

## Planning and Licensing Committee

**Tuesday, 17 July 2018 at 10:30**

County Hall, West Bridgford, Nottingham, NG2 7QP

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### AGENDA

- |   |  |              |
|---|--|--------------|
| 1 | Minutes of the last Meeting 5 June 2018  | 3 - 14       |
| 2 | Apologies for Absence  |              |
| 3 | Declarations of Interests by Members and Officers:- (see note below)<br>(a) Disclosable Pecuniary Interests<br>(b) Private Interests (pecuniary and non-pecuniary) |              |
| 4 | Declarations of Lobbying   |              |
| 5 | Land at Langford Quarry, Newark Road, Near Collingham  | 15 - 82      |
| 6 | Scrooby Top Quarry, Scrooby Top, Doncaster   | 83 - 116     |
| 7 | Development Management Progress Report   | 117 -<br>132 |
|   | None   |              |

### Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in

the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Peter Barker (Tel. 0115 977 4416) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting PLANNING AND LICENSING COMMITTEE

Date Tuesday 5 June 2018 (commencing at 10.30 am)

**Membership**

Persons absent are marked with `A`

**COUNCILLORS**

Chris Barnfather (Chair)  
Jim Creamer (Vice-Chair)

Richard Butler	Kevin Rostance
Neil Clarke MBE	Tracey Taylor
A - Sybil Fielding	Keith Walker
Kevin Greaves	Andy Wetton
A – John Longdon	Yvonne Woodhead
Rachel Madden	

**OTHER COUNTY COUNCILLORS IN ATTENDANCE**

Glynn Gilfoyle

**OFFICERS IN ATTENDANCE**

Pete Barker – Resources Department  
Eddie Brennan – Place Department  
Rachel Clack – Resources Department  
Sally Gill – Place Department  
Mike Hankin – Place Department  
Ruth Kinsey – Place Department  
Neil Lewis – Place Department  
Joel Marshall – Place Department  
Jonathan Smith – Place Department  
Angus Trundle – Place Department

**1. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN****Resolved 2018/011**

That the appointment of Councillor Chris Barnfather as Chairman and Councillor Jim Creamer as Vice-Chairman of the Planning and Licensing Committee be noted.

## **2. COMMITTEE MEMBERSHIP AND TERMS OF REFERENCE**

### **Resolved 2018/012**

That the membership of the Committee and Terms of Reference be noted

## **3. MINUTES OF LAST MEETING HELD ON 24th April 2018**

The minutes of the meeting held on 24 April 2018, having been circulated to all Members, were taken as read and were confirmed and signed by the Chair.

## **4. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Fielding and Councillor Longdon. Councillor Rostance replaced Councillor Saddington on a permanent basis. Councillor Butler replaced Councillor Brown, Councillor Greaves replaced Councillor Henshaw and Councillor Woodhead replaced Councillor Allan, all for this meeting only.

## **5. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS**

No declarations of interest were made.

## **6. DECLARATIONS OF LOBBYING OF MEMBERS**

No declarations of lobbying were made.

## **7. PUBLIC BRIDLEWAY, ELKESLEY**

Mr Brennan introduced the report and informed Committee that an application had been made for a Definitive Map Modification Order by Elkesley Parish Council in July 2016. Mr Brennan told the Committee that if the Order were implemented then a public bridleway along Battery Lane, Elkesley would be added to the Definitive Map and Statement in the Parish of Elkesley.

Following the introductory remarks of Mr Brennan, Mr Ffoulkes-Jones had an opportunity to speak and a **summary** of that speech is set out below:-

- In 1952 the officer compiling the Definitive Map removed Battery Lane as there was no evidence of usage.
- Four years ago the Poulter Valley Group could find no evidence of the route being used, however now members of the Group are asserting that they have been using the route regularly for over 20 years.
- Only a small number of individuals have been campaigning for this route, which has been rejected many times by the Parish Council.
- I have an uninterrupted view of the Lane from my home and land and I have never seen anyone using the route regularly.
- I believe the application for the route is based on the misconception that a further application could then be made for a continuation of the route to Thaymars.

- The lane is barely wide enough for a tractor and machinery and there are no passing places. The Lane is also bordered by barbed wire and hedging so surely safety is a consideration.
- We are regularly the victims of theft, damage and cruelty to our livestock and if the Order were made this would increase the opportunities for criminal behaviour.
- For at least 38 years the Lane has turned to my gate and crossed private land. This is the only worn track and has only been used by landowners.
- The photos accompanying the report were taken in spring when there was very little plant growth. The last 50 metres of the Lane are now as they have always been since I have lived here, that is, head high with flora and fauna and impassable.
- We are fortunate to have an abundance of Bridleways in the area including the stone bridge from Battery Lane which leads to the river and into the woods and on to Crookford Ford, Clumber Park and Bothamsall. In recent years this route has been made both horse and wheelchair friendly.
- I cannot see what has changed from 1952 or four years ago. I believe a large number of the statements have been embellished.
- There has been a nasty personal vendetta against me by certain individuals who feel they have a right to roam on my land.
- I hope Committee sees that there is no gain to be had by granting the Order and I am disappointed to have read statements that are untrue.

Following Mr Ffoulkes-Jones speech the following comments and questions were responded to:-

- Mr Ffoulkes-Jones stated that he does not own Battery Lane but accesses it through permitted rights from the private landowner.
- Mr Brennan stated that records clearly show that the land was sold by the Duke of Newcastle to Charles Longbottom in 1920 but that there is no record of the current owners, meaning that no-one is in a position to give permission to access.
- Mr Brennan informed Committee that the land either side of the Lane has changed hands since 1920 but that the documentation makes no mention of the Lane and according to the Land Registry the Lane has no owner at present.
- Councillor Greaves stated that he had first used the Lane more than 35 years ago and had never been challenged.

Mr Flear, a member of Elkesley Parish Council, was then given the opportunity to speak and a **summary** of that speech is set out below:-

- Whenever the subject of ownership has been discussed the assumption is that the land resides in private hands.
- The gate has been installed on safety grounds to prevent livestock escaping, which has happened in the past and could have fatal consequences.

- The Poulter Valley Group looked at potential improvements in the area and discounted Battery Lane as no-one used it, instead choosing to improve Stone Bridge.
- Making the Order will not make the site of Thaymars accessible.
- A team could be formed to look into what residents really want, for example, tackling the problems caused by owners of 4x4 vehicles

Following Mr Flear's speech the following comments and questions were responded to:-

- Mr Flear stated that a gate across Battery Lane rather than a cattle grid is preferred as this is more secure and cost effective. If there is a risk of livestock escaping then they should be secured - 'it is better to be safe than sorry.'
- Mr Flear has lived in the area for more than 30 years.
- Mr Flear informed Committee that residents did not mention Battery Lane when given the opportunity with only Stone Bridge and the Crookford Ford area generating interest.
- Mr Flear has never seen anyone on Battery Lane. There was no interest in the Lane 4 years ago and the fact that 49 statements have now been received does not sit well with Mr Flear.
- Mr Flear confirmed he is a member of Elkesley Parish Council and voted against submitting the Order but was defeated. He is speaking to the Planning and Licensing Committee as a private individual.

Mr Hirst was then given the opportunity to speak and a **summary** of that speech is set out below:-

- I have lived in Elkesley some 26 years.
- A piece of string was stretched across Battery Lane in July 2015 which I assumed was by someone wanting to gauge public reaction. A rope subsequently appeared a few weeks later.
- Prior to this I had been approached as a member of the Parish Council by a member of the public who complained that her family had been ordered from Battery Lane by Mr Ffoulkes-Jones, who claimed to own it.
- From the 1400s Elkesley has comprised two estates – the larger of these passed into the hands of the Dukes of Newcastle and the smaller was owned by the Sharp family.
- Battery Lane appears un-named on a map of 1857-8 on the sale of the Sharp Estate. Since its inception the Lane has enjoyed a measure of independence and has not appeared in the various sales schedules.
- Paragraph 8 of the report refers to the use of hedging to stop foot traffic straying on to adjacent land. The planting of this hedge suggests regular public usage of the Lane.
- Mr Ffoulkes-Jones attended a meeting of the Parish Council in September 2015 to inform them that he intended to erect a gate on the lane. The justification given was that it would 'keep out gypsies' and prevent access into a nearby field where he may decide to

keep a bull. There was a period of months when the gate was locked.

Following Mr Hirst's speech the following comments and questions were responded to:-

- It would not be possible to leave the gate in situ and remove the sign as if the Order were to be made, the right of way would have to be restored as it was when dedicated, and this did not include a gate.
- Access to a public bridle road is by foot and horse from 1950 and by cyclists from 1968 with no motorised access allowed.
- There is no indication that anyone is seeking a route beyond the river, if the Order is made it will purely define a route that has existed historically.
- The Chair invited officers to comment on the fact that some of today's speakers had queried the honesty and accuracy of the user evidence forms. Mr Brennan replied that all evidence was taken at face value and investigated. Mr Brennan informed Committee that if the Order were to be approved the evidence could be further tested as any objections would then be passed on to the Planning Inspectorate.

The Chair summarised the situation as follows:

- Battery Lane is not in the ownership of Mr Ffoulkes-Jones, a fact with which Mr Ffoulkes-Jones agrees.
- Historical documents refer to uninterrupted public use for 50 years. For the purposes of this application the right of the public to use the route was brought into question in 2015 so the relevant 20 year period in this case is from 1995 to 2015.
- It is up to members to decide if the information on the forms is honest and people's recollections can be inaccurate.
- The County Divisional Highway Surveyor decided against including Battery Lane on the Definitive Map as it did not connect to another highway, though this is not a legal reason for such an omission.
- No records show the access rights as extinguished so if a right existed it has not disappeared.
- Many members represent rural areas and have sympathy with the problems faced by landowners, but in his opinion, in this case, there is not enough evidence to refuse the application.

On a motion by the Chair, seconded by the Vice-Chair, it was:-

#### **RESOLVED 2018/011**

- 1) That Committee approve the making of a Modification Order by adding the bridleway between points A-B (APPENDIX B) to the definitive map and statement on the basis that the evidence shows a right of way to subsist (Test A) and there being no credible evidence to the contrary.
- 2) That the Authority will support the confirmation of the Order in the event of it being referred to the Secretary of State for determination, unless further

evidence is received in the meantime which indicates to officers that either a neutral or objecting stance would be more appropriate, in which case officers are authorised to proceed accordingly.

## **8. PUBLIC RIGHT OF WAY, HIGHLAND GROVE, WORKSOP**

Mr Trundle introduced the report which considered an application for a Modification Order to record a route as a public footpath on the Definitive Map and Statement for the Parish of Worksop. Mr Trundle informed Committee that if the application were to be accepted a new public footpath would be added from its junction with the adopted section of Highland Grove to its junction with Worksop Bridleway No. 34.

Following the introductory remarks of Mr Trundle, Mr Wass was given the opportunity to speak and a **summary** of that speech is set out below:-

- The plot of land was put up for sale in October 2016
- Prior to the auction I was informed that the footpath was private and belonged to the NHS
- In October 2016 we were successful in our bid for the land
- 34 and 36 Highgrove Grove were subsequently put up for sale by tender for which we were successful and a package was agreed to buy 34, 36 and the land.
- Prior to agreeing the above deal our solicitor obtained a statutory declaration from the NHS confirming that the footpath was private and they were able to sell the lot as a vacant plot
- In December 2016, again prior to purchase, a planning application to develop the land was submitted
- Mr Thorpe submitted an application for a modification order on 2<sup>nd</sup> March
- The sale of the site was completed on 21<sup>st</sup> March and the footpath was fenced off and the site secured
- We contacted Mr Trundle on 5<sup>th</sup> April 2017 to notify him that Mr Thorpe was withdrawing his application after consulting ourselves as he was happy with the proposed development
- Mr Trundle confirmed the application for a modification order was turned down on 24<sup>th</sup> May and no appeals were made
- Mr Osborne made no objections to our planning application
- Outline planning permission was granted on 7<sup>th</sup> September 2017 to build two dwellings
- In July 2017 Mr Osborne made a new application for a modification order
- Mr Trundle contacted us and we resubmitted all the evidence again including:
  - Statutory declaration from the NHS that the footpath was for hospital use only
  - Photographs of extensive signage confirming the footpath was for hospital use only and was not a public right of way
  - Statutory declaration from Richard Penney, former Estates Officer for Bassetlaw Hospital, confirming the existence of signs and gates across the path

- There is no evidence that anyone has lawfully used the path continuously for a 20 year period to substantiate the application for a modification order.

There were no questions.

Mr Thorpe was then given the opportunity to speak and a **summary** of that speech is set out below:-

- I have lived on Highland Grove since 1989 and have used the footpath regularly between Kilton Hill and Highland Grove, and vice versa, from then until the present day.
- I have used the footpath on a relatively regular basis from at least 1974 and probably going back to 1968.
- The footpath has never been closed and no-one has ever questioned me or stopped me from using the footpath.
- My wife and three sons have also used the footpath since 1989 and no-one has ever questioned or stopped them either.
- I have witnessed school children and others using the footpath from Kilton Hill for over 25 years.
- No signs have ever been in place on the footpath when going in the direction from Kilton Hill to Highland Grove.
- There are some errors in the report, for example the report states that the hospital owned 32 Highland Grove and this has never been the case.
- Photograph 1, November 2016, shows no signs placed on the footpath.
- Photograph 3 shows b to c towards the hospital car park but shows no signs in the opposite direction, therefore the 20 year rule is back from 2017 when the path was closed.
- Photograph 6 shows the path from the hospital to Highland Grove and again there are no signs.
- Photograph 7 shows a sign on the wall of 34 Highland Grove which is 12 words long and this cannot be the same sign as shown in Photograph 9 which mentions dogs and contains 13 words. The wording is: 'No Public Right of Way NHS Staff Access to Hospital Site Only' Again this illustrates inconsistencies in the report.
- I submitted a satellite image taken prior to 2006 and no sign on the wall of number 34 was present.
- According to information published by Pugh auctions the sale of the land and of 34 and 36 Highland Grove did not include the footpath.
- The wording on the signs should be clear and consistent, yet the wording differs and no explanation is given.
- Plan A showing the OS map must be dated prior to 1990.
- The new sign on the wall of number 34 was only put up when I made the original application for a modification order, otherwise there would be no signs.
- My understanding is that the signs need to be displayed for 20 years and this is clearly not the case.
- The new sign on the side of number 34 was not put up by the owners.

- The owners of the property (Notts NHS Trust and not Bassetlaw Hospital), as the public record shows, could not afford to maintain the property and clearly sign/s would be a very low priority.

Following Mr Thorpe's speech the following comments and questions were responded to:-

- The differences in the wording on the signs is set out in paragraph 17 of the report. The wording is different but very similar.
- It is true there are no signs facing the opposite direction, but a right of way includes the right to pass and re-pass. Also, the sign on the side of the building is visible from both directions.
- Mr Thorpe withdrew a previous application for a modification order. This concerned the sale of Barrowby House, after which a charge for on-site parking was introduced which led to an increase in on-street parking. Local residents did not appreciate this development and consequently withdrew the application. Mr Thorpe regards this as a separate issue.
- Mr Wass bought the property in 2016 not 1989.

As the local member, Councillor Gilfoyle was then given the opportunity to speak and a **summary** of that speech is set out below:-

- There is no doubt that the footpath is well used.
- I have used the path for in excess of 30 years.
- I have written to local residents but the response was minimal. I agree with Mr Thorpe about the effect of the introduction of parking charges and can understand the reluctance of local residents to come forward.
- I noticed the sign on the side of the building but assumed it related to access to the building, which I thought were two secure units, and not to the footpath.
- Children have used the footpath to go to and from school

Following the speeches Members debated the item and the following comments and questions were responded to:-

- The hospital did write to the Head of Valley Academy about pupils using the footpath. The Head responded that as the footpath was not on school grounds there was not much he could do.
- There is no prescribed wording for signs but both signs in this case are clear and challenge people's use of the footpath.
- There is no requirement for signs to have been on site for a continuous period of 20 years.
- Aerial photos from 1971 do show the route as being present but cannot indicate whether the path is private or public or being used.
- Paragraph 22 of the report states that the signs were put up by the hospital, though the wording does not include the term 'By Order'
- Paragraph 26 of the report states that people using the footpath were challenged when the signs were put up but this only happened for one week.

The Chair summarised the situation as follows:

- The survey carried out by Mr Straw is also relevant. He would have been very conversant with the rights of way in the area and it is significant that he chose to omit this footpath.
- Nothing on OS maps to indicate the status of the footpath
- People's use of the footpath has been challenged ie by signage and staff
- There is only one user evidence form that covers the entire period in question
- Members need to consider all of the evidence put before them before coming to a decision.

On a motion by the Chair, seconded by the Vice-Chair, it was:-

### **Resolved 2018/012**

That the application for a Modification Order to modify the Definitive Map and Statement be turned down for the reasons set out in the report that the evidence shows that a right of way is not reasonably alleged to exist.

### **9. DORKET HEAD QUARRY, NOTTINGHAM**

Mr Hankin introduced the report which considered two planning applications at Dorket Head Quarry, Arnold.

Mr Hankin informed Members that the main development seeks planning permission for the extension of clay extraction within a southern extension and the second application seeks to vary the approved restoration scheme for the wider quarry workings.

Mr Hankin stated that the key issues related to compliance with Development Plan policy regarding future mineral extraction at Dorket Head, the contribution the development makes to secure the long term economic future of the quarry and its factory, to wider sustainability issues and the relationship between this development and housing allocations proposed in the new Gedling Local Plan.

Mr Hankin pointed out that Phases 2 and 3 shown on Plan 4 are the wrong way round and also informed Committee that since the report had been written more comments had been received and that no objections to the proposals had been made by either the Flood Team or the Reclamation Team.

There were no questions.

Following the introductory remarks of Mr Hankin, Mr Ingram, on behalf of the developer Ibstock, was given the opportunity to speak and a **summary** of that speech is set out below:-

- There is a need to meet the demands of the Gedling Local Plan otherwise 3 years of clay extraction will be lost with consequent effects on local employment as well as those employed in the supply chain

- After extraction the area will be landscaped, trees will be planted and inert waste will be used.
- A Section 73 agreement will be signed so the applicant's rights to use household waste will be surrendered.
- A detailed Environmental Impact Assessment has been completed and concluded that no long term harm will result from the development.
- There have been no objections from any of the statutory consultees.

Following Mr Ingram's speech Members debated the item and the following comments and questions were responded to:-

- Use of inert waste is a positive.
- No use of household waste a positive.
- The developer bringing forward its plans so the land is not sterilised or housing precluded, is a good example of partners working well together.

On a motion by the Chair, seconded by the Vice-Chair, it was:-

### **RESOLVED 2018/013**

1. That planning permission be granted for Planning Ref.7/2018/0159NCC, subject to the conditions set out in Appendix 1.
2. That planning permission be granted for Planning Ref.7/2018/01681NCC, subject to the conditions set out in Appendix 2.

### **10. WEST BURTON POWER STATION AND BOLE INGS ASH DISPOSAL SITE, RETFORD**

Mr Smith introduced the report which concerned a planning application seeking to vary conditions governing the operations at Bole Ings ash disposal site, principally to enable greater quantities of ash to be reclaimed from a single phase than is currently permitted and to extend the duration of ash disposal operations to cover the remaining life of West Burton A power station.

Mr Smith informed Members that the key issues related to the principle of extending the period of ash disposal operations and thereafter achieving an acceptable restoration.

On a motion by the Chair, seconded by the Vice-Chair, it was:-

### **RESOLVED 2018/014**

That planning permission be granted subject to the conditions set out in Appendix 1.

### **11. SHALE GAS PROPOSALS – CONSULTATION RESPONSE**

Mr Smith introduced the report which advised Members of the County Council's written submission to the Parliamentary Communities and Local Government

Committee Inquiry on fracking, the Planning Group Manager's attendance at the Inquiry and subsequent meeting with the MHCLG and a Ministerial Written Statement made in relation to shale gas proposals.

