable for HGV traffic to and from Drove Lane. Entry to Drove Lane from the south (turning left) and exiting to the north (utilising a roundabout entry) is a satisfactory system for entering and exiting Drove Lane,
99. Concerns about the suitability of Drove Lane for HGV traffic have not been raised by NCC Highways, with proposed environmental control works (vehicle sheeting; hard standing at access and egress points, a vehicle wash at Crankley Point; road sweepers) likely to address any issues arising in respect of material

being deposited on the highway. There are anticipated impacts regarding HGV noise along Drove Lane, which are covered in the Noise section above.

### Odour

100. The waste arising is stated as being non-hazardous inert waste arising from tunnelling works. Therefore the majority of material handled is likely to be sand, gravel and mudstone resulting from new tunnels being bored as well as construction and demolition waste produced by shaft boring and open cut/trench works. With the latter there may be the potential for residual sewage material to be a component in the material produced. The quantity of any sewage being handled as part of the scheme is likely to be a small quantity overall, but the potential for its presence may result in the production of odour.
101. Given the site's distance from nearby residences and the quantity of sewage produced by the tunnelling/trenching works being likely to be small, significant odour impact is not anticipated. However, as there is the potential for its presence, this would be a factor controlled by environmental permit.

### Dust

102. Dust suppression measures have been proposed by the applicant including ceasing operations during windy periods, damping stockpiles and using water sprays on the crusher. The latter is constrained in its extent by areas of the access track being of high risk of surface water flooding, this issue will be dealt with under the following paragraph.
103. Newark Air Museum has raised concern about the development giving rise to dust along the access track, which may impact the Air Museum's operations. Areas of the access track, as will be detailed in the next section are at high risk of surface water flooding, which along with regular vehicle transit along the track may lead to the disintegration of the surface and the need for its regular maintenance. Given that periods when dust suppression would be required are unlikely to coincide with periods causing surface water flooding, it is unlikely that dampening the access road would contribute to surface water flood risk and therefore could be a consideration during dry periods to suppress dust.
104. NCC (Reclamation) have also raised concerns relating to the lack of consideration of how dust may impact vegetation in the adjoining arable fields. While there is no designated status attached to the land surrounding the airstrip, given there is minimal or no division between the airstrip and fields, there is potential for dust deposition in these areas.

### Ground and Surface Water / Flood Risk

105. As stated in the site description, an area of the access track is at high risk of surface water flooding. The applicant has stated that this is due to potential for overflow from the drain running under Drove Lane and to the north and would not interfere with development activity.
106. While this may be the case for the airstrip area, areas of the access track are still have a 3.3% chance of flooding in any given year. This has been presented

as an inhibiting factor for other potential sites (for example, access to land off Stephenson Way). The applicant has not addressed how the risk to the access track at Drove Lane would be mitigated, which could lead to disruption to operations or the degradation the surface of the track, heightening the potential for dust impact. Therefore, acceptable measures to address this issue would need to be agreed prior to any proposed works commencing.

107. The application site is not in a ground water flood risk area, Trent Valley Internal Drainage Board have raised no concerns. NCC (Reclamation) have stated that surface water drainage from stockpiles would need to be included in any potential Materials Management Plan, with the consideration of the area's status as a nitrate vulnerable zone being taken into account.

#### Contamination

108. Due to the material to be handled on site being non-hazardous inert waste, stored on a hard surfaced platform, no contamination risk is anticipated. The Environment Agency has been consulted in respect of waste and while not raising objection or concern, has stated that the proposals may require an environmental permit.

#### Operating Hours

109. The proposals state that vehicle movements are likely to occur between 06:00 to 19:00, with on-site operations running 08:00-17:00 daily, 7 days a week. While on-site operation within these hours will not necessarily cause issue, HGV movements on weekends may contribute to traffic pressure associated with events on Newark Showground. Therefore for proposals to be acceptable on these grounds, the combined impact of showground events and HGV movements to the application site should be assessed and if necessary controlled if permission is granted.
110. Any noise impact of empty lorries driving north along Drove Lane past residential properties prior to 07:00 has been covered in the noise impact section of this report.

#### After use and Long Term Management

111. No after use proposals are presented as part of this application. Given that the operation is temporary and no permanent land use changes are proposed, the site would be likely to be re-instated to its current condition.

#### **Conclusion**

112. In the consideration of this application there is some degree of balance between the need to process waste arising from the Newark Sewer Scheme against the policy and impact concerns regarding this type of development on the application site.
113. Though there is a clear need for an aggregates recycling facility in the Newark area for the processing of waste arising from the Newark Sewer Scheme, the

application site is not an appropriate location for an aggregates processing and recycling facility.