Following Mr Smith's introductory remarks Members debated the item and the following comments and questions were responded to:-

- The response included the pros and cons involved, balancing the potential lack of local democratic accountability against very contentious issues.
- There will be cost implications for the Authority whatever is decided.

On a motion by the Chair, seconded by the Vice-Chair, it was:-

**RESOLVED 2018/015**

That the continued involvement of the authority with the Ministry of Housing, Communities and Local Government on consultations relating to shale gas development be approved.

**12. DEVELOPMENT MANAGEMENT PROGRESS REPORT**

Mr Smith introduced the report and confirmed that this was the usual regular report detailing which reports were likely to come before Committee.

Following Mr Smith's introductory remarks Members debated the item and the following comments and questions were responded to:-

- All applications for sand and gravel extraction will be taken into account with regards to requirement and the land bank.
- Planning Application 3/18/00756/CMA, Land at Rufford Hills Farm, is an application to extract mine gas from the former Ollerton Colliery and turn it into electricity.

On a motion by the Chair, seconded by the Vice-Chair, it was:-

**RESOLVED 2018/016**

That no further actions are required as a direct result of the contents of the report.

The meeting closed at 1pm

**CHAIR**





**17<sup>th</sup> July 2018**

**Agenda Item: 5**

## **REPORT OF CORPORATE DIRECTOR – PLACE**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/16/01689/CMA**

**PROPOSAL: PROPOSED SOUTHERN AND WESTERN EXTENSIONS TO EXISTING QUARRY WITH RESTORATION TO WATER, NATURE CONSERVATION AND AGRICULTURE TOGETHER WITH REVISED RESTORATION OF EXISTING WORKINGS AND RETENTION OF EXISTING PLANT SITE AND SITE ACCESS**

**LOCATION: LAND AT LANGFORD QUARRY, NEWARK ROAD, NEAR COLLINGHAM**

**APPLICANT: TARMAC TRADING LTD.**

### **Purpose of Report**

1. To consider a planning application for southern and western extensions to the Langford Quarry, near Newark. The submission also incorporates alterations to the previously approved restoration arrangements for the existing quarry as well as seeking consent for the retention and continued use of the existing plant site and access to serve the extended quarry.
2. The key issues with the determination of the planning application relate to the need for the minerals in the context of national and local minerals planning policy and the fact that the development site is not allocated for mineral extraction in the Development Plan. The report incorporates a detailed assessment of the appropriateness of the site for minerals extraction in the context of local environmental impacts notably visual and landscape effects, ecology and archaeology.
3. The recommendation is to grant conditional planning permission, subject to the applicant entering into a Section 106 legal agreement.

### **The Site and Surroundings**

4. Langford Quarry is located in the Trent valley approximately 8km north of Newark to the north east of the village of Holme, south west of the village of Collingham and north west of the village of Langford. The site and its surroundings are identified on Plan 1. The area is generally flat at around 7-8m above Ordnance Datum (AOD).

5. The quarry has been operational since the late 1980's. It produces around 450,000 tonnes per year of sand and gravel and represents a strategically important producer of mineral for concrete production within the county.
6. Large areas of the historical mineral workings at Langford have now been substantially restored to provide a mix of open water and reed bed/wetland habitats which are managed by the RSPB.
7. Sand and gravel is currently extracted from land to the south of the original quarry from a 20 hectare piece of land which was granted planning permission in March 2015. The mineral is extracted by hydraulic excavator and transported to the plant site by conveyor where it is processed and stocked prior to it being transported to market using road haulage. Mineral reserves in this area will be depleted by the end of 2018.
8. Upon completion of mineral extraction in the southern area most of the remaining reserves within the quarry underlay the plant site. The extraction of this mineral is proposed as the final phase of the quarry because it would be necessary to remove the plant site prior to its extraction and would therefore affect the ability to work further mineral reserves in the area.
9. The proposed extension sites seeking planning permission within this planning application comprise a southern and western extension. The two sites have a combined area of 59 hectares (See Plan 2).
10. The southern site incorporates 27.1 hectares of land. It would extend the existing workings further to the south and west. The land incorporates six arable fields divided by mature hedgerows. Access for quarry vehicles would be obtained from the existing working area.
11. The western site (32 hectares) lies between the original working area and the River Trent. The site comprises four arable fields and one grazing field and is bounded to the east by the Slough Dyke, to the west by the River Trent and to the north and south by agricultural land.
12. The two sites are comparatively remote from residential property, the nearest properties to the extended site include:
  - Residential properties at the northern end of Holme village (approx. 300m to the south);
  - Lodge Farm on the western side of the River Trent (approx. 420m to the west);
  - The Ness on the western side of the River Trent (approx. 450m to the west);
  - Langford Crossing Cottage (approx. 510m to the south east);
  - Lowfield Farm (approx. 730m to the east);
  - Willow Farm (approx. 1300m to the north east). (See Plan 3).

13. The closest designated heritage site is an archaeological site, a Roman Camp lying 750m east of Church Cottages north of Langford Lane and south of the southern extension area.
14. A number of public rights of way are located in the vicinity of the site, most of these paths extend around the perimeter of the site but Langford Footpath 3 crosses through the site in an east – west direction through the western extension.

### **Proposed Development**

15. Planning permission is sought for a southern and western extension to Langford quarry. The development comprises:
  - A southerly and westerly extension to the existing Langford Quarry with restoration to wet, low level meadows, water amenity, nature conservation and agriculture;
  - Extension of the existing field conveyor and construction of a conveyor/vehicular bridge over a drainage channel between the southern and western extensions;
  - The stripping of soils and overburden overlaying the mineral resource, these would be stored or directly placed for restoration within previous phases of the quarry;
  - The dewatering of the ground to enable the mineral to be worked dry;
  - The extraction of sand and gravel by hydraulic excavator which would be transported to the plant site by conveyors;
  - Revision of the approved restoration plan within the most recent southern extraction area to create an enlarged water feature with associated shallows to the south of the Slough Dyke;
  - Revision of the approved restoration plan to the north of the Slough Dyke to accommodate revised silt disposal operations, with the resultant creation of shallows and channels at the eastern margin of the approved water feature;
  - Retention of existing plant site, associated settlement lagoons, site infrastructure and access road;
  - Amendment to the approved phasing of extraction.
16. The development is anticipated to release 3,638,000 tonnes of sand and gravel reserves of which 2,416,000 tonnes would be recovered from the southern extension and 1,222,000 tonnes would be recovered from the western extension. The planning application is supported by a detailed phasing programme which shows that the workings would progress westwards through the currently approved extraction area before turning northwest into the western extension and then returning to the southern extension area which would be worked in an easterly extension. Mineral extraction would then progress into previously consented land to the east of the existing quarry with extraction beneath the plant site forming the final phase (see Plan 4).

17. At current production rates the southern and western extensions would provide a further eight years of mineral reserves although the exact duration of the workings may fluctuate due to market demand for mineral and therefore a ten year consent period is sought to provide some flexibility in the event of lower than anticipated production rates.
18. All HGV traffic associated with the quarry would continue to use the existing quarry access road which leads directly from the A1133 Newark Road. Since there is no change to the anticipated output levels there would be no change to the existing level of traffic movements which comprise typically of 90 HGV loads per day (180 movements) and 14 cars (28 movements). All HGVs would be required to follow the existing lorry routeing arrangements which requires them to access and depart from the south and thus ensure that no HGV traffic associated with the quarry passes through Collingham village.
19. The proposed hours of working are a continuation of existing practice at the site, as set out in the table below:

	Monday - Friday	Saturdays	Sundays and Bank Holidays
Mineral Processing	0700 - 1800	0700 - 1300	None
Mineral Extraction	0700 - 1800	0700 - 1300	None
Soil Stripping	0700 - 1800	0700 - 1300	None
Overburden removal and replacement	0700 - 1800	0700 - 1300	None
Emergencies for site safety	As required	As required	As required
De-watering	As required potentially 24hrs	As required potentially 24hrs	As required potentially 24hrs

20. The extension of Langford Quarry would secure existing employment at the site which directly employs nine people, plus 24 associated hauliers and a similar number of contractors employed periodically.
21. The application proposes a phased programme of restoration which includes some changes to the approved restoration scheme for the existing quarry (see

Plan 5). Restoration of the extended southern extraction area would be to two large open water lakes separated by a causeway. A permissive footpath would be created around the lakes to link into public footpath Holme FP3 to the west. Restoration of the western extension would provide a greater mix with the northern part restored to low lying meadow, the southern part being restored to a lake and the south western corner would be restored to agriculture using the best of the soil resources. Additional silt lagoons would be formed within part of the lake that is proposed to be formed on land to the north of the Slough Dyke in the existing quarry. The disposal of silt in this area would raise levels and create an area of shallow wetland habitat. There would be no change to the restoration of the plant site area which would be reinstated as 'best and most versatile' agricultural land.

22. Upon completion of the phased restoration of each part of the site there would be five years aftercare to provide for the cultivation of the site.
23. To address issues and concerns raised following the planning consultation process a series of modifications and additional environmental assessments were requested from the applicant under a formal request made under Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (Reg. 22 request). The applicant has responded in two separate Reg.22 submissions. The responses are set out below:
  - a. Additional information to enable a proper assessment to be undertaken to consider the magnitude of impact to the setting of the built heritage assets in the surrounding area.
    - Supplementary Heritage Impact Assessment reports have been undertaken which conclude the development proposals would not have any effect on the designated assets with the exception of St Bartholomew's Church where there would be a 'low' impact on views to the west resulting in a minor temporary negative impact on its setting.
  - b. An updated flood risk assessment to consider the implications to flood flows from soil bunds, stockpiles and the effects on flow rates within the surrounding watercourses.
    - The developer has confirmed the quarry development would not create screen bunds and if required, any temporary 'heaps' will be located on the quarry floor with no implication for flood risk.
    - The scheme would not result in any pumping of water to adjacent water courses. Any water entering the excavated void would generally be channelled through the adjacent RSPB Reserve and discharged from the site via the approved outfall into the River Trent in accordance with the discharge consent for the site.
  - c. A series of questions regarding the ecological effects of the development and a number of suggested modifications to the proposed restoration of the site to enhance its ecological value.

- The level of the proposed 'causeway' between the two main lakes of the southern extension should be reduced and the material used to create more shallows in the lake edges. Response: Alterations have been made to the restoration plan to take account of the suggestion.
  - A specific rationale for the proposed restoration of the western area setting out the habitat types that will be created is requested. Response: The area has been designed as a wetland habitat in accordance with advice taken from the RSPB which is likely to take on the future management of the site.
  - A table, setting out the area (in hectares) of each habitat to be created has been provided.
  - The applicant has confirmed that supplementary woodland landscape planting has been undertaken on land to the west of the southern area as part of the 2015 planning permission and that this would be retained to assist with screening the current development.
  - The restoration scheme has been amended to reflect a recommendation made by the RPSB for the causeway between the lakes not to be used for dog walking to avoid disturbance to birds. A dog walking area has been provided on the southern end of the western lake, nearest to Holme village.
  - A request has been made for a direct hydrological link to be made to the River Trent. The applicant has responded by stating that there is no proposal to provide a direct link into the River Trent but the restored habitat would have a hydrological link to surrounding groundwater and therefore water levels in the lake will rise and fall in the same way as the natural surrounding water table.
  - Confirmation has been received that the development would not affect water levels in the Collingham Fleet, that a replacement Barn Owl breeding box has been provided and is occupied by owls, that groundwater levels in Langford Marsh are being monitored, any top soil mound will be sown with seed rich mixes and retained hedgerows will be allowed to grow taller and wider.
- d. Assurances that potential effects from small particle dust emissions (PM 2.5) to air quality standards have been fully assessed.
- The air quality assessments have been updated and now incorporate a PM 2.5 assessment.
- e. Assurances that there has been no change to the local noise environment since the noise assessment was prepared (to address comments made by Newark and Sherwood District Council).
- The applicant has confirmed that there have been no changes to the local noise environment since the noise reports were undertaken and therefore the original projections and conclusions made in the noise report remain valid.

- f. An additional investigation to assess potential impacts to archaeological features within the site, and the potential effect that quarry dewatering may have on the scheduled Roman camp immediately south of the proposed quarry.
24. The second Reg. 22 response deals specifically with archaeological issues and incorporates:
- Additional site investigations comprising trial pits, borehole surveys and trial trenching.
  - A geoarchaeological Stage 2 report comprising an investigation of palaeochannels and associated floodplain deposits.
  - An assessment of the archaeological importance of the site.

## Consultations

25. The planning application has been subject to separate publicity and consultation coinciding with the receipt of the planning submission and subsequently the two Regulation 22 submissions. The consultation responses are summarised below, listed in sequential order of receipt where consultation responses have been received to the Reg. 22 submissions.
26. **Newark and Sherwood District Council:** *Raise no objections in principle.*
27. Original Consultation Response: *The Environmental Health Officer notes that the noise reports were undertaken in October 2015. Assurances are sought that there have not been any changes in the local noise environment since this time. Subject to this assurance being received it is recommended that conditions be imposed to regulate the level of noise emissions.*
28. Regulation 22 Response: *NSDC confirm they are now satisfied the local noise environment has not significantly changed since 2015 and therefore raise no objections to the development.*
29. Second Regulation 22 Response: *Raise no objection to the additional information.*
30. **Collingham Parish Council:** *Support the planning application,*
31. Original Consultation Response: *The Parish Council would like to ensure that the proposed screening works are undertaken before the extension to the quarry begins.*
32. Regulation 22 Response: *The Parish Council continue to support the planning application.*
33. Second Regulation 22 Response: *No additional comments to make*

34. **Holme Parish Meeting:** *Object to the planning application.*
35. Original Consultation Response: *The application is being considered in the absence of an adopted replacement Minerals Local Plan. The development would result in an additional 14 years mineral extraction at the site after 28 years already. There is no clarity on how the village would be compensated for the cumulative impact of these workings. A house sale has recently been lost because of the planning application. The restoration plan should not be considered in isolation and the effects of 600 hectares of wetland across the Besthorpe, Langford and Cromwell sites should be considered. Concern is expressed that the developer could pull out before the restoration plan is complete and a restoration bond should therefore be made. No development should take place that destroys the Scheduled Ancient Monument.*
36. **Winthorpe with Langford Parish Council, North Muskham Parish Council:** *No representations received.*
37. **Environment Agency:** *Raise no objection.*
38. Original Consultation Response: *The Environment Agency initially objected to the planning application on the basis that the flood risk assessment did not consider the potential effects that the temporary soil heaps and screen bunds would have on flood levels nor provide details of any changes to flow rates in watercourses.*
39. Regulation 22 Response: *The additional information provided by the applicant overcomes the Environment Agency's original concerns regarding the planning application and, subject to the development being carried out in accordance with the hydrogeological and hydrological assessment, no objections are raised. The Environment Agency request planning conditions are imposed to ensure screening bunds are not placed in the development site, any temporary heaps are located in the quarry floor and no water is pumped into adjacent water courses.*
40. **Trent Valley Internal Drainage Board:** *Raise no objections.*
41. Original Consultation Response: *The internal drainage board provide some general advice in terms of undertaking works in proximity to board maintained watercourses.*
42. **NCC (Flood Risk):** *Raise no objection*
43. Original Consultation Response: *No representation received.*
44. Regulation 22 Response: *The application falls outside the guidance set out by Government stating when a response is required from the flood authority. Some general advice is provided within which the flood authority recommend the planning authority assure itself that the development does not generate additional flood risks elsewhere, surface water flows are satisfactorily controlled, preferably by infiltration or sustainable urban drainage, and the development does not affect flow rates in watercourse.*

45. Second Regulation 22 Response: *No objections*
46. **Historic England:** *Raise no objection.*
47. Original Consultation Response: *The development site is situated to the north of a scheduled Roman camp, a nationally designated monument. The dewatering of the quarry has potential to affect groundwater levels within the scheduled monument and the preservation of archaeology in the ground. Insufficient evidence has been provided to quantify the level of impact/damage which may occur. Furthermore the proposed extraction area has potential to contain archaeological remains of national importance. Inadequate survey work has been undertaken to quantify the level of impact and mitigation that may be required.*
48. Regulation 22 Response: *The geotechnical archaeological investigations on the Roman Fort have established that previous dewatering has already compromised organic preservation in ditch fills hence Historic England does not anticipate the proposed development would cause additional dewatering damage. Further evidence of the archaeological potential of the application area itself has not been submitted and requires further examination.*
49. Second Regulation 22 Response: *The submitted additional information further to Reg. 22 addresses Historic England's concerns with respect to the sufficiency of information both regarding impacts (setting) upon the significance of scheduled monuments and upon features within the development area itself. As such Natural England is now content (should your authority be minded to grant consent) to refer your authority to the expert advice of the County Archaeologist to ensure archaeological matters are appropriately and necessarily mitigated.*
50. **NCC (Archaeology):** *Raise no objection*
51. Original Consultation Response: *The archaeological assessment of the site does not incorporate any field evaluation and therefore the planning application does not contain an appropriate level of survey information to enable a proper assessment of the value of the archaeological remains within the site to be made. Without such information the planning application should be refused.*
52. Second Regulation 22 Response: *A programme of archaeological evaluation has now been undertaken on the application site. We await the final results of this work; however, the initial findings are that there are archaeological remains in parts of the site, and there is a more widespread potential for remains of palaeoenvironmental significance. However, none of the remains identified to date are of such significance as to preclude mineral extraction, providing appropriate mitigation strategies are in place and fully implemented.*
53. **NCC (Built Heritage):** *Raise no objections.*
54. Original Consultation Response: *The heritage report does not contain sufficient information to enable proper consideration of impacts on the settling of listed buildings.*

55. Regulation 22 Response: *The information provided in the Regulation 22 response is sufficient to demonstrate that the level of impact to the local heritage asset would be 'less than substantial'.*
56. **Natural England:** *Raise no objections.*
57. Original Consultation Response: *Natural England is satisfied that the development would not damage or destroy the interest features of the Besthorpe Meadows and Besthorpe Warren Sites of Special Scientific Interest (SSSI).*
58. *With regard to soils, Natural England note that the development would result in the loss of 6ha of 'Best and Most Versatile' agricultural land and therefore less than the 20ha threshold set out within planning legislation where the Council is required to formally consult Natural England. Notwithstanding this, Natural England welcome the restoration to a mix of agriculture and green infrastructure/nature conservation habitats which will result in significant biodiversity gains which will complement the existing quarry restoration works at Langford.*
59. Second Regulation 22 Response: *Continue to raise no objections to the planning application, pointing out that Natural England's original advice applies to this additional information.*
60. **NCC (Nature Conservation):** *Raises no objections subject to the imposition of planning conditions to regulate ecological impacts.*
61. Original Consultation Response: *The consultation response to the original ES submission identified a series of concerns and questions regarding the following matters:*
- *Potential impacts/changes to the level of ground water within Langford Marsh Local Wildlife Site.*
  - *A request to make modifications to the buffer strip between the two waterbodies in the southern extension area to lower its height and use the resultant soils to create additional marginal/reedbed habitat here.*
  - *Further justification to explain the rationale for the proposed restoration in the western area.*
  - *A request to modify the restoration scheme and provide a link between the restored wetland habitat and the River Trent.*
  - *The submission of a table to provide a dataset of the land area (in hectares) of each habitat type proposed to be created.*
  - *The woodland planting appears to be proposed outside the red line application boundary and it is questioned whether this is appropriate.*
62. *Planning conditions are recommended to regulate:*
- *The maintenance of a 10m stand distance from the Slough Dyke.*
  - *The submission of a hedgerow management plan to ensure retained hedgerows are enhanced, planted-up and thickened.*

- *The provision of a 30m buffer zone around the habitat of a protected species.*
  - *The implementation of working practices to ensure protected species have a route of escape from any trench constructed on the site.*
  - *Any floodlighting installed on the site shall be suitably angled and shielded to avoid disturbance to bats.*
  - *Controls over vegetation clearance to ensure it is undertaken outside the bird nesting season.*
  - *A barn owl habitat mitigation plan.*
  - *The safe removal of any amphibians which may be encountered during the course of the development.*
  - *The humane removal of a fox earth from the site.*
  - *The submission of a detailed landscape scheme with management to be provided for 15 years.*
63. Regulation 22 response: *The applicants Reg. 22 response satisfactorily addresses the ecological questions that were originally raised.*
64. **RSPB:** *Support the development.*
65. Original Consultation Response: *The development will complement the current restoration of the quarry and the adjacent RSPB Langford Lowfields reserve and will make a valuable addition to the ecological network in this section of the Trent Valley. However the RSPB consider there is scope to improve the restoration design even further and a number of suggested improvements are made:*
- *Modifications are recommended to reduce the buffer strip between the two waterbodies in the southern extension area with the resultant soils utilised to create additional marginal/reedbed habitat here.*
  - *The use of the small lake to the southern end of the western extension to provide an amenity area and dog walking route.*
  - *The potential to directly connect the restored habitat to the River Trent.*
66. Regulation 22 Response: *The RSPB welcome the applicant's responses and have no further comments to make.*
67. **Nottinghamshire Wildlife Trust:** *Do not object to the planning application subject to satisfactory ecological controls being regulated through planning conditions.*
68. Original Consultation Response: *The Wildlife Trust state that they are able to support the scheme subject to planning conditions and additional information being provided to ensure adverse ecological impacts do not occur. The following recommendations are made:*
- *A planning condition to require monitoring of groundwater levels within the Langford Marsh Local Wildlife Site.*
  - *Controls to ensure water levels and flows within the Collingham Fleet are not significantly altered.*
  - *Controls over light spill to avoid impacts to foraging bats.*

- *The maintenance of a stand-off from large mammal habitat and the provision of escape routes from any excavations to ensure mammals do not become trapped.*
- *A stand-off of 10m from Slough Dyke to avoid adverse impacts to reptiles and water voles.*
- *The retention of barn owl nesting site until such time that owls utilise a replacement bird box.*
- *The protection of Slough Dyke and Langford Marsh from disturbance from direct and indirect effects to invertebrates.*
- *The restoration scheme is generally welcomed, but opportunities should be taken to create some small ponds to create amphibian habitat. Opportunities should be explored to provide a direct connection of the restored site to the River Trent. Opportunities should be taken to provide seasonably wet grassland areas. There should be a commitment to long term management.*

69. Regulation 22 Response:

- *The applicant's hydrology report identifies that the local wildlife site has not been affected by previous quarry dewatering and fluctuations in water levels resulting from rainfall. On this basis NWT is satisfied there will not be adverse impacts from quarry dewatering in the local wildlife site, but request a condition requiring monitoring and reporting of levels is imposed.*
- *NWT note an outfall to the River Trent has been constructed as part of the restoration of the existing quarry. Hydraulic connection will also be maintained by groundwater flows.*
- *A planning condition should be imposed to control floodlighting.*
- *Protected species surveys should be undertaken prior to commencement of works within any new phase of working.*
- *A 10m stand off from the Slough Dyke should be regulated by planning condition.*
- *Long term management of the replacement barn owl box should be secured by planning condition.*
- *Use of appropriate seed mixes should be secured by planning condition.*
- *The relaxation of hedgerow cutting regimes regulated through planning condition will compensate for the removal of 450m of hedgerow proposed in the development.*
- *A large mammal protocol should be regulated by planning condition.*
- *The amendments that have been made to the height of the restored causeway are acceptable.*
- *The restoration scheme now incorporates a series of small ponds as requested.*
- *The scheme still contains commercial agricultural land rather than extensive floodplain grazing marsh. NWT would hope that further areas of this priority habitat could be secured.*
- *More detailed information is required in terms of the restoration proposals and long term management of the site.*

70. **NCC (Landscape):** *Raise no objections and are in agreement with the conclusions of the landscape and visual assessment.*
71. Original Consultation Response: *The development will result in a change to the landscape character of the site but sand and gravel extraction with restoration to wetlands and waterbodies is already established within this area. It is noted that generally impacts will be short term and be followed by wider benefits for nature conservation and recreation in the longer term. The detail of appropriate management proposals and a funding mechanism for the future maintenance and management works should be incorporated into planning conditions should planning permission be granted.*
72. Regulation 22 Response: *No further comments to make.*
73. **National Planning Casework Unit:** *Raise no comments.*
74. **Canal and River Trust:** *Raise no objections.*
75. Original Consultation Response: *Raise no objection subject to a suitably worded condition to ensure a 50m stand-off is maintained between quarry excavations and the River Trent.*
76. Regulation 22 Response: *No further comments raised.*
77. **NCC (Highways):** *No objections.*
78. Original Consultation Response: *The proposal will not change the level of traffic generated by the site operations and will not detrimentally affect the existing conditions on the public highway. Existing lorry routeing regulations should be re-imposed.*
79. **Network Rail:** *Raise no objections.*
80. Original Consultation Response: *The operator should contact Network Rail to agree the passage of any abnormal loads over the existing railway bridge on the quarry access road.*
81. Regulation 22 Response: *No further comments to make.*
82. **NCC (Noise Engineer):** *Raise no objection subject to noise controls being regulated through the planning conditions.*
83. Original Consultation Response: *The noise assessment submitted in support of the planning application has assessed the predicted noise impact at 7 nearby receptors. The noise assessment uses appropriate methodology to predict that noise emissions from quarrying activities would not be excessive. Planning conditions are recommended to control the maximum level of noise emissions, the operating hours and to require the use of white noise reversing alarms.*
84. Regulation 22 Response: *No further comments to make.*
85. Second Regulation 22 Response: *No further noise comments to make.*

86. **NCC (Reclamation):** *No objection in principle.*
87. Original Consultation Response: *The dust assessment concentrates on larger PM10 particles with no reference to the emission of smaller MP2.5 particles. Further assessment of dust impact from smaller PM2.5 particles should be undertaken. The placement of low permeability overburden in the western extension has potential to affect ground water flows.*
88. **National Grid Gas:** *No objections.*
89. **Western Power Distribution, Severn Trent Water Limited, Defence Infrastructure Organisation, Sustrans - National Cycle Network Centre, NCC (Countryside Access):** *No representation received.*

## **Publicity**

90. The application has been publicised by means of site notices and press notices on three occasions coinciding with the original submission of the planning and the submission of the supplementary environmental information provided under the two Reg. 22 submissions. The planning application has also been publicised locally by the posting of 50 neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement Review.
91. No representations have been received.
92. Councillor Maureen Dobson and Councillor Mrs Sue Saddington have been notified of the application. Councillor Maureen Dobson supports the planning application and wishes it to be acknowledged that the planning application is supported by the quarry liaison meeting which Councillor Dobson chairs.

## **Observations**

### Minerals Policy Assessment

#### *National Planning Policy Framework (NPPF)*

93. Paragraph 14 of the NPPF establishes a presumption in favour of sustainable development which for decision-making means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
  - Specific policies in the NPPF indicate development should be restricted – for example those policies which relate to designated as SSSIs, Green Belt and locations at risk of flooding.

94. Paragraph 18 of the NPPF expects planning decisions to proactively drive and support sustainable economic development and assist the expansion of business. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. It requires significant weight to be placed on the need to support economic growth through the planning system.
95. Paragraph 144 states that when determining planning applications associated with mineral development, local authorities should:
- Give great weight to the benefits of mineral extraction, including its economic benefits;
  - Ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
  - Ensure that any unavoidable noise, dust or particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
  - Provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bond or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances.
96. The NPPF states that Minerals Planning Authorities should plan for a steady and adequate supply of aggregates. One of the methods for doing this is by using landbanks of aggregate mineral reserves as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans. In relation to sand and gravel, provision should be made for at least 7 years. Longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity at permitted sites.

#### *Planning Practice Guidance*

97. The Planning Practice Guidance explains that there is no maximum landbank and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank. However, where a landbank is below the minimum level this may be seen as a strong indicator of need (Paragraph: 084 Reference ID: 27-084-20140306).
98. The PPG goes on to say that there are a number of reasons why an application for aggregate minerals development is brought forward in an area where there exists an adequate landbank. These could include:

- Significant future increases in demand that can be forecast with reasonable certainty;
- The location of the consented reserve is inappropriately located relative to the main market areas;
- The nature, type and qualities of the aggregate such as its suitability for a particular use within a distinct and separate market; and
- Known constraints on the availability of consented reserves that might limit the output over the plan period (Paragraph: 084 Reference ID: 27-084-20140306).

*Nottinghamshire Minerals Local Plan (Adopted December 2005)*

99. Policy M6.2 of the Nottinghamshire Minerals Local Plan (MLP) states that the County Council will endeavour to maintain a landbank of permitted reserves of sand and gravel sufficient for at least 7 years extraction and also an adequate production capacity in order that Nottinghamshire will meet its reasonable share of regional provision of aggregates throughout the plan period.
100. The adopted MLP incorporated a series of land allocations to assist in maintaining at least a seven year landbank of sand and gravel reserves as required by Policy M6.2. Most of the original land allocations incorporated in the adopted plan have now been worked out/exhausted, a large allocation at Gunthorpe was unsuccessful in obtaining planning permission and an allocation at Sturton le Steeple received planning permission but has not been extracted.
101. Due to the age of the MLP which was adopted in 2005 and covered a period up to 31<sup>st</sup> December 2014 it is considered to be out of date in terms of its allocation of sand and gravel extraction sites. This has resulted in a need to permit sand and gravel extraction on unallocated sites within Nottinghamshire to maintain a satisfactory landbank and production capacity. It is almost inevitable that any new sites which come forward to permit further sand and gravel extraction within Nottinghamshire, prior to the adoption of a replacement minerals local plan would be undertaken on land that is not allocated for minerals extraction within a development plan.
102. The proposed extensions to Langford Quarry sought within this planning application are not allocated for sand and gravel extraction within the adopted MLP. This planning application must therefore be assessed as an unallocated site in the context of adopted MLP policy.
103. Policy M6.3 of the MLP concerns itself with sand and gravel extraction in unallocated land and states:

Policy M6.3: Sand and Gravel extraction in unallocated land

Proposals for sand and gravel extraction falling outside allocated areas will not be permitted unless it is evident that existing permitted reserves and the remaining allocations cannot sustain an adequate landbank and processing

capacity as provided for in Policy M6.2.

104. Paragraph 6.36 acknowledges that potential extensions to quarries will often have lower environmental effects than new greenfield sites.

*Policy Assessment and Need for Sand and Gravel Extraction*

105. The NPPF explains that minerals are essential to support economic growth and our quality of life. It is therefore important that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. The key measurement tool for ensuring there is an adequate supply of sand and gravel is the 'landbank'. The landbank is calculated by dividing the level of consented reserves in Nottinghamshire by the annual rate of extraction based on the average sales over the last 10 years. Published data incorporated in the Nottinghamshire and Nottingham Local Aggregates Assessment (September 2017) identifies that the 10 year production average is 1.7 million tonnes per year. The LAA identifies the permitted reserves stood at 17.5 million tonnes. The landbank therefore equates to 10.29 years. This meets national and Nottinghamshire's aim to maintain at least a 7 year landbank, in line with the NPPF and Policy M6.2 of the Minerals Local Plan.
106. The proposed development is not within an area allocated for sand and gravel extraction in the adopted MLP. Since the landbank is currently 3.29 years above the minimum 7 years, based on the most recent data, it is considered that existing permitted reserves are sufficient and so, when assessed against this element of MLP Policy M6.3, an argument can be put forward that planning permission should be refused. However, Policy M6.3 also requires processing capacity to be considered and it is worth noting that Langford Quarry is a significant and strategic sand and gravel site in the county, presently producing around 40% of the county's annual sand and gravel output. Most of the remaining mineral within the quarry underlays the plant site area. If mineral extraction progressed in compliance with the approved quarry phasing plan prior to any extension into the proposed southern and western extension areas, the extraction of the remaining mineral in the existing quarry would require the removal of the existing quarry buildings and processing plant. This would severely prejudice the ability to subsequently extend the quarry potentially sterilising mineral in the proposed southern and western extension areas, which is likely to be needed to maintain a continuity of minerals supplies in the future. It is therefore considered that refusing planning permission for the proposed development at this time would impact on the county's processing capacity, contrary to Policy M6.3, as it would significantly shorten the operating life of the quarry and impact on the processing capacity of the county as a whole.
107. Whilst the MLP is the current adopted minerals plan for Nottinghamshire, it is comparatively old and pre-dates the NPPF. Paragraphs 212 – 215 of the NPPF state that policies within the NPPF are material considerations and where there is some inconstancy between older development plans and policy within the NPPF greater weight should be given to the NPPF policy in planning decisions.

108. The policies contained in the adopted plan therefore need to be read alongside the policy set out within the NPPF and the supporting Planning Practice Guidance (PPG) concerning minerals development to ascertain the level of conformity or otherwise. The NPPF refers to the length of landbanks for aggregate minerals (including sand and gravel) which remain unchanged at 'at least 7 years', but it states that the landbank should be used principally as an indicator of the security of aggregates mineral supply and provision should be made for the maintenance of at least 7 years landbank of processing capacity as well as ensuring that the capacity of operations to supply a wide range of materials is not compromised. Paragraph 084 of the PPG goes further in stating "there is no maximum landbank level and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank". Therefore, whilst the emphasis within Policy M6.3 is to not permit sand and gravel extraction on unallocated land where there is an adequate landbank of at least 7 years this is not the approach set out within the NPPF/PPG.
109. Having regard to the approach set out within paragraphs 212 - 215 of the NPPF it is clear that a refusal of planning permission cannot be justified solely on the grounds that the landbank stands at above 7 years, as advocated by MLP Policy M6.3, and a wider assessment of all material considerations such as the availability of processing capacity needs to be made when making a decision.
110. Mineral reserves within Langford Quarry are progressively being worked and the most recently consented southern extraction area is now substantially exhausted of mineral. Once the current southern area is extracted most of the remaining reserves within the quarry underlay the plant site, therefore necessitating the removal of the plant site prior to its extraction. The removal of the Langford Quarry plant site in advance of the mineral extraction proposed in this planning application would seriously jeopardise the ability to work the mineral, therefore effectively resulting in the sterilising of these potential reserves. This would be contrary to the objectives of NPPF paragraph 143 which aims to avoid the sterilisation of minerals.
111. NPPF paragraph 145 requires mineral planning authorities to plan for a steady and adequate supply of aggregates. In this respect, Langford quarry is an important source of sand and gravel, it has been established for several decades and currently supplies around 40% of Nottinghamshire's annual sand and gravel output. The site therefore makes a significant contribution to the supply of sand and gravel to the local construction market and is a strategic supplier within the county.
112. NPPF paragraph 144 requires planning authorities to give great weight to the economic benefits of mineral extraction. The NPPF expects planning decisions to proactively drive and support sustainable economic development and assist the expansion of business. It requires significant weight to be placed on the need to support economic growth through the planning system.
113. The extension of Langford Quarry would allow the quarry to continue to operate and would maintain the existing economic and employment benefits which the quarry provides, including the direct employment of nine quarry staff, 24 hauliers

and a similar number of contractors. The continued effective operation of Langford Quarry would therefore contribute to the:

- security of existing employment at the site;
- continued positive contribution of the site to the local and regional economy; and
- maintenance of an important supply of aggregate sand into the Midlands region.

114. The socio-economic effects of the scheme are therefore considered to be beneficial and are material in the determination of this planning application.
115. In conclusion, although the planning application is not supported by MLP Policy M6.3 on the basis that the site is not allocated for mineral extraction and Nottinghamshire currently has a landbank of sand and gravel in excess of 7 years, the NPPF/PPG make it clear that having a landbank above the minimum level is not justification on its own to refuse planning permission and the wider merits of the development should be assessed. In this instance the wider benefits of the development include the avoidance of mineral sterilisation, maintaining the continuity of sand and gravel production at Langford to serve established markets and the economic benefits which it brings.
116. The proposed extension would help to sustain the 7 year landbank in the medium term and would not result in an oversupply of sand and gravel in the county. Instead, the increase in the landbank would provide some security of supply. Delaying a decision on the planning application until such time that the Council has a replacement minerals local plan in place (Autumn 2019) would seriously jeopardise the delivery of the minerals within the proposed extension areas.
117. These factors argue in favour of granting the development planning permission, subject to there being no unacceptable environmental impacts.

#### *New Nottinghamshire Minerals Local Plan*

118. The identification of new sand and gravel site allocations were included in the now withdrawn Minerals Local Plan (May 2017). A number of extensions to Langford which broadly coincide with the boundaries of this proposed extensions were included for allocation in the withdrawn plan. The draft minerals plan was withdrawn by Full Council at its meeting on 25<sup>th</sup> May 2017 and it was decided to prepare a revised Minerals Local Plan. The decision was taken due to concerns about the level of sand and gravel provision being proposed within the plan. On the basis that this plan is now withdrawn no weight can be given to the allocations and policies which were proposed as part of the determination of this planning application, but it does provide some background as to why a planning application has been submitted for this site.
119. Work started on preparing a new Minerals Local Plan at the end of 2017 and will cover the period from 2016 to 2036. As part of the evidence gathering process, a call for sites was undertaken with the industry. As a result of this, Tarmac once

again submitted the Langford south and west extensions for consideration through the plan preparation process. To date no site specific allocations have been identified, however the draft minerals local plan is due to be considered at the July meeting of Communities and Place Committee. Given that a new list of potential allocations has not been identified, little weight can be given to the plan in this planning decision.

### Assessment of Environmental Effects

120. To assist the Minerals Planning Authority (MPA) in making an assessment of the environmental effects of the development the planning application is supported by an Environmental Impact Assessment (EIA) prepared under the Environmental Impact Assessment Regulations. The EIA has been supplemented by additional information supplied through the two Regulation 22 responses. The EIA thoroughly assesses the environmental implications of development, its findings have been examined and appropriate technical advice has been taken through the planning consultation process. The conclusions of this assessment are considered below.

### Transport Effects

121. The planning application would not change the existing transport patterns at Langford Quarry. All quarry traffic would continue to utilise the existing purpose built HGV access onto the main A1133 Newark Road. The output of the site would remain unchanged from existing levels (circa 450,000tpa) which equates to 90 HGV loads per day (180 two way movements) and 14 cars (28 two way movements) per day.
122. Adopted MLP Policy M3.12 (Highway Safety and Protection) seeks to avoid highway damage and contamination by encouraging the use of wheel cleaning facilities, requiring the sheeting of lorries and the metalling of haul roads to minimise mud and other debris entering the highway from minerals developments. The existing site benefits from a 600m long private road which is tarmac surfaced along its full length. The quarry also benefits from wheel washing facilities and all vehicles leaving the site are securely sheeted prior to leaving the quarry. Subject to the retention of these arrangements throughout the operational life of the extended site, which can be secured through planning condition, the requirements of Policy M3.12 which seeks to protect highways safety are therefore satisfied.
123. Adopted MLP Policy M3.13 (Vehicle Movements) seeks to ensure that planning permission is only granted for minerals development where the highway network can satisfactorily accommodate the vehicle movements it generates and there are no unacceptable disturbances to local amenity. Adopted MLP Policy M3.14 (Vehicular Routeing) encourages controls to be imposed on vehicle routeing to ensure that appropriate routes are followed and sensitive locations are avoided. Paragraph 32 of the NPPF states that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe." The County Council's Highways Development Control Officer has reviewed the planning application and is satisfied that the

highways network can continue to satisfactorily accommodate the vehicle movements associated with the quarry. A planning condition to limit the number of vehicles accessing the quarry is recommended to regulate the number of HGVs accessing the site.