114. The application considered in this report differs from previously granted development on the site due to the nature of the waste proposed to be stored and processed. Previous relevant applications have considered topsoil storage, to allow an extended period to remove soils that were delivered to the site on an unauthorised basis or a material resulting from sugar beet processing and therefore loosely associated with agricultural land use. The waste subject to this proposal would be excavated material classed as construction and demolition waste.
115. Therefore, aggregates processing of this nature, in this location contravenes the local plans of both Nottinghamshire County Council and Newark and Sherwood District Council. The development would have a duration of 4 years, which is a significant period of time, with impacts extending beyond what could be reasonably considered to be a short-term period.
116. There is no policy support for this type of development in an open countryside location. It contravenes policies of both Newark and Sherwood District Council and the Waste Planning Authority. The proposed development is proscribed by District policies controlling development in rural areas and also Waste Planning Authority policy on the appropriate location of aggregates recycling facilities and broad location for waste treatment facilities.
117. There will be significant impact on landscape, as the topography of the area is predominantly flat with medium distance views. The location of this development at this site is also encroachment of development onto the open countryside and does not contribute to Newark and Sherwood District Council's aims for the Newark Showground policy area.
118. The proposals fail to consider adequately or correctly the unacceptable noise impact the development would have on nearby dwellings, having the potential to effect the residents' quality of life.
119. The only circumstances under which these proposals could be potentially acceptable is if there was a complete lack of suitable industrial or employment land in Newark or a reasonable distance from the town available for this development. The applicant argues that this is the case and therefore the development should be granted planning permission on this basis.
120. However, cursory discussion with one landowner and the District Council have suggested that the alternative sites appraisal does not comprehensively deal with the availability of land in the area in suitable detail. As this is the basis for the exceptional material planning consideration it needs to be a comprehensive and thorough assessment of all available land in Newark and within a reasonable distance of the town. It should also be supported by discussion with those holding land in more suitable locations as to whether appropriate arrangements can be made for this development for a 3-4 year period.
121. As the application does not adequately present this case, it is recommended that planning permission is refused.

Since the applicant has also not presented a satisfactory noise report or junction details it also recommended that planning permission is refused on this basis.

## **Other Options Considered**

122. 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**

123. 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.

### Human Rights Implications

124. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (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.

### Sustainability and the Environment

125. The proposed development would assist the Newark Sewer Scheme's sustainability by enabling the recycling of waste in relatively close proximity to its sites of production. The recycling of waste, as opposed to its disposal is a more sustainable solution and is supported by The Waste Hierarchy, as stated in the Waste Framework Directive (Directive 2008/98/EC on waste) and the Nottinghamshire and Nottingham Waste Core Strategy.

### Crime and Disorder Implications

126. The site is open, unfenced and as areas adjoin agricultural field there are no security measures around the hard surfaced area of the site. However, the application proposes the handling of a low value product and the gate to the access track to the site is lockable, preventing unauthorised vehicle access.
127. There are no Human Resources Implications, Safeguarding of Children Implications, Financial Implications, Equalities Implications, Implications for Service Users.

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

128. 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; identifying issues of concern and

entering into discussion with the applicant to explore the possibility of suitably resolving such matters. This approach has been in accordance with the requirement set out in the National Planning Policy Framework. In this instance, however, it has not been possible to resolve the issues of concern so as to overcome the harm as identified in the reasons for refusal.

## **RECOMMENDATIONS**

129. It is RECOMMENDED that planning permission be refused for the reason(s) set out below. Members need to consider the issues, including the Human Rights Act issues, set out in the report, and resolve accordingly.
1. The rural location of the development is considered inappropriate and is contrary to Nottinghamshire and Nottingham Waste Core Strategy Policies WCS4 (Broad Locations for Waste Treatment Facilities) and WCS7 (General Site Criteria) and Newark and Sherwood District Local Plan Policies DM8 (Controlling Development in the Open Countryside), SP3 (relating to development in the open countryside and landscape harm) and the aspirations established for the policy area NUA/SPA/1.
  2. The development is contrary to Nottinghamshire and Nottingham Waste Core Strategy Policy WCS13 (Protecting and enhancing our environment) due to the potential for unacceptable noise impacts from the development and inadequate access facilities to the site.

**ADRIAN SMITH**

**Corporate Director – Place**

### **Constitutional Comments**

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

[SLB 02/03/2017]

### **Comments of the Service Director - Finance**

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

[SES 03/03/17]

## **Background Papers Available for Inspection**

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

## **Electoral Division(s) and Member(s) Affected**

Collingham – Councillor Maureen Dobson

Report Author/Case Officer

Robert Portman

0115 9774291

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

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