124. The existing quarry is regulated by a lorry routeing agreement which requires all HGVs to enter and leave the site from the south along the A1133. These arrangements ensure that HGVs do not travel through Collingham village. The applicant is agreeable to entering into a further Section 106 lorry routeing legal agreement to maintain these controls for the extended duration of the quarry, thus ensuring quarry traffic does not pass residential properties within Collingham village. The lorry routeing arrangements are routinely discussed within the Langford quarry community liaison meeting where it is acknowledged that the existing controls successfully control lorry movements.
125. Adopted MLP Policy M3.15 (Bulk Transport of Materials) encourages the use of rail, barge, pipeline or conveyor where their use would provide an overall environmental benefit. Existing quarry operations utilise field conveyors to transport mineral between the quarry face and plant site thereby assisting with reducing dump truck movements in the quarry and associated noise, dust and fume emissions. The southern extension would continue to utilise conveyors but in the western extension dump trucks are proposed to be used to transport the 'as dug' mineral to a hopper located at the western end of the southern extension area wherein it would be transported by conveyor to the plant site, thus reducing the use of vehicular transport.
126. With regard to haulage of processed mineral the applicant states that the mineral product is transported to a wide range of sand and gravel customers over a diverse market area and this does not lend itself to the use of non-road haulage transport (rail or barge) which are reliant on longer distance supply of large quantities of product to a single fixed outlet to make them viable and beneficial. It is concluded there would be no significant environmental benefits derived by imposing a requirement to transport mineral by non-road haulage in this instance and such a control would be economically disadvantageous to the operator.
127. It is therefore concluded the development satisfies the highways policy requirements set out within the MLP and the NPPF.

### Ecology

128. Paragraphs 109 and 118 of the NPPF seek to minimise biodiversity impacts by undertaking development on land which is of lower ecological value and avoiding impacts to protected species. Where possible development should provide net gains to biodiversity and take opportunities to incorporate biodiversity in and around developments. MLP Policy M3.17 (Biodiversity) also seeks to minimise/avoid impacts to biodiversity, requiring that if the loss of habitat or feature cannot be avoided, provision should be made for the creation of new habitat.

## *Habitats*

129. The southern area of the application site is dominated by arable farmland, bounded by species-poor hawthorn hedgerows (some containing scattered trees). The western area of the application site comprises semi-improved grassland used as pasture and areas of arable farmland. Fields are bounded by species-poor hawthorn hedgerows with some scattered trees and scrub. No rare or notable habitats are present within the application site, and only the River Trent (forming the western boundary of the site) is assessed as having above-Parish level ecological value. Overall, the development site is considered to be of comparatively low ecological value.
130. The Slough Dyke forms the northern boundary and eastern boundaries of the two areas. It would be retained during the development and a 10m stand-off is proposed to avoid disturbance of watercourse. A temporary barrier/fence would be installed to identify this stand-off, the provision of which would be regulated through planning condition.
131. A 450m length of hedgerow would be lost as a result of the proposals. To mitigate against this impact, it is proposed that retained boundary hedges should be enhanced, planted-up or extended and their management should be relaxed so that they can grow larger and thicker. A hedgerow enhancement plan can be secured through a planning condition.
132. In the area surrounding the proposed development, the most notable potential adverse ecological impact relates to Langford Marsh Local Wildlife Site (LWS) located 430m to the east of the site. This is a wetland habitat and therefore would be sensitive to changes in groundwater levels. There is some potential for groundwater levels to be lowered in the vicinity of the Langford Marsh Wildlife Site as a result of the ground dewatering that would be undertaken in the southern extension. The magnitude of change is uncertain, but likely to be minor. Taking a precautionary approach, it is recommended that groundwater levels continue to be monitored within the LWS with mitigation provided for any change in groundwater levels as a result of the quarry development. The provision of this monitoring/mitigation would necessitate works outside the planning application site and therefore cannot be regulated by planning condition. It would therefore necessitate control through a Section 106 legal agreement.
133. A number of other LWS's are within the vicinity of the application site, but none would be directly affected. Langford Lowfields LWS abuts the northern end of the western extension area. However, extraction has already taken place to the south of this LWS in closer proximity and therefore this development is unlikely to have any adverse impacts.
134. The River Trent, Holme LWS 5/2501 lies approximately 160m to the west, but given that the interest of this LWS is associated with the banks of the River Trent, no impact upon it can be expected.
135. The nearest SSSI to the application site is the Besthorpe Meadow SSSI. The application site lies outside the Impact Risk Zone for this site and no impact is predicted given that the site is not groundwater dependent.

## Species

136. Within the southern area, three trees have potential to offer minor bat roosting potential, along with another five bordering the area. A further three trees in the western area were also noted as having bat roost potential. All eleven trees were subject to activity surveys and none were found to support roosting bats. It is recommended that the trees are resurveyed immediately prior to their removal to ensure that bats have not established habitat in the trees, given the passage of time since the original surveys were carried out. Bat activity surveys across the site have also been carried. These surveys identify that bat foraging activity is very low, and therefore the survey area is not considered to be an important foraging site for bats. Nevertheless, any lighting that may be used should be designed so that light spill onto the Slough Dyke or on retained hedgerows and woodland edge should be minimised this can be regulated through planning condition.
137. Breeding bird surveys recorded a typical range of common and widespread farmland bird species. Overall, the site is assessed as being of 'local' importance for breeding birds. Farmland species currently using the site will inevitably be displaced by the quarry development, however, the surrounding land remains dominated by arable farmland and as such there will be no significant loss of habitat for farmland bird species. The enhancement of boundary hedgerows will compensate for any habitat loss. A standard condition should be imposed to control vegetation clearance during the bird nesting season, which runs from March to August inclusive. To protect nesting kingfisher, a minimum 30m buffer zone should be retained along the Trent, secured through a condition.
138. A replacement barn owl breeding box was provided as part of the 2014 planning permission as a long term replacement nesting site for a roost within an ash tree which straddles the boundary between the 2014 extension area and the current planning application site. This replacement barn owl box was used for breeding in 2016 and 2017 with no evidence of owls in the ash tree in this period. The ash tree was severely damaged in a storm in February 2017 and now offers no real potential nesting habitat and therefore it is now proposed to remove the tree as part of the current development. To compensate for the loss of the tree a second barn owl breeding box is proposed at the site, the provision of which can be regulated by planning condition with a requirement to maintain the box throughout the life of the quarry.
139. Reptiles and amphibians do not appear to be a significant constraint but their potential presence cannot be ignored. To ensure any species are not harmed it is recommended that in the event a species was encountered during quarrying works they are carefully removed by hand and rehoused in a safe location.
140. No evidence of water voles or otters has been found on Slough Dyke, but in any event, a 10m standoff along the dyke will avoid any direct impact on the watercourse. The River Trent, forming the western boundary of the western area, was considered to provide foraging and commuting opportunities for otters, but since the works retain a stand-off to the River Trent, no adverse impact is anticipated.

141. Neither the southern or western extensions incorporate any badger setts, but there is potential that these species forage across these sites. Working methodologies, regulated by planning condition, should be followed to ensure that any trenches/excavations that are made incorporate slopes or ramps to allow a passage of escape for any animals that may fall. Furthermore, any pipes over 200mm in diameter should be capped off at night to prevent animals entering.
142. A fox earth is located in the western area. Although not a species of conservation concern, a condition should be used to require that the earth is removed humanely.

### *Site Enhancement*

143. Restoration of the quarry void has the potential to create high-value wetland habitats, building on the restoration works already undertaken or underway within the existing quarry. The concept restoration plans deliver areas of open water and wetland (reedbed) and, most interestingly, an area of shallow wetlands and gravel bars on the western part of the site. It is considered that the creation of these habitats will more than compensate for the loss of habitat arising during quarrying. The restoration proposals are therefore welcomed and supported.
144. As part of the Regulation 22 response the applicant has addressed a series of questions raised by NCC's Ecology Officer and Nottinghamshire Wildlife Trust. This has resulted in minor revisions to the restoration plan to incorporate additional valuable marginal reed bed habitat.
145. A planning condition is recommended to require the submission of a detailed landscaping scheme, to include species mixes, establishment methods and maintenance regimes, along with a habitat management plan to guide habitat management practices once habitats have become established. It is also recommended that an extended aftercare period, for a period of 10 years beyond the statutory 5 years is regulated through the planning conditions to ensure the wetland habitat satisfactorily re-establishes.
146. The RSPB, which will eventually take on the management of the restored site, support the proposed restoration of the southern and western extensions, commenting that they will complement the current restoration of the quarry which is being developed as a RSPB nature reserve and will provide a valuable addition to the ecological network of this section of the Trent Valley.
147. It is therefore concluded the development satisfies the ecological policy requirements set out within MLP Policy M3.17 and the NPPF.

### Landscape and Visual Impact Assessment

148. MLP Policy M3.22 (Landscape Character) requires landscape character and local distinctiveness to be fully taken into consideration as part of development proposals.

149. The planning application is supported by a landscape assessment. The landscape assessment identifies that the development would change the landscape character of the area from agricultural to operational quarry and subsequently restored lakes and wetland areas. The magnitude of landscape change resulting from the development has been assessed as minor adverse during the operational life of the quarry with a change to major/moderate beneficial at year 15 following restoration.
150. MLP Policy M3.3 (Visual Intrusion) seeks to reduce the visual impact of minerals developments to acceptable levels by controlling the location, colour and height of any plant, buildings and structures on site. Policy M3.4 (Screening) seeks to reduce visual impact through the screening and landscaping of minerals developments.
151. The assessment of the visual impact of the development utilises a series of viewpoints to consider the visual effect of both the southern and western quarry extensions with consideration of effect given to the quarry during its operational phase, immediately following its restoration and 15 years after the completion of the quarry when landscape treatment of the restored site has matured.
152. The main visual receptors affected by the southern extension have been identified as being the upper floors of houses along Langford Lane, east side of Main Street in Holme and from Holme church. The predicted impacts have been classified as minor to moderate adverse during extraction and moderate to major beneficial following restoration. The development would also be visible from the public footpaths adjacent to the site, particularly Footpath 3, but views would be filtered by existing hedgerows.
153. The main visual receptors affected by the western extension are Cromwell Lock and the Trent Valley Way with major to moderate adverse impacts predicted in the operational phase. These would change to moderate beneficial in the longer term following the site's restoration.
154. Hedgerows would be retained around the perimeter of the site to provide screening. These hedgerows include two woodland blocks which were planted as part of the 2015 planning permission through a Section 106 legal agreement. These woodland blocks would continue to provide a screening benefit for the southern extension and therefore their retention and management should be regulated within this decision. Of the two woodland blocks, the southern block (block 2) is now incorporated within the current planning application site and therefore can be regulated through planning condition, however the northern block (block 1) is not within the planning application site and therefore the retention and management of this woodland plant would require regulation through Section 106 agreement. The developer is in agreement with the incorporation of these controls within a Section 106 agreement.
155. The applicant has designed the development to minimise landscape and visual impacts and ensure the objectives of adopted MLP Policies M3.3, M3.4 and M3.22 are met. Notably the development is remote from residential receptors thus ensuring that visual impacts to these most sensitive receptors are reduced by distance. All works are undertaken at or below ground level thus ensuring the works are kept as low as practicable. The development does not

incorporate any additional new buildings. The phased programme of working assists with minimising the annual land-take of the quarry.

## Noise

156. A noise assessment has been undertaken to consider the magnitude of noise emissions from both the southern and the western extensions. A total of seven monitoring locations have been identified representing the nearest residential properties. Noise predictions were then made based upon the methodology set out in BS 5228-1: 2009 + A1:2014, Code of Practice for noise and vibration control on construction and open sites Part 1: Noise.
157. The noise assessment references relevant standards incorporated in the Minerals Planning Practice Guidance. This advises that the maximum noise level for quarrying development during the normal working day (0700-1900) should not exceed 10dB over existing background levels up to a maximum level of 55dB (A) LAeq, 1hr, with an allowance for temporary operations such as soil stripping or forming earth bunds not exceeding 8 weeks in any calendar year which shall not exceed 70dB(A) LAeq, 1hr. The results of the noise assessment are set out in the table below.

Location	Background Noise Level.	Predicted Noise Level from quarrying activities.	Predicted Noise Level from temporary operations.	Predicted Noise Level from operation of water pumps.
The Ness, North Muskham	52dB LA90,1hr	48dB LAeq,1h	48dB LAeq,1h	42dB LAeq,1h
Lodge Farm, North Muskham	52dB LA90,1hr	48dB LAeq,1h	48dB LAeq,1h	41dB LAeq,1h
Holme End Barn, Holme Village	51dB LA90,1hr	49dB LAeq,1h	50dB LAeq,1h	42dB LAeq,1h
Langford Crossing Cottage, Holme Lane	37dB LA90,1hr	42dB LAeq,1h	35dB LAeq,1h	26dB LAeq,1h
Lowfield Farm, Gainsborough Rd, Langford	50dB LA90,1hr	48dB LAeq,1h	32dB LAeq,1h	24dB LAeq,1h
Willow Farm,	47dB	48dB	35dB	25dB

Cottage Lane	LA90,1hr	LAeq,1h	LAeq,1h	LAeq,1h
Sunny View Cottage, South End	47dB LA90,1hr	50dB LAeq,1h	35dB LAeq,1h	25dB LAeq,1h

158. Furthermore, the noise emissions from the operation of the ‘super silent’ diesel water pumps have been calculated to assess the level of noise emissions from the 24 hour operation of these pumps.
159. The noise assessment demonstrates that noise emissions from the mineral extraction and temporary operations would not exceed Minerals Planning Practice Guidance levels. It also demonstrates that the night-time water pumping would comply with the 42dB(A) LAeq.1hr standard set out within the Minerals Planning Practice Guidance. The volume of HGV traffic travelling to and from the site is unchanged and therefore increases from traffic noise are not anticipated.
160. It is therefore concluded that the noise emissions from the development would not be intrusive. In accordance with adopted MLP Policy M3.5 (Noise) planning conditions are recommended to regulate the noise emissions from the development, with the following matters being controlled:
- Limits imposed on the maximum noise emissions from site operations (generally set at 55dB LAeq, 1hr except at Langford Crossing where the limit shall be 47 dB LAeq, 1hr).
  - Notwithstanding the above, an upper noise limit shall be permitted to allow up to 70db LAeq, 1hr for temporary operations.
  - The operating hours are restricted to 7am – 6pm Mon-Fri and 7am – 1pm Saturday (with an exception for dewatering which would be allowed 24 hours a day as required).
  - All plant and machinery used on the site is regularly serviced and appropriately silenced, using low noise plant and machinery and switching off when not in use.
  - The use of environmentally sensitive white noise reverse warning devices instead of reversing beepers and the avoidance of unnecessary horn usage.

### Dust

161. Adopted MLP Policy M3.7 (Dust) and the NPPF encourages careful siting of potential dust creating activities and the implementation of dust mitigation measures to minimise the impact from dust emissions including the imposition of appropriate planning conditions to regulate activities.
162. The magnitude and significance of impact from dust emissions has been assessed through an air quality assessment which has been supplemented as

part of a formal request made under Regulation 22 of the EIA Regs to consider the potential impacts from small dust emissions (PM2.5 particles).

163. The dust assessment identifies those activities within the development site that could lead to dust emissions and incorporates a series of mitigation measures to reduce dust emissions at source. These include the use of conveyors to transport mineral from quarry face to the plant site to reduce haulage movements, use of water bowsers and sprays to control dust, reducing any drop heights, and limiting site vehicle speeds.
164. The dust assessment concludes that dust emissions from the process would result in a small magnitude of change that would have a negligible impact on local air quality. Existing dust conditions have been surveyed to identify existing dust levels (24-45mg/m<sup>2</sup>/day) as being substantially lower than the threshold of nuisance (200mg/m<sup>2</sup>/day). The operation of the quarry would not result in an exceedance of local air quality objectives and no air quality management areas have been designated by Newark and Sherwood District Council. A specific assessment has been undertaken which concludes that releases of an increase in the annual mean concentration of PM10 and PM2.5 dust particles would not exceed air quality standards. The quarry extension is remote from surrounding residential properties and therefore much of the dust generated by the operation of the quarry would disperse over agricultural land prior to it reaching surrounding residential properties.
165. Subject to dust controls being regulated through the planning conditions, it is concluded that the development would not result in significant dust nuisance at surrounding dust sensitive properties and therefore MLP Policy M3.7 is satisfied.

#### Flood Risk and Hydrology

166. The planning application site is located within the River Trent floodplain and has a high probability of flooding during its working life.
167. Adopted MLP Policy M3.9 (Flooding) and the supporting technical guidance to the NPPF identifies that sand and gravel quarries are 'water compatible' uses which can be appropriate in flood risk areas subject to it being demonstrated through a flood risk assessment that there would not be any significant adverse flooding impacts to flood flows, reductions of flood storage capacity, or negative effects on the integrity or function of flood defences/local land drainage systems.
168. The planning application is supported by a flood risk assessment which has been supplemented through the Reg. 22 process which confirms that any soil bunds or stockpiles would be constructed within the quarry void and therefore not impede flood flows or flood storage capacity across the site.
169. The updated flood risk assessment has been reviewed by the Environment Agency which raises no objection to the development subject to ground levels not being raised within the quarry above the pre-excavated topographical level, no screening bunds being provided around the perimeter of the site, any temporary heaps being located in the quarry floor, and no water being pumped into adjacent water courses. Subject to these controls, which can be regulated

through the planning conditions, the development would be compliant with adopted MLP Policy M3.9.

170. The mineral extraction would be undertaken below the water table within permanently saturated ground. As part of the working of the site it is proposed to 'dewater' the ground to lower the ground water level in the excavation area. Because the sand and gravel geology of the underlying soils is highly permeable, the lowering of the water table within the quarry is likely to influence groundwater water levels in the surrounding land with the sphere of influence likely to extend 150m beyond the extraction boundary.
171. In terms of proximity to receptors which are potentially sensitive to changes in groundwater levels, the ecology section of this report has identified that potential adverse impacts could occur at Langford Marsh LWS. However, this site is 420m away and therefore outside the anticipated zone of influence. Nevertheless, a precautionary approach to require groundwater monitoring and potential mitigation is proposed, regulated through the Section 106 legal agreement.
172. The Quarry dewatering could potentially result in a drying of soils on surrounding agricultural land. Whilst these impacts are unavoidable during the operational life of the quarry, any impact would be of a comparatively short duration over a single year or two with no permanent change to the surrounding land.
173. Changes to water levels in the vicinity of the scheduled ancient monument to the south of the site are considered within the archaeological section of this report where it is concluded adverse impact would not occur. Adverse impacts are not anticipated at residential properties which are sufficiently remote from the site.

#### Public Rights of Way

174. Adopted MLP Policy M3.26 (Public Access) seeks to ensure that the quality of the existing public rights of way network is maintained. The policy states that where minerals development affects a public right of way, appropriate alternative arrangements should be agreed through the planning process that maintain the quality of the public right of way network.
175. Langford Footpath 3 crosses the western extension site but the minerals extraction scheme has been designed to avoid disruption to the route of the right of way and the line of the footpath would not be excavated. There is a need to cross the footpath with plant and machinery. The design specification of the crossing point can be regulated by planning condition to ensure the footpath remains accessible throughout the operation life of the quarry.
176. A new permissive footpath would be created around the restored southern extension lakes. This permissive path would connect to the wider public footpath network via Holme Footpath 3 to the west. The provision of this permissive path is welcomed and would assist in increasing public access to the restored site. It is recommended that the provision of this footpath is regulated through a legal agreement to ensure access is maintained in perpetuity. The applicant states that when the permissive footpath becomes established

consideration will be given to incorporating it onto the definitive map, but at the present time the applicant cannot commit to this as the precise alignment of the footpaths is likely to need adjustment/amendment to reflect restored ground conditions and this can be dealt with more flexibly if the pathways are permissive.

177. In the absence of significant impacts to the public right of way network it is concluded that the requirements of Policy M3.26 are satisfied.

### Soil Resources

178. Adopted MLP Policy M3.16 (Protection of Best and Most Versatile Agricultural Land) seeks to protect the best and most versatile agricultural land (grades 1, 2 and 3a) from development. Where development of best and most versatile land is unavoidable, planning conditions provide scope to grant planning permission where it can be demonstrated that the proposals do not affect the long term agricultural potential of the land, where there are no alternatives and the need for the development outweighs the agricultural interest, or where available land of a lower agricultural standard is less sustainable for development. The approach is consistent with government policy set out in paragraphs 109 and 143 of the NPPF which seek to protect and safeguard the long term potential of best and most versatile agricultural land and conserve valuable soil resources.
179. The land which forms the proposed southern extension is in arable agricultural use and has been assessed as being sub-grade 3b in quality. The land which forms the proposed western extension comprises a mix of arable agricultural and grassland and incorporates 6ha of sub grade 3a (best and most versatile agricultural land) and 26ha of sub grade 3b.
180. The 6ha of Grade 3a (best and most versatile) soils within the western extension represents a comparatively small amount of land which is required incidental to a much larger quarrying development that ensures the underlying mineral resource is used sustainably to meet a clearly identified need. Natural England does not raise an objection to the loss of this best and most versatile land on the basis that it relates to a comparatively small amount of land being lost. To compensate for the loss of agricultural land a similar area of land within the western extension would be restored to high quality agricultural land utilising the best soils stripped from the site.
181. The planning application is supported by a soil management/handling statement to ensure that all soil handling would be carried out in accordance with the Ministry of Agriculture, Fisheries and Food (MAFF) 'Good Practice Guidance for Handling Soils' (2000). A planning condition is recommended to ensure compliance with soil handling best practice.
182. Overall, it is concluded that the planning application incorporates a satisfactory strategy to ensure that soil resources are preserved and used beneficially in general compliance with policy set out within the NPPF and MLP Policy M3.16. Planning conditions are recommended to appropriately regulate these matters.

## Built Heritage

183. Adopted MLP Policy M3.25 seeks to ensure that minerals development does not result in unacceptable impacts to conservation areas, listed buildings, historic battlefields and historic parks and gardens. This policy pre-dates the NPPF. The NPPF strengthens the level of protection to the historic environment insofar that it requires prospective developers to undertake heritage appraisals as part of planning submissions so that the significance of impact to 'heritage assets' (both designated and non-designated heritage assets) including their settings can be quantified. Planning authorities are required to give consideration to the scale of any harm or loss and value of the heritage asset affected in reaching their planning decisions.
184. A heritage assessment has been provided as part of the applicant's Environmental Impact Assessment. The assessment identifies designated and non-designated heritage assets within the local area and makes an assessment as to the magnitude of potential impacts resulting from the development. The assessment concludes that no direct impacts would occur due to distance from receptor to quarry (350m – 900m). Furthermore, since many of the heritage assets have limited or no direct views into the quarry due to screening and distance, the development would have a neutral impact on the immediate setting of heritage assets, although some potentially minor distant visual and environmental (dust, noise etc) impacts on the wider setting of heritage assets may occur during the operational phase of the quarry.
185. The heritage impact assessment has been reviewed by NCC's Conservation Officer, and the conclusions reached within the assessment are considered to be accurate. Since significant impacts to heritage assets are not predicted there is not a requirement to consult English Heritage in connection with this planning application.
186. The impacts to heritage assets would occur for a temporary duration and are less than substantial in magnitude. It is concluded in this instance the need for the mineral and the economic benefits that would be derived outweigh any harm to the heritage assets in the surrounding area. The development therefore is compliant with MLP Policy M3.25.

## Archaeology

187. Adopted MLP Policy M3.24 states that planning permission will not be granted for minerals development which would destroy or degrade nationally important archaeological remains and their settings, whether scheduled or not. Planning permission will only be granted for development which would affect archaeological remains of less than national importance where it can be demonstrated that the importance of the development outweighs the regional or local significance of the remains and where appropriate provision is made for the excavation and recording of the remains.
188. The environment statement incorporates an assessment of the archaeological resource of the site and its surroundings. This assessment has been supplemented through the Reg. 22 submissions to address concerns raised by

Historic England and NCC's Archaeological Officer in respect of the adequacy of the original submission in terms of its consideration of the archaeological value of the site including the extent of its presence or absence, character, date, integrity, state of preservation, and relative quality of the potential archaeological resource.

189. The assessment identifies that there are two scheduled ancient monuments (heritage assets of the highest significance) near to the development site. These comprise a Roman marching camp to the south and the buried and earthwork remains of the abandoned areas of Langford medieval village, a moat, and a sample of the associated open field system to the south east. The development of the quarry including its dewatering would not directly impact the integrity of these archaeological assets.
190. A detailed archaeological appraisal of the development site has been carried out including geophysical survey and trial trenching. This confirms that the proposed quarry, particularly the southern extension area is likely to contain archaeological deposits which potentially may be well preserved. This archaeology would be lost as a result of the minerals extraction. The initial findings are that these archaeological remains are of such significance as to preclude mineral extraction, providing appropriate mitigation strategies are in place and fully implemented
191. No objections are therefore raised by Historic England and NCC's Archaeological Officer to the development subject to appropriate archaeological investigation works being carried out during soil stripping operations and reports of assessments being submitted.
192. In this instance the need for the mineral reserves outweighs the overall importance of the archaeology within the site, subject to any archaeological remains being appropriately excavated and recorded. The imposition of a planning condition to ensure that appropriate archaeological mitigation is followed ensures that the development complies with adopted MLP Policy M3.24.

### Socio-Economic Considerations

193. The NPPF incorporates planning policy concerned with socio-economic impacts. It expects planning decisions to proactively drive and support sustainable economic development and assist the expansion of business. It requires significant weight to be placed on the need to support economic growth through the planning system.
194. The quarry directly employs nine people plus 24 associated hauliers and a similar number of contractors periodically. These jobs would be lost if this planning application was not granted. The quarry contributes to the local economy by utilising local goods and services and through the payment of rates. The quarry is of strategic importance in terms of its contribution to Nottinghamshire's sand and gravel extraction capacity. The socio-economic implications of a grant of planning permission are therefore considered to be

positive and should be given significant weight in this planning decision (NPPF Paragraph 19).

### Restoration

195. The planning submission incorporates a phased sequence of extraction, reclamation and implementation of planned after-use.
196. The southern extraction area would be restored to provide two amenity lakes incorporating shallow verges to their edges. The lakes would be separated by a causeway. A permissive footpath would be created around the lakes to link into public footpath Holme FP3 to the west.
197. The western extension would provide a greater variety of habitat with the northern part of the site restored to a low lying wet meadow incorporating seasonal water channels with associated shallows. The southern part would be restored to a small water feature with shallows around the margins. The south western corner would be restored to agriculture using the best of the soil resources stripped from the site.
198. Additional silt management would be provided within phase 3 of the existing quarry, north of the Slough Dyke to manage the increased silt generated by the extended quarry. This area is currently approved to be restored to a large water body, part of which would be re-engineered into a series of lagoons which over-time would fill with silt and be restored to provide additional areas of shallow water and sinuous channels.
199. The restoration proposals would result in an overall ecological benefit and would add to the restoration works undertaken on adjoining quarries at Langford, Besthorpe, Girton and Cromwell in providing new wetland and reed bed habitats. Reedbed habitats are a UK priority habitat and these restoration works would contribute towards creating the East Midlands' largest reedbed habitat restoration project.
200. The proposed landscape planting scheme would re-establish the restored site into the surrounding landscape thus ensuring compliance with adopted MLP Policy M4.4 (Landscape Treatment). The alterations to the restoration of the existing site have been designed in accordance with adopted MLP Policy M4.8 (Reclamation Proposals for Existing Sites) which supports reclamation proposals coming forward on existing sites that result in improved environmental conditions.
201. The applicant has undertaken material balance calculations to ensure that the proposed restoration scheme is achievable and materials would be beneficially re-used in accordance with adopted MLP Policy M4.3: (Soil Conservation and use of soil making materials). Since the restoration proposals would be undertaken progressively as part of the working of the site, the amount of unrestored workings at any time is likely to be minimised both in terms of site area and duration. Therefore, in this instance a restoration bond payment is not considered necessary.

202. The applicant confirms that the conservation habitat created following the site's restoration would ultimately be managed by the RSPB as an extension to the Langford Lowfields wildlife reserve it currently runs. This existing site has recently become publicly accessible, has a dedicated visitor parking area, information boards and accessible paths to facilitate public access and the RSPB is committed to extending this access into the current planning application site area.

### Cumulative Impact

203. The River Trent area north of Newark has extensively been quarried for its sand and gravel reserves. The restoration of these areas has resulted in large sections of land being taken out of agricultural use and restored to wetland uses.
204. The current development would add to the amount of quarry workings in the area and upon restoration an increased wetland habitat. Adopted MLP Policy M3.27 (Cumulative Impact) seeks to restrict cumulative quarry extensions that would result in significant adverse impact on the environment or amenity of local residents. Since the current development would not result in significant adverse environmental or amenity impacts it is not considered to be contrary to requirements of the policy.

### Legal Agreement

205. Any grant of planning permission for the development would be subject to the prior completion of a Section 106 legal agreement. The terms of the Section 106 agreement would require the operator:
- a. To prepare a scheme of ground water monitoring and reporting including a mitigation strategy in the event that adverse effects from quarry dewatering occur at Langford Marsh LWS.
  - b. To continue to hold a liaison meeting.
  - c. To control lorry routing so as to restrict HGVs from entering or leaving the site from the north along A1133 and in particular avoid the passage of these vehicles through Collingham village.
  - d. To ensure that public access is maintained on the permissive path within the restored southern extension.
  - e. Woodland block 1 needs adding.
206. The applicant would be expected to cover all reasonable costs incurred by the County Council in the drafting and execution of this agreement.

## Other Options Considered

207. Schedule 4 Part II(4) of the EIA Regulations require an Environmental Statement to provide an outline of the main alternatives studied by the applicant and an indication of the main reasons for choosing a development having taken account of the environmental effects.
208. The decision to proceed with an extension of Langford has been made on the basis that the quarry is a well-established facility with existing site infrastructure working a proven mineral deposit and supplying established markets. Options to supply mineral from consented reserves within Girton and Besthorpe Quarry have been considered but have been dismissed primarily due to controls on HGV movements which restrict these quarries transporting their mineral southwards through Collingham village and therefore make it impractical for these quarries to serve the existing markets of Langford Quarry. It is also noted that Girton Quarry is currently mothballed and consented reserves at Besthorpe are comparatively limited. Quarries at Sturton le Steeple and Lound are considered to be too remote and a quarry at Gunthorpe failed to obtain planning permission. Other greenfield sites at Shelford, Coddington and Kelham (which Tarmac have submitted for consideration as an allocation in the new MLP) are not capable of coming forward at an appropriate time and production rates at Cromwell Quarry are not sufficiently high to replace the capacity provided at Langford.
209. It is therefore considered that the proposed extension of Langford Quarry is appropriate to maintain sand and gravel production capacity within Nottinghamshire.

## Statutory and Policy Implications

210. 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.
- a. Implications for Service Users: The proposed extensions to Langford Quarry would assist in ensuring a continuity of local sand and gravel supplies to the construction industry.
  - b. Crime and Disorder Implications: The development would extend an existing quarry, making use of existing security features within the site including the use of the established plant site which benefits from security lighting and night vision CCTV surveillance is being trialled.
  - c. Human Rights Implications: The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol and Article 6 may be affected. The proposals have the potential to introduce impacts of noise, dust, visual

impact and a continuation of haulage within the local area where the magnitude of impacts are generally assessed as minor. These potential impacts need to be balanced against the wider benefits the proposals would provide in terms of providing a continuity of mineral resources. Members will need to consider whether these benefits would outweigh the potential impacts.

- d. Safeguarding of Children Implications: The quarry would continue to comply with health and safety guidelines in terms of suitable boundary treatment to ensure the general public, and in particular young children, are safeguarded. Appropriate safeguarding would also apply in relation to footpath users and ultimately to visitors of the restored site.
- e. Financial Implications, Equalities Implications, Human Resources Implications: No implications.
- f. Implications for Sustainability and the Environment: The development would contribute towards the sustainable use of mineral resources which would contribute to the country's economic growth and quality of life. The extraction scheme has been designed on a phased basis to minimise the size of the active quarry and ensure that land is restored to beneficial purposes at the earliest practical opportunity. The issues have been considered in the Observations section above.

## Conclusion

- 211. The planning application site is not allocated for mineral extraction within the MLP. Policy M6.3 of this plan states that planning permission should be refused unless it is evident that existing permitted reserves and the remaining allocations cannot sustain an adequate landbank and processing capacity as provided for in Policy M6.2. Policy M6.2 requires the maintenance of a landbank of permitted sand and gravel reserves sufficient for at least 7 years' extraction, in addition to providing adequate production capacity. Since Nottinghamshire currently has a landbank of mineral reserves 3.29 years in excess of 7 years, it is considered that the proposed development does not conform with this element of MLP Policy M6.3, although it is recognised that Langford Quarry has a significant role to play in the county's sand and gravel processing capacity with the site presently producing around 40% of the county's sand and gravel.
- 212. The NPPF/PPG make it clear that having a landbank above the minimum 7 year level is not justification on its own to refuse planning permission and decision makers should consider the wider merits of the development when making a decision in these circumstances which the report has done.
- 213. Mineral reserves at Langford Quarry are rapidly depleting. The planning permission for the existing extraction area expires on the 31st December 2018 and physical reserves are likely to be exhausted by this date. At this time the quarry phasing requires the removal of the mineral which underlays the plant site necessitating its removal. This in effect could result in the sterilisation of mineral reserves from the proposed southern and western extensions since it would remove the infrastructure to process these materials.

214. From a mineral production and business continuity reason there is a strong argument to bring the Langford Quarry extensions forward now in order to continue supplying an essential product to a defined local market, utilising existing infrastructure and providing restoration benefits. This accords with the aims and objectives of the NPPF, which emphasises the need to supply a range of types of aggregates, secure an adequate distribution of locations of permitted reserves relative to markets, and maintain the productive capacity of permitted sites.
215. The proposed extension would help to sustain a landbank of at least 7 years in the medium term and would not result in an oversupply of sand and gravel in the county that would not jeopardise the delivery of other sites. Instead, the increase in the landbank would provide some security of supply. Delaying a decision on the planning application until such time that the Council has a replacement minerals local plan in place (Autumn 2019) would seriously jeopardise the future of the site.
216. These factors argue in favour of granting the development planning permission, subject to there being no unacceptable environmental impacts.
217. The Environmental Statement and accompanying Regulation 22 submissions incorporate a comprehensive assessment of the potential environmental effects of the development. These assessments have been reviewed by the Council and relevant consultees where it is concluded that significantly harmful environmental impacts would not result from the development, subject to the imposition of appropriate planning conditions and legal controls.
218. The planning application is supported by a comprehensive restoration scheme that would make a positive contribution to the ecologically important wildlife reserve currently being developed by the RSPB.
219. Overall the balance of evidence in this case supports a grant of planning permission subject to the conditions set out within appendix A.

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

220. In determining this application the Minerals Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions; encouraging pre-application community engagement which the applicant acceded to by holding a pre-application exhibition; and the scoping of the application. The proposals and the content of the Environmental Statement have been assessed against relevant Development Plan policies, the National Planning Policy Framework, including the accompanying technical guidance and European Regulations. The Minerals Planning Authority has identified all material considerations; forwarded consultation responses that may have been received in a timely manner; considered any valid representations received; liaised with consultees to resolve issues and progressed towards a timely determination of the application. Issues of concern have been raised with the applicant, such as archaeological and flood risk concerns and have been addressed through negotiation and acceptable amendments to the proposals requested through Regulation 22 submissions. The applicant has been given

advance sight of the draft planning conditions and the Minerals Planning Authority has also engaged positively in the preparation of the draft s106 Agreement. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

## **RECOMMENDATIONS**

221. It is RECOMMENDED that the Corporate Director – Place be instructed to enter into a legal agreement under section 106 of the Town and Country Planning Act 1990 to:
- a. Regulate lorry routeing to and from the site and ensure that delivery vehicles do not traffic through Collingham Village.
  - b. To continue to hold a liaison meeting.
  - c. Secure water monitoring and mitigation of potential negative impacts resulting from quarry dewatering within the Langford Marsh LWS.
  - d. Maintain long term availability to the permissive path provided as part of the restoration of the southern extension.
  - e. Management of planting block 1.
222. It is FURTHER RECOMMENDED that subject to the completion of the legal agreement before the 17<sup>th</sup> October 2018 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman and the Vice Chairman, the Corporate Director – Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 of this report. In the event that the legal agreement is not signed by the 17<sup>th</sup> October 2018, or within any subsequent extension of decision time agreed with the Minerals/Waste/County Planning Authority, it is RECOMMENDED that the Corporate Director – Place be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time.

**ADRIAN SMITH**

**Corporate Director – Place**

## **Constitutional Comments (RHC 25/6/2018)**

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

## **Comments of the Service Director - Finance (RWK 26/06/2018)**

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

## **Background Papers Available for Inspection**

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

## **Electoral Divisions and Members Affected**

Collingham

Councillor Maureen Dobson

Farndon & Muskham

Councillor Mrs Sue Saddington

Report Author/Case Officer

Mike Hankin

0115 9932582

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

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## RECOMMENDED PLANNING CONDITIONS

### Commencement

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

*Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.*

2. The operator shall provide written notification of commencement of the development hereby permitted to the Mineral Planning Authority (MPA) at least seven days but no more than fourteen days prior to the commencement of the development.

*Reason: To assist with the monitoring of the planning permission.*

### Development Granted Planning Permission

3. This permission relates to southern and western extensions to the existing sand and gravel quarry with restoration to water, nature conservation and agriculture together with revised restoration of the existing workings and retention of existing plant site and site access. Except where amendments are made pursuant to the other conditions attached to the permission, the development hereby permitted shall be carried out in accordance with the details contained within the planning application submission dated September 2016 and received by the MPA on 3<sup>rd</sup> October 2016 as amended by the Reg. 22 submissions received by the MPA on 21<sup>st</sup> December 2017 and 15<sup>th</sup> June 2018 and detailed on the following drawings:

- a. Drawing no. L020AER115.PDF: Proposed areas of south and western extensions at Langford Quarry dated 23/10/2015 and received by the MPA on 3<sup>rd</sup> October 2016.
- b. Drawing no. L20PHEX116.PDF: South and West Extension Phasing of sand and gravel extension at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- c. Drawing no. L20PHOB116.PDF: South and West Extension Phasing of overburden removal at Langford Quarry dated 14/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- d. Drawing no. L20PHA116.PDF: South and West Extension Phase A1 Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.

- e. Drawing no. L20PHA116.PDF: South and West Extension Phase A2 Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- f. Drawing no. L20PHB116.PDF: South and West Extension Phase B Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- g. Drawing no. L20PHC116.PDF: South and West Extension Phase C Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- h. Drawing no. L20PHD116.PDF: South and West Extension Phase D Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- i. Drawing no. L20PHE116.PDF: South and West Extension Phase E Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- j. Drawing no. L20PHF116.PDF: South and West Extension Phase F Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- k. Drawing no. L20PHG116.PDF: South and West Extension Phase G Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- l. Drawing no. L20PHH116.PDF: South and West Extension Phase H Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- m. Drawing no. L20PHI116.PDF: South and West Extension Phase I Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- n. Drawing no. L20PHJ116.PDF: South and West Extension Phase J Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- o. Drawing no. L20PHK116.PDF: South and West Extension Phase K Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- p. Drawing no. L20PHL116.PDF: South and West Extension Phase L Development at Langford Quarry dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.
- q. Drawing no. L20RE4A17.PDF: South and West Extension Proposed Restoration dated 17/07/2017 and received by the MPA on 21<sup>st</sup> December 2017.

*Reason: For the avoidance of doubt and to assist with the monitoring of the planning permission.*

#### Duration of Planning Permission

4. All sand and gravel extraction operations shall cease within ten years of date of commencement, as notified under condition 2 above.

*Reason* To secure proper restoration of the site within an acceptable timescale and in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

5. The quarry shall be developed on a phased basis incorporating ongoing extraction and restoration in accordance with the submitted details. Final quarry restoration works shall be completed within one year of the completion of mineral extraction, or within eleven years of the date of commencement, as notified under Condition 2, whichever is sooner.

*Reason* To secure proper restoration of the site within an acceptable timescale and in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.

#### Access

6. There shall be a maximum of 495 HGV's visit the site each week (990 two way movements). Written records shall be maintained of all HGV movements into and out of the site. Copies of the HGV vehicle movement records shall be made available to the MPA within 7 days of a written request being made by the MPA.

*Reason* To limit vehicle movements at the proposed quarry in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.

7. There shall be no vehicular or pedestrian access for the purpose of extraction or restoration or any activities ancillary to those operations from Cottage Lane or from any other point on the boundary of the site other than the access point to the A1133 as shown on Drawing No. L020AER115.PDF. Any gates on this road shall be set back a minimum of 18 metres away from the edges of the carriageway of the A1133 and shall open inwards. Visibility splays of 4.5m x 225 metres shall be maintained and the area within that splay shall be kept clear of any obstruction over 1 metre in height. Carriageway markings and give way signs shall be maintained to the satisfaction of the MPA at all times.

*Reason:* In the interests of highway safety and in accordance with Policy M3.13 of the Nottinghamshire Minerals Local Plan.

8. Wheel-cleaning facilities, details of which were submitted to the MPA on 21 June 1989 and approved in writing by the MPA on 7 August 1989, shall be used by all outbound HGVs. In the event that the approved wheel-cleaning facilities prove inadequate, then within one month of a written request from the MPA, a scheme including revised and additional steps or measures to be taken in order to prevent the deposit of materials upon the public highway

shall be submitted to the MPA for its approval in writing. The approved steps for the protection of the surrounding roads shall be implemented in accordance with the approved details and thereafter maintained at all times.

*Reason: In the interests of highway safety and in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.*

9. The loads of all HGVs shall be fully sheeted prior to them leaving the site.

*Reason: In the interests of highway safety and in accordance with Policy M3.12 of the Nottinghamshire Minerals Local Plan.*

#### Phasing

10. Extraction operations shall progress sequentially in accordance with Drawing no.'s L20PHEX116.PDF and L20PHA116.PDF – L20PHL.16PDF: South and West Extension Phase A-L dated 05/09/2016 and received by the MPA on 3<sup>rd</sup> October 2016.

*Reason To ensure the phased extraction and restoration of the site in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.*

11. A topographical survey of the site shall be submitted to the MPA by 31 December each year, following the commencement of the planning permission as notified under condition 2 above. The survey shall identify areas of the site which are unworked, those restored, those undergoing mineral extraction and those to be restored.

*Reason To monitor the phased restoration of the site in accordance with Policy M4.1 of the Nottinghamshire Minerals Local Plan.*

#### Working Hours

12. Extraction or processing of sand and gravel shall only take place between the hours of 7.00 am and 6.00 pm on weekdays, between the hours of 7.00 am and 1.00 pm on Saturdays and not at all on Sundays, Public or Bank Holidays, except in cases of emergency which shall be notified to the MPA in writing within 48 hours of their occurrence. Quarry dewatering may be undertaken on a 24 hour basis subject to the use of 'super-silenced' pumps which shall not generate greater than 42dB LA<sub>eq,1h</sub> at the façade of any residential property.

*Reason: In the interests of amenity and in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

## Flood Protection and Watercourses

13. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) report reference 1993/FRA Version F1 compiled by Hafren Water in September 2016. The following mitigation measures detailed within the FRA shall be undertaken by the operator:
- a. It is not permitted to raise ground levels above the pre-excavated topographical level at any location across the site.
  - b. No screening bunds are to be placed in the development site, as per paragraph 3.2 of the response to request for further information under Regulation 22, dated December 2017.
  - c. Any temporary 'heaps' required will be located on the quarry floor with no implication for flood risk as per paragraph 3.2 of the response to request for further information under Regulation 22, dated December 2017.
  - d. No water is to be pumped into adjacent water courses. Water entering the excavated void will generally be channelled through the adjacent RSPB Reserve (the restored main quarry workings) and discharged from the site via the approved outfall into the River Trent in accordance with the discharge consent for that facility, as per paragraph 3.3 of the response to request for further information under Regulation 22, dated December 2017.
  - e. Notwithstanding the generality of Condition 13d above, during periods following site flooding, and only following the prior written agreement of the MPA in consultation with the Environment Agency, alternative temporary pumping arrangements will be considered by the MPA,

*Reason: To prevent unacceptable impacts to water and flood flows and flood water storage capacity and to ensure compliance with Policy M3.9 of the Nottinghamshire Minerals Local Plan.*

14. A minimum distance from quarry excavations shall be maintained of 50m from the top bank of the River Trent and 10m from the top bank of the Slough Dyke embankment. No vehicles or plant shall be permitted to run within 10 metres of the bank of Slough Dyke, except on properly constructed roadways and with adequate measures to avoid spillage of material into the Dyke.

*Reason: To minimise risks of a potential breach of the River Trent and the Slough Dyke watercourses to ensure compliance with Policy M3.9 of the Nottinghamshire Minerals Local Plan to protect the ecological interests of these watercourses and following the receipt of advice from the Canal and River Trust.*

15. All conveyor systems must be mounted at least 1 metre above ground level with the centres of supports at least 3 metres apart. The operator must undertake regular inspections of the conveyor systems and remove all obstructions from beneath the belts. All flood debris shall be removed by the operator as soon as possible.

*Reason: To not impede flows in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.*

16. All haul and access roads must be at or below original ground level within the washland area, with the exception of any approved structure/crossing points within the site (including the existing Slough Dyke bailey bridge and conveyor crossing point).

*Reason: To not impede flood flows in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.*

#### Archaeological Investigation

17. The development shall be carried out in accordance with a written scheme of archaeological investigation to be submitted to, and agreed in writing by the MPA prior to the commencement of the development. Should any archaeological remains of national significance be discovered they must be reported immediately to the MPA and operations in the vicinity of the discovery shall cease and shall not recommence until appropriate contingency arrangements have been agreed between the applicants, their archaeological consultants and the MPA in writing. All work is to be implemented in full accordance with the agreed written scheme of treatment, subject to any modifications which may be agreed under Condition 18 (below) and the condition will not be discharged until the final report on the archaeological work has been approved by the MPA.

*Reason To ensure that that adequate archaeological investigation and recording is undertaken prior to mineral extraction taking place, in accordance with Policy M3.24 of the Nottinghamshire Minerals Local Plan.*

18. The methodology used within the archaeological scheme of investigation shall be reviewed upon the completion of each phase of soil stripping to identify any opportunities to modify and improve the process in subsequent phases. The conclusions and recommendations of this archaeological scheme review shall be submitted to the MPA prior to soil stripping in the next phase and implemented in these later phases of the archaeological investigation.

*Reason To ensure that that adequate archaeological investigation and recording is undertaken prior to mineral extraction taking place, in accordance with Policy M3.24 of the Nottinghamshire Minerals Local Plan.*

19. Any archaeologist nominated by the MPA shall be afforded access to the site at all reasonable times and be allowed to observe operations on site and record items of interest and finds.

*Reason: In the interests of archaeology and in accordance with Policy M3.24 of the Nottinghamshire Minerals Local Plan.*

### Floodlighting

20. No floodlighting shall be installed on the site without the prior written consent of the MPA. In the event that consent is sought for floodlighting, the operator shall provide a specification of the proposed floodlighting including its location, angling, shielding and hours of operation which shall be submitted to and approved in writing by the MPA prior to its installation on site. Development shall be carried out in accordance with the approved details.

*Reason To minimise impact on the amenity of the local area, in accordance with Policy M3.5 of the Nottinghamshire Minerals Local Plan and to minimise disturbance to bat activity and their roosts.*

### Pollution Control

21. Processed water used in the sand and gravel washing system shall be discharged into the approved settlement ponds prior to being discharged into any controlled waters. From the commencement of the development until restoration of the site the operator shall maintain the settlement ponds on a regular basis to ensure the lagoons remain operational.

*Reason To prevent pollution of the water environment in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.*

22. Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

*Reason: In the interest of pollution control in accordance with Policy M3.8 of the Nottinghamshire Minerals Local Plan.*

### Storage Heights

23. Stockpiles of excavated (as dug) materials and processed mineral shall not be permitted to exceed 10m in height.

*Reason In the interest of visual amenity and to ensure compliance Policy M3.3 of Nottinghamshire Minerals Local Plan.*

Footpath Crossing Point

24. Prior to soil stripping progressing north of Langford Footpath 3, a design specification for the design of a footpath crossing point shall be submitted to the MPA for its approval in writing. The footpath crossing shall be installed in accordance with the approved details.

*Reason: To maintain public access along Langford Footpath 3 throughout the operation life of the quarry, in accordance with the requirements of Policy M3.26 of the Nottinghamshire Minerals Local Plan.*

Noise

25. All plant, machinery and vehicles (excluding delivery vehicles which are not owned or under the direct control of the operator) used on the site shall incorporate white noise reversing warning devices and be fitted with silencers maintained in accordance with the manufacturers' recommendations and specifications to minimise noise disturbance to the satisfaction of the MPA.

*Reason To ensure that noise impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy M3.5 of the Nottinghamshire Minerals Local Plan. All plant, machinery and vehicles permanently used on the site shall incorporate such noise abatement measures as, from time to time, may be required by the MPA.*

26. The free field noise levels associated with the development, when measured at any of the noise-sensitive properties listed below, shall not exceed the following limit measured as Equivalent Continuous Noise Level for a 1 hour LAeq:

LOCATION	LAeq, 1hr
1) The Ness, North Muskham	55dB
2) Lodge Farm, North Muskham	55dB
3) Holme End Barn, Holme Village	55dB
4) Langford Crossing Cottage, Holme Lane	55dB
5) Lowfield Farm, Gainsborough Rd, Langford	55dB
6) Willow Farm, Cottage Lane	55dB
7) Sunny View Cottage, South End	55dB

*Reason To ensure that noise impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

27. Notwithstanding the requirements of Condition 26 above, for temporary operations such as soil stripping, replacement and bund formation, the LAeq 1 hour noise level at any noise sensitive properties shall not exceed 70 dB(A). Temporary operations which exceed the normal day to day criterion shall be limited to a total of eight weeks in a year at any individual noise sensitive property; the dates of these occurrences shall be notified in writing to the MPA.

*Reason To ensure that noise impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

### Dust

28. Measures shall be taken to minimise the generation of dust from operations at the site. These shall include, but not necessarily be limited to any or all of the following steps as appropriate:
- a. The use of water bowsers to dampen haul roads, stock-piles and other operational areas of the site;
  - b. The sweeping of access and haul roads, where necessary;
  - d. The minimisation of drop heights during loading and unloading of sand and gravel;
  - e. Limiting on-site vehicle speeds;
  - f. The use of sealant as appropriate to create a crust on dusty surfaces.
  - g. Upon request of the MPA, the temporary suspension of mineral processing, mineral extraction or soil movements during periods of unfavourably dry or windy weather conditions.

*Reason To ensure that dust impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy M3.7 of the Nottinghamshire Minerals Local Plan.*

29. Mineral shall be transported from the southern extension area to the processing plant by field conveyor. In the western extension dump trucks may be used to transport the 'as dug' mineral to a conveyor feed hopper as detailed on Drawing No.'s L20PHC/D/E16.PDF South and West Extension Phase C, D & E wherein it shall be transported by conveyor to the plant site.

*Reason To ensure that dust impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy M3.7 of the Nottinghamshire Minerals Local Plan and noise impacts associated with the operation of the development are minimised, in accordance with the requirements of Policy M3.5 of the Nottinghamshire Minerals Local Plan.*

### Landscape Protection

30. Prior to the commencement of soil stripping within the southern and western extensions hereby approved, the perimeter boundary hedgerows, trees and shrubs shall be surveyed giving particular attention to the hedgerow height, density and presence of any gaps. The results of the survey shall be submitted to the MPA as part of a written report which shall incorporate a hedgerow management strategy to identify opportunities to enhance, plant up gaps and extend the length of boundary hedgerows and allow the hedgerows to grow larger and thicker. The landscape management scheme shall also incorporate management provisions for woodland planting block 2 to retain and maintain this landscaping for the life of the quarry including its aftercare period.

*Reason: To protect the integrity of the boundaries of the site in accordance with Policy M3.4 of the Nottinghamshire Minerals Local Plan and provide opportunities for ecological enhancements.*

### Ecology

31. A supplementary barn owl nesting box shall be installed within six months of the commencement of the planning permission. The location of the nesting box shall be agreed in writing with the MPA prior to its installation.

*Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.*

32. Site clearance operations that involve the destruction and removal of vegetation, including felling, clearing or removal of trees, shrubs or hedgerows shall not be undertaken during the months of March to August inclusive, except when approved in writing by the MPA and in such circumstances following the carrying out and submission in writing to the MPA for approval in writing of an ecological appraisal undertaken by an appropriately qualified person.

*Reason To ensure that breeding birds are not adversely affected by the development in accordance with government policy set out within the National Planning Policy Framework.*

33. Prior to any tree removal, a licensed bat worker shall re-survey all trees to be felled. The results of the bat survey shall be submitted in writing to the MPA. If bats are present, a working design, method and timetable to mitigate any undue adverse effects on the species involved shall be submitted to the MPA for approval in writing. The mitigation measures shall be implemented as approved.

*Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.*

34. Prior to any vegetation clearance within any phase of the development a walk over survey shall be carried out by an appropriately qualified ecologist to ensure that no badger setts have become established within the working area. The results of the walk over survey shall be submitted in writing to the MPA. If badgers are present, a working design, method and timetable to mitigate any undue adverse effects on these species shall be submitted to the MPA for approval in writing. The mitigation measures shall be implemented as approved.

*Reason In the interest of protecting species and their habitats, in accordance with government policy set out within the National Planning Policy Framework.*

35. Any trenches left overnight should have a sloping end or ramp to allow any animals that may fall in to escape. Any pipes that are over 200mm in diameter should be capped off overnight to prevent animals from entering.

*Reason In the interest of protecting species in accordance with government policy set out within the National Planning Policy Framework.*

36. Any protected amphibians or reptiles encountered during the operational life of the quarry shall be removed carefully by hand and moved to a safe location

*Reason In the interest of protecting species in accordance with government policy set out within the National Planning Policy Framework.*

37. The fox earth within the western extension of the quarry shall be removed humanely prior to the commencement of soil stripping.

*Reason In the interest of protecting species in accordance with government policy set out within the National Planning Policy Framework.*

#### Controls over Future Development

38. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any future replacement order) no fixed plant or machinery shall be erected on the site until full details have been submitted to and approved by the MPA.

*Reason: In the interest of visual amenity and to ensure compliance with Policy M3.3 of the Nottinghamshire Minerals Local Plan.*

### Soil Stripping, Handling and Storage

39. The MPA shall be notified in writing at least 5 working days before soil stripping is due to commence on any phase, or part phase in the event that a phase is not stripped in its entirety in one stripping campaign.

*Reason To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

40. No turf, topsoil, subsoil or overburden shall be removed from the site. No waste materials including soils and mineral working wastes shall be brought onto the site.

*Reason To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

41. All soil handling shall be carried out in accordance with the Ministry of Agriculture, Fisheries and Food 'Good Practice Guidance for Handling Soil' (2000) and the DEFRA 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009).

*Reason: To ensure proper restoration and in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

42. A detailed soil-handling scheme for each phase of the development shall be submitted in writing to the MPA at least one month prior to the stripping of any soil from each phase of the site. Such a scheme shall include the following details:

- The size, location, volume and composition of soil to be stripped;
- Details of where the soils will be placed either for direct placement as part of phased restoration operations, or their storage within mounds;
- The types of machinery to be used;
- The routes to be taken by plant and machinery involved in soil handling operations;
- The depths of subsoil and topsoil to be replaced;
- The spacing and depth of any post-replacement soil ripping and cultivations.

The development of that phase shall thereafter be carried out in accordance with the approved scheme.

*Reason To ensure satisfactory restoration of the site, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

43. The topsoil shall be stripped to the full depth of not less than 300mm, and all subsoil shall be stripped to a depth of not less than 1000mm.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

44. No plant or vehicles shall cross any area of unstripped topsoil or subsoil except where such trafficking is essential and unavoidable for purposes of undertaking permitted operations. Essential trafficking routes shall be marked in such a manner as to give effect to this condition. No part of the site shall be excavated or traversed or used for a road, or storage of topsoil, subsoil or overburden or waste or mineral deposits until all available topsoil and subsoil to a minimum depth of 1000mm has been stripped from that part.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

45. Soil stripping shall not commence until any standing crop or vegetation has been cut and removed from the area to be stripped.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

46. Topsoil, subsoil, and soil making material shall only be stripped when it is in a dry and friable condition and movements of soils shall only occur:

- (a) when all soil above a depth of 300mm is in a suitable condition that it is not subject to smearing;
- (b) when topsoil is sufficiently dry that it can be separated from subsoil without difficulty.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

47. All storage mounds that will remain in situ for more than 6 months, or over winter, shall be seeded with a suitable mix to benefit farmland birds within 3 weeks of their construction in accordance with a seed mixture which has been agreed in writing by the MPA. The mounds shall thereafter be maintained free of weeds until used for restoration purposes.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

48. Details of the volumes and location of soils stored on the site shall be submitted to the MPA by 31 December each year.

*Reason To monitor the restoration of the site and to ensure all available soil resources are conserved or managed, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

## Soil Replacement

49. The MPA shall be notified in writing at least 5 working days before each of the following:
- (a) overburden has been prepared ready for soil replacement to allow inspection of the area before further restoration of this part is carried out, and
  - (b) when subsoil has been prepared ready for topsoil replacement to allow inspection of the area before further restoration of this part is carried out, and
  - (c) on completion of topsoil replacement to allow an opportunity to inspect the completed works before the commencement of any cultivation and seeding operation.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

50. Subsoils shall only be replaced on those parts of the site which are restored above water level when the ground on which they are to be placed is in a dry and friable condition and no movements, re-spreading, levelling, ripping or loosening of subsoil or topsoil shall occur:
- (a) when it is raining; or
  - (b) when there are pools of water on the surface of the storage mound or receiving area.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

51. Plant and vehicles shall not cross any area of replaced and loosened ground, replaced subsoil, or topsoil except where essential and unavoidable for purposes of carrying out ripping and stone picking or beneficially treating such areas. Only low ground pressure machines shall work on prepared ground.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Replacement Minerals Local Plan.*

52. Subsoil within areas of the site above the lake water level (dry land) shall be re-laid so that the total thickness of settled subsoil is no less than 0.7 metres.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Replacement Minerals Local Plan.*

53. Each subsoil layer placed above lake water level (dry land) shall be cross-ripped:

- (a) to provide loosening to a minimum depth of 450mm with tine spacings no wider than 1.5m, and
- (b) any rock, boulder or larger stone greater than 200mm in any dimension shall be removed from the loosened surface before further soil is laid. Materials that are removed shall be disposed of off-site or buried at a depth not less than 2 metres below the final contours.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

54. Topsoil shall be evenly re-spread on the land above lake water level (dry land) to achieve at least a minimum of 300mm settled depth.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

55. The re-spread topsoil shall be rendered suitable for agricultural cultivation by loosening:

- (a) to provide loosening equivalent to a single pass at a tine spacing of 1.5 metres or closer;
- (b) to full depth of the topsoil plus 100mm;
- (c) and any non-soil making material or rock or boulder or larger stone lying on the loosened topsoil surface and greater than 100mm in any dimension shall be removed from the site or buried at a depth not less than 2 metres below the final settled contours.

*Reason To ensure proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

56. The operator shall take all reasonable precautions to prevent the mixing of topsoil, subsoil and overburden.

*Reason: To ensure proper restoration and in accordance with Policy M4.3 of the Nottinghamshire Minerals Local Plan.*

#### Restoration

57. The phased restoration plan and landscaping scheme for the total application site shall be carried out in accordance with Drawing no. L20RE4A17.PDF: South and West Extension Proposed Restoration dated 17/07/2017 and received by the MPA on 21<sup>st</sup> December 2017. The implementation of the restoration and landscaping scheme shall be carried out progressively in general compliance with the timetable shown on Drawing no.'s L20PH(A-L)116.PDF – South and West Extension Phase A1-Phase L Development and Drawing no. L20RE4A17.PDF: South and West Extension Proposed Restoration dated 17/07/2017 and received by the MPA on 21<sup>st</sup> December 2017. The backfilled material shall be levelled and graded in accordance with

the restoration contours identified on the plan and the level of the site shall not exceed the original ground levels of the site.

*Reason: To ensure proper restoration and in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.*

58. At the completion of each phase of restoration the operator shall meet on site with representatives of the MPA, and other parties with an interest in the land. The purpose of the meeting shall be to agree that the replacement material conforms generally with the landform and levels as set out in the agreed restoration plan.

*Reason: To ensure proper restoration and in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.*

59. All processing plant within the plant site area including their foundations shall be removed following the substantial cessation of mineral extraction from this site. The plant site shall thereafter be restored in accordance with the details shown on Drawing no. L20RE4A17.PDF: South and West Extension Proposed Restoration dated 17/07/2017 and received by the MPA on 21st December 2017

*Reason: To ensure proper restoration and in accordance with Policy M4.4 of the Nottinghamshire Minerals Local Plan.*

#### Aftercare

60. Following restoration the land restored to agriculture shall undergo aftercare management of a five year period. All other parts of the site shall undergo aftercare management for a 15 year period.

*Reason To provide for aftercare of the restored site, in accordance with Policy M4.9 of the Nottinghamshire Minerals Local Plan.*

61. Prior to any area being entered into aftercare the extent of the area and its date of entry into aftercare shall be agreed in writing with the MPA, the aftercare period shall run from the agreed date.

*Reason To provide for aftercare of the restored site, in accordance with Policy M4.9 of the Nottinghamshire Minerals Local Plan.*

62. An aftercare scheme and strategy shall be submitted for the written approval of the MPA no later than 3 months before the spreading of subsoil commences within each phase. The strategy shall outline the steps to be taken, the period during which they are taken, and who will be responsible for taking those steps to ensure the land is restored and brought back to a satisfactory condition. The aftercare scheme shall include but not be restricted to details of the following:

- (a) cultivations;
- (b) weed control;
- (c) sowing of seed mixtures;

- (d) soil analysis;
- (e) keeping of records and an annual review of performance and proposed operations for the coming year, to be submitted to the MPA between 31 March and 31 May each year;
- (f) drainage amendments;
- (g) subsoiling and underdrainage proposals;
- (h) management practices such as the cutting of vegetation;
- (i) tree protection;
- (j) remedial treatments;
- (k) irrigation; and
- (l) fencing.

*Reason To provide for aftercare of the restored site, in accordance with Policy M4.10 of the Nottinghamshire Minerals Local Plan.*

63. Site management meetings shall be held with the MPA each year to assess and review the detailed annual programmes of aftercare operations referred to in Condition 62(e) above, having regard to the condition of the land; progress in its rehabilitation and necessary maintenance.

*Reason To provide for aftercare of the restored site, in accordance with Policy M4.10 of the Nottinghamshire Minerals Local Plan.*

64. The aftercare programme shall be implemented in accordance with the details approved under Condition 62 above, as amended following the annual site meeting referred to in Condition 63 above.

*Reason To provide for aftercare of the restored site, in accordance with Policy M4.10 of the Nottinghamshire Minerals Local Plan.*

#### Cessation of Workings

65. Should, for any reason the winning and working of minerals from the application site cease for a period in excess of 6 months which in the reasonable opinion of the MPA constitutes a permanent cessation of mineral extraction, then within three months of the receipt of a written request from the MPA, a revised scheme for the restoration of the site shall be submitted to the MPA. Such a scheme shall include a schedule of timings, final contours, provision of soiling, sowing of grass, planting of trees and shrubs, drainage and fencing in a similar manner to that submitted with the application and modified by these conditions.

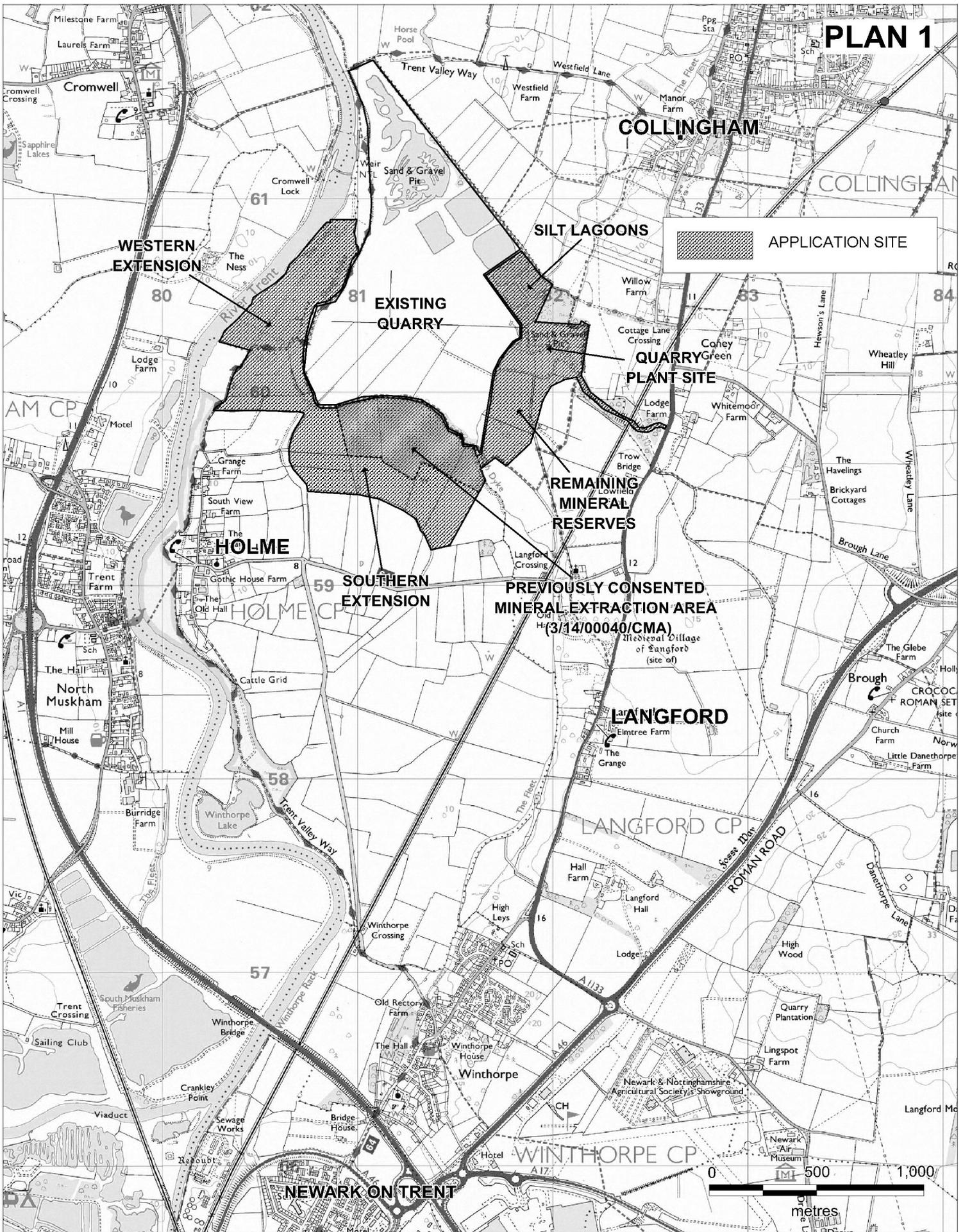
*Reason: To achieve a satisfactory restoration of the site in the event of premature closure of the site.*

66. The revised restoration scheme shall be implemented within 12 months of its approval by the MPA, and shall be subject to the aftercare provisions of Conditions 62 – 63 above.

Reason: To achieve a satisfactory restoration of the site in the event of premature closure of the site.

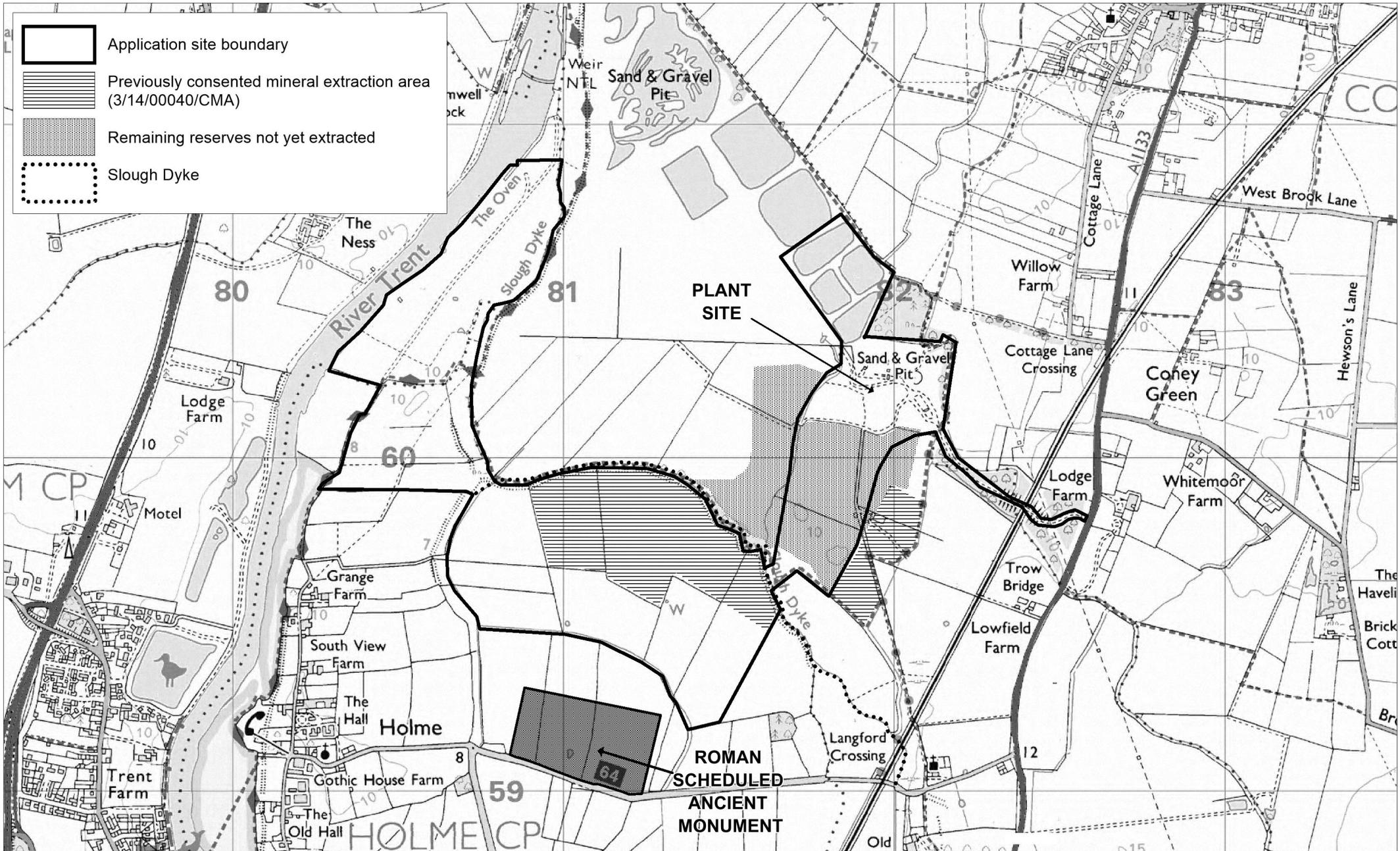
**Note to Applicant**

1. The planning permission is issued subject to a Section 106 legal agreement which controls the routeing of lorries prohibiting them accessing and departing the quarry from north necessitating access through Collingham village.
2. The Slough Dyke is a designated a 'main river'. Please note, under the terms of the Water Resources Act 1991, and the land drainage byelaws prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank.
3. Network Rail request that the operator contacts their company (Asset Protection Project Manager) in the event of any abnormal loads are required to pass over Network Rail property.

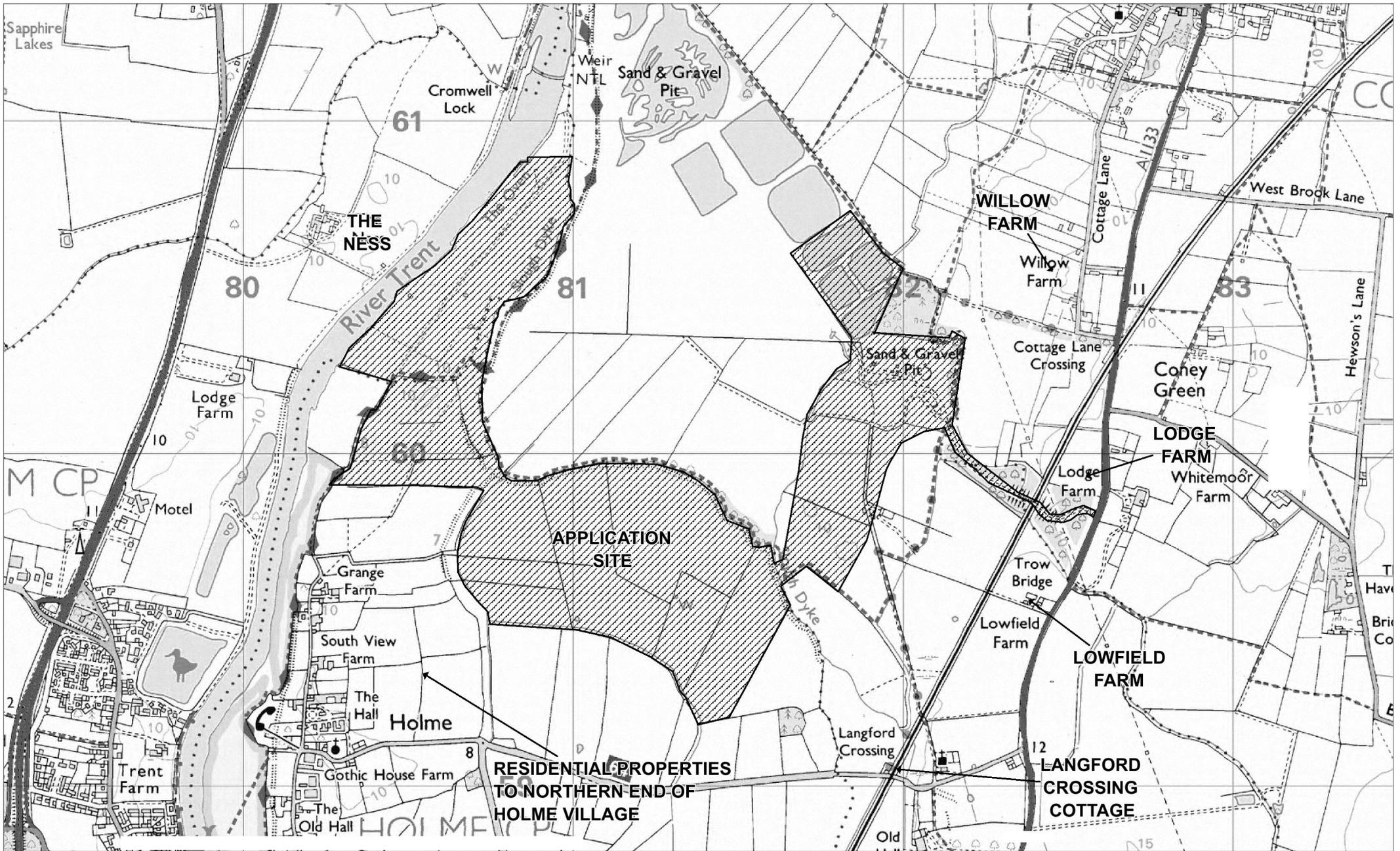




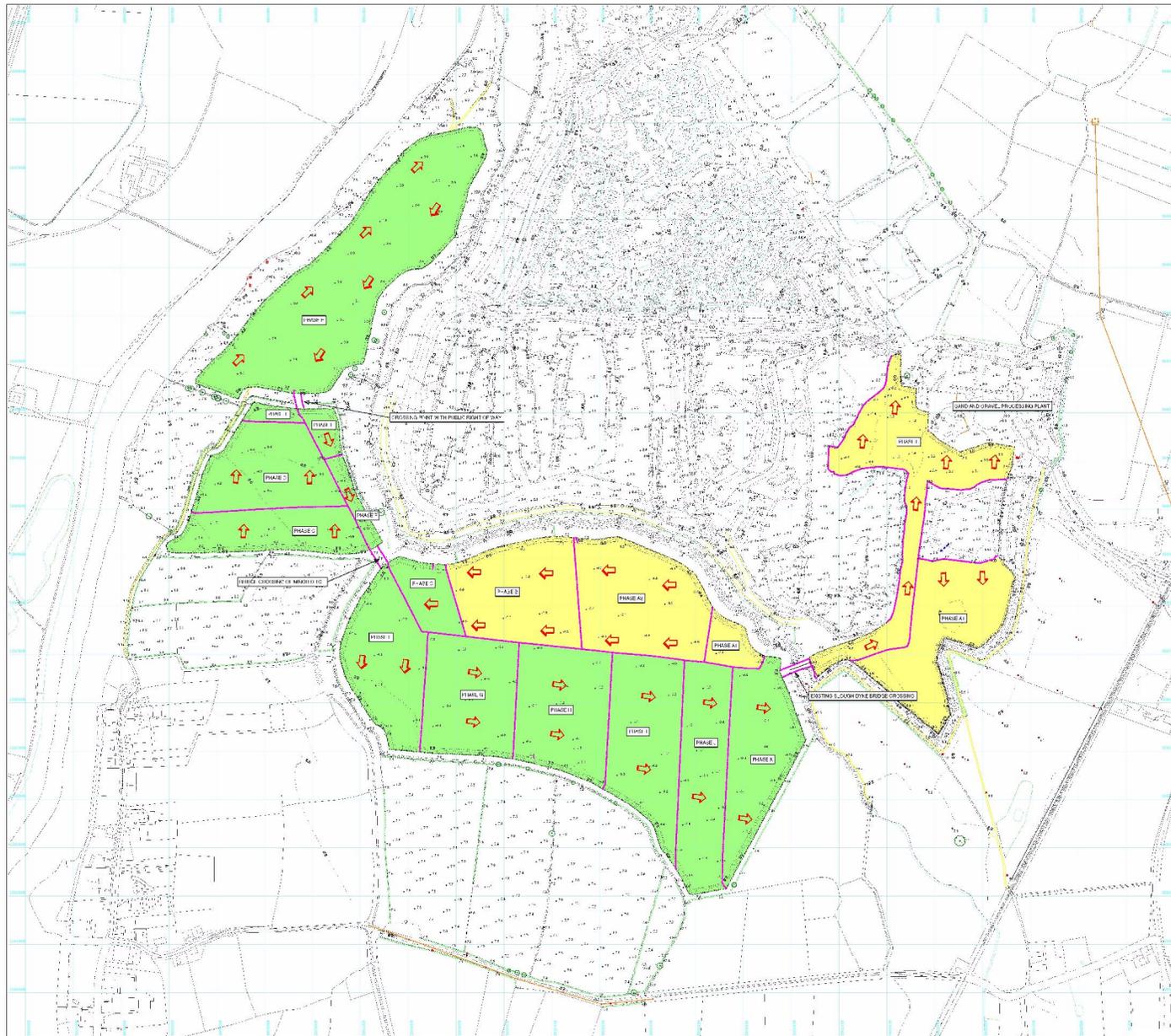
-  Application site boundary
-  Previously consented mineral extraction area (3/14/0040/CMA)
-  Remaining reserves not yet extracted
-  Slough Dyke











**LEGEND**

- Area of sand and gravel to be worked as part of currently permitted development
- Area of sand and gravel to be worked as part of current proposed development
- ↗
 General direction of face advance within each phase
- ↘
 Each phase represents 1 year of sand and gravel extraction at output levels of 450,000 Tonnes per annum. The phase boundaries are the Indicative position as at October each year.



Site Name:  
**Langford Quarry**

Drawing Name:  
**South and West Extension  
 Phasing of sand and gravel extraction**



Proposed southern and western extensions to existing quarry with restoration to water, nature conservation and agriculture together with revised restoration of existing workings and retention of existing plant site and site access.  
 Land at Langford Quarry, Newark, Nottinghamshire, NG23 7JG  
 Planning Application No. 3/16/01689/CMA

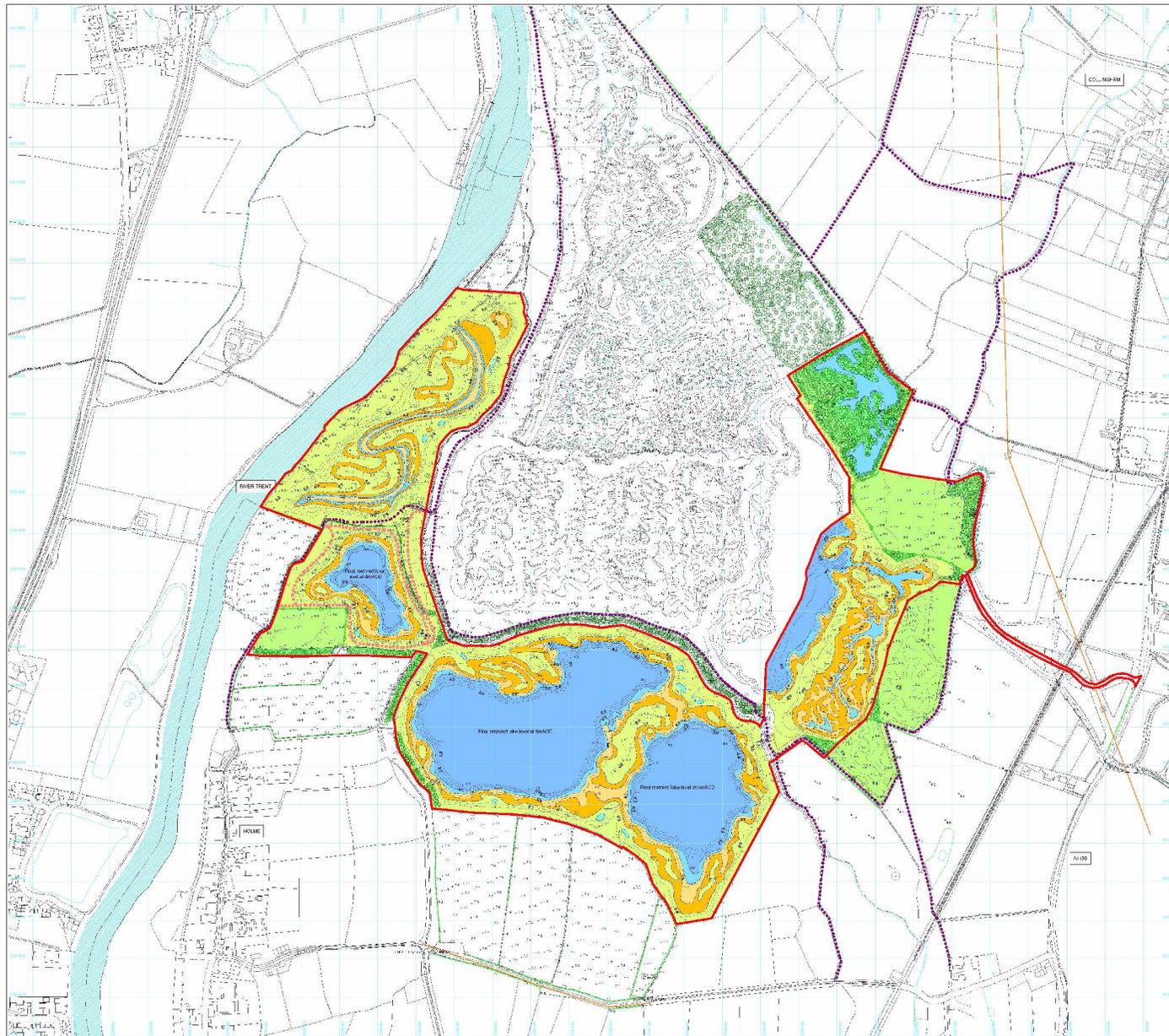
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Scale  
 Produced by: JW  
 Date: JULY 2018



**PLAN 4**





**LEGEND**

- Lake margin restoration
- Shallows in lake margins with less than 0.8m of water depth at optimum lake levels.
- Shallows in lake margins with between 0.8m and 1.2m of water depth at optimum lake levels.
- Shallows in lake margins with between 1.2m and 2m of water depth at optimum lake levels.
- Deeper water areas with greater than 2m of water depth at optimum lake levels.
- Areas of restoration to agriculture or managed wetland meadows
- Areas of wet woodland restoration
- Areas of restoration woodland planting
- Existing public rights of way and access routes
- Proposed permissive footpaths to be created when land restored
- Small shallow water seasonal ponds (subject to restoration prior July 2017)
- Planning application boundary

**TARMAC**  
A CRH COMPANY

Site Name:  
**Langford Quarry**

Drawing Name:  
**South and West Extension  
Proposed restoration**







17<sup>th</sup> July 2018

**Agenda Item: 6**

## **REPORT OF CORPORATE DIRECTOR – PLACE**

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

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

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

**APPLICANT: ROTHERHAM SAND AND GRAVEL COMPANY LIMITED**

### **Purpose of Report**

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

### **The Site and Surroundings**

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

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

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

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

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

### **Planning history**

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

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

### **Proposed Development**

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

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

#### Existing operations

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

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

## **Consultations**

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

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

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

## **Publicity**

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

## **Observations**

### Introduction

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

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

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

#### Planning policy assessment

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

### Unauthorised development and planning policy implications

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

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

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

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

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

#### Consideration of environmental and amenity impacts

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

where such development would not result in unacceptable environmental impacts.

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

#### Traffic and highways

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

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

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

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

### Noise

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

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

### Visual Impact

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

### Ecological Impact

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

### Air Quality/Dust

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

## Odour

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

## Drainage and Flood Risk

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

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

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

### Contamination

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

### Operating Hours

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

### Restoration

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

### Timescale for the development

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

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

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

### Sustainability

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

### Other Material Considerations

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

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

### Conclusions

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

### **Other Options Considered**

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

### **Statutory and Policy Implications**

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

### Crime and Disorder Implications

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

### Data Protection and Information Governance

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

### Human Rights Implications

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

### Public Sector Equality Duty Implications

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

### Implications for Sustainability and the Environment

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

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

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

### **RECOMMENDATIONS**

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

**ADRIAN SMITH**

**Corporate Director – Place**

### **Constitutional Comments [RHC 5/4/2018]**

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

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

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

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

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

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

Misterton                      Councillor Tracey Taylor

Report Author/Case Officer

Deborah Wragg

0115 9932575

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

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## RECOMMENDED PLANNING CONDITIONS

### Scope of the permission and approved plans

1. This permission is for the continued operation of a construction and demolition waste recycling facility involving the screening, sorting, crushing, storage and removal of soils, stone and other inert waste materials only within the area edged red on Plan Drawing No. GIS/LE/50753/01-02 titled 'Figure 2 – Application Area' dated 04.09.2017 and received by the Waste Planning Authority (WPA) on 23<sup>rd</sup> November 2017. The development shall be carried out and maintained in accordance with the following documents, unless otherwise agreed in writing with the WPA or where amendments are made pursuant to the other conditions below:
  - (a) Drawing No. GIS/LE/50753/01-01 titled 'Figure 1. Location Plan' dated 04.09.2017 and received by the WPA on 2<sup>nd</sup> November 2017;
  - (b) Planning Supporting Statement and planning application form received by the WPA on 23<sup>rd</sup> November 2017;
  - (c) Drawing No. GIS/LE/50753/01-02 titled 'Figure 2. Application Area' dated 04.09.2017 and received by the WPA on 23<sup>rd</sup> November 2017;
  - (d) Drawing No. GIS/LE/50753/01-03 titled 'Figure 3. Planning History' dated 24.10.2017 and received by the WPA on 23<sup>rd</sup> November 2017;
  - (e) Drawing No. GIS/LE/50753/01-04 titled 'Figure 4. Indicative Site Layout' dated 16.11.2017 and received by the WPA on 23<sup>rd</sup> November 2017;
  - (f) Scrooby Top Quarry Flood Risk Assessment dated October 2017 by Waterman Infrastructure & Environment Limited, Reference WIE 13636-100-R-1-2-1-FRA, Issue 2: 19.10.17, received by the WPA on 23<sup>rd</sup> November 2017;
  - (g) Letter from Litchfields Reference 50753/JG/JSt/14711609v3 dated 23<sup>rd</sup> November 2017 and received by the WPA on 23<sup>rd</sup> November 2017.

*Reason: To define the permission and for the avoidance of doubt.*
2. The recycling operations hereby permitted shall cease by the 21<sup>st</sup> February 2042 and the site restored in accordance with the extant minerals permission(s). Should mineral extraction at Scrooby Top Quarry cease before the 21<sup>st</sup> February 2042 then the recycling operations approved under this permission (reference 1/18/0216/CDM) shall cease within 3 months of the cessation of mineral extraction and all plant, machinery and material stockpiles associated with the development hereby permitted shall be removed within 12 months of the cessation of mineral extraction. The land subject to this permission shall

thereafter be restored in accordance with the alternative restoration scheme for the site (quarry) approved under the extant mineral permission(s) at that time.

*Reason: To define the permission and for the avoidance of doubt.*

3. The maximum height of all plant, machinery and stockpiles of processed and unprocessed waste materials within the area edged red on Plan Drawing No. GIS/LE/50753/01-02 titled 'Figure 2 – Application Area' dated 04.09.2017 and received by the WPA on 23<sup>rd</sup> November 2017 shall be no greater than 18 metres Above Ordnance Datum (AOD).

*Reason: In the interests of visual amenity and to ensure compliance with Policy W3.3 of the Nottinghamshire and Nottingham Waste Local Plan.*

### **Surfacing and drainage**

4. The operator shall inspect all incoming loads upon delivery to the site. Any biodegradable, putrescible or potentially odorous or polluting wastes contained within incoming loads shall be removed from the waste immediately upon receipt and placed into a sealed airtight storage container/skip for storage on an impervious area. The details of such measures shall be submitted to WPA for their approval in writing within three months of the date of this permission. This waste shall thereafter be removed from the site within 48 hours of its delivery, for disposal at a facility licensed to receive it.

*Reason: To protect ground and surface water from pollution in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan and to minimise potential odour emissions in compliance with Nottinghamshire and Nottingham Waste Local Plan Policy W3.7.*

5. Within three months of the date of the planning permission, a drainage scheme shall be submitted to the WPA for its written approval, the drainage design and construction of which shall be in line with the flood risk assessment and drainage strategy detailed in document titled 'Scrooby Top Quarry Flood Risk Assessment' dated October 2017 by Waterman Infrastructure & Environment Limited, Reference WIE 13636-100-R-1-2-1-FRA, Issue 2: 19.10.17, received by the WPA on 23<sup>rd</sup> November 2017. The details shall include a maintenance scheme to ensure the satisfactory continued operation of the drainage system. The drainage scheme shall be implemented in accordance with the approved details within three months of the approval date and thereafter maintained to ensure the drainage system continues to operate for the life of the development.

*Reason: To protect ground and surface water from pollution in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.*

6. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound shall be at least equivalent to the capacity of the tank plus 10% or, if there is more than one container within the system, of not less than

110% of the largest container's storage capacity or 25% of the aggregate storage capacity of all storage containers. All filling points, vents and sight glasses must be located within the bund. There must be no drain through the bund floor or wall.

*Reason: To protect ground and surface water from pollution in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.*

7. There shall be no discharge of foul or contaminated surface water from the site into either the groundwater system or any surface waters.

*Reason: To protect ground and surface water from pollution in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.*

### **Access**

8. All vehicular traffic associated with the development hereby permitted shall access and egress Scrooby Top Quarry via the entrance permitted and constructed under Planning Reference 1/42/98/16.

*Reason: In the interests of public safety.*

### **Traffic**

9. There shall be a maximum of 400 two-way HGV movements in any 4 week period associated with the waste recycling operations and a maximum of 40 two-way HGV movements in any one day except on Saturdays which shall have 20 two-way HGV movements only. Written records shall be maintained of all vehicle movements including the time of day such movements take place, registration numbers and whether the vehicle is an HGV. Copies of the vehicle movement records shall be made available to the WPA within 7 days of a written request being made by the WPA.

*Reason: To limit vehicle movements to protect residential amenity in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.*

### **Hours of Working**

10. Except in the event of an emergency or with the prior written agreement of the WPA, none of the operations hereby permitted, shall be carried out or plant operated other than between the following hours: 0700hrs to 1700hrs Mondays to Fridays, 0700hrs to 1200hrs on Saturdays and at no times on Sundays, Bank or Public Holidays.

*Reason: To minimise noise and other impacts associated with the operation of the site, and to protect the amenity of nearby residential properties in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

## Site capacity/throughput

11. The maximum amount of waste material accepted at the site shall not exceed 50,000 tonnes per annum in total. A written record shall be kept by the site operator of the amounts of construction and demolition waste accepted and it shall be made available to the WPA within 7 days of a written request from the WPA.

*Reason To ensure impacts arising from the operation of the site do not cause unacceptable disturbance to local communities in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.*

## Noise

12. Noise generated within the site shall be kept to a minimum by the fitting and use of effective silencers to plant and machinery in accordance with the manufacturers' specifications and the regular servicing of plant and machinery.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby residential occupiers and land users in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

13. All reversing warning devices used on mobile plant under the control of the operator shall comprise white noise (broadband) alarms.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby residential occupiers and land users in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

14. Noise levels associated with the operations hereby permitted shall not exceed 55dB  $L_{Aeq,1hr}$  when measured at any point along the southern boundary of the site adjacent to Snape Lane.

In the event that a complaint is received regarding noise arising from the operation of the site which the WPA considers may be justified, the operator shall within one month of a written request from the WPA, prepare and submit for the WPA's approval in writing a mitigation strategy to remedy the nuisance. The site shall thereafter operate in compliance with the approved mitigation strategy to remedy the nuisance. The site shall thereafter operate in compliance with the approved mitigation strategy throughout its operational life.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby residential occupiers and in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

## Dust

15. All vehicles associated with these operations shall observe a speed limit of 10 miles per hour within the boundaries of Scrooby Top Quarry.

*Reason: To minimise disturbance from dust in accordance with Policy W3.10 of the Nottinghamshire Waste Local Plan.*

16. Measures shall be employed to ensure that dust generated within the site is kept to a minimum and contained within the site. These measures shall include, but not necessarily be restricted to:

- (a) The use, as appropriate of a dust suppression system throughout all working areas;
- (b) The use as appropriate of water bowsers and/or spray systems to dampen the haul roads to and from the permitted area during dry days, vehicle circulation and manoeuvring areas;
- (c) The regular sweeping of haul roads;
- (d) The temporary cessation of waste processing during periods of extreme dry and windy weather.

In the event that a complaint is received regarding dust arising from the operation of the site which the WPA considers may be justified, the operator shall within one month of a written request from the WPA, prepare and submit for the WPA's approval in writing a mitigation strategy to remedy the nuisance. The site shall thereafter operate in compliance with the approved mitigation strategy to remedy the nuisance. The site shall thereafter operate in compliance with the approved mitigation strategy throughout its operational life.

*Reason: To minimise disturbance from dust in accordance with Policy W3.10 of the Nottinghamshire Waste Local Plan.*

17. All vehicles transporting processed materials, shall be fully covered with sheeting prior to them leaving the application site. The applicant shall issue instructions to delivery drivers bringing waste to the site stipulating that incoming loads are fully sheeted.

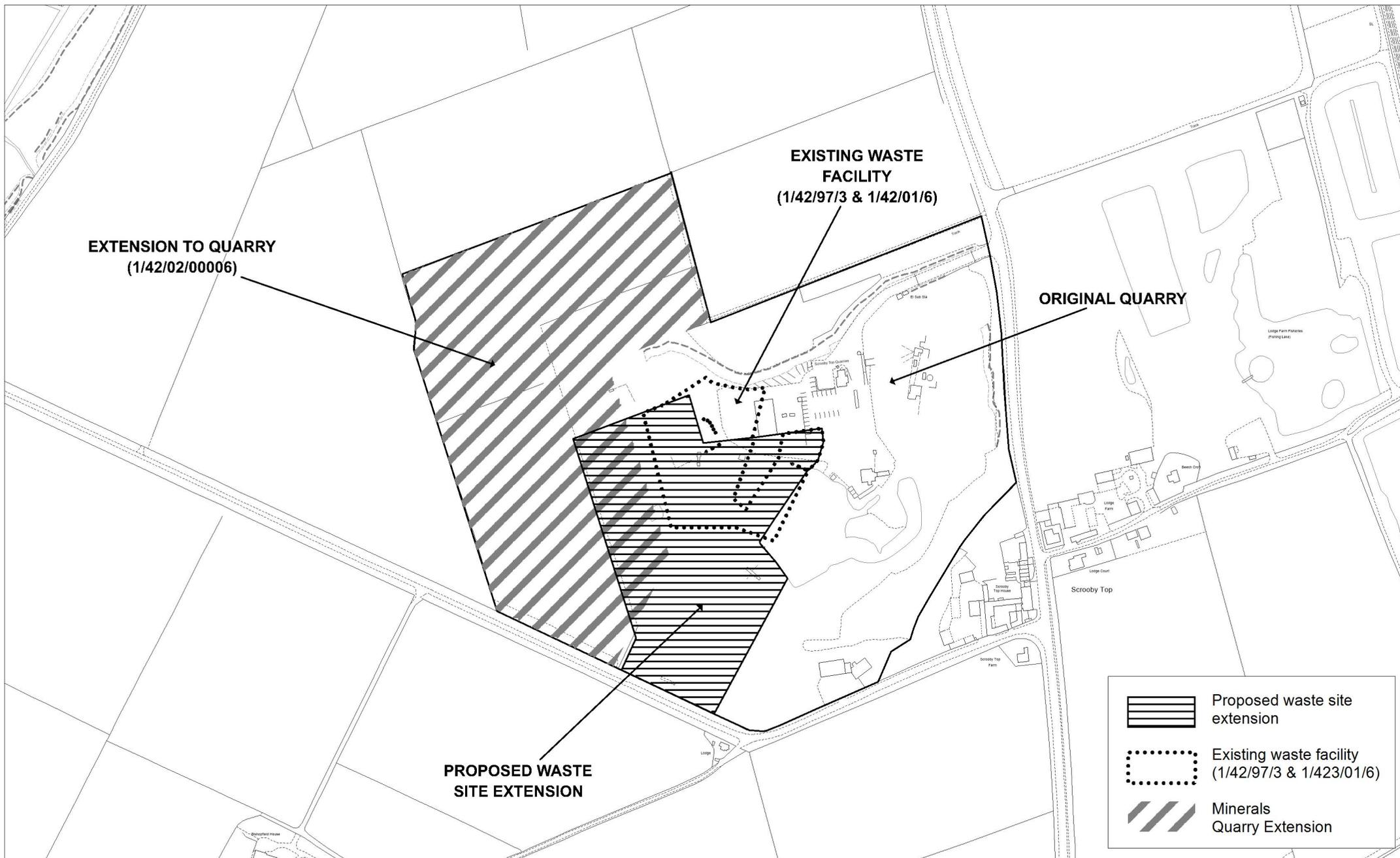
*Reason: To prevent mud and other deleterious material contaminating the highway in accordance with Policy W3.11 of the Nottinghamshire and Nottingham Waste Local Plan.*

## Informatives/notes to applicants













**17 July 2018**

**Agenda Item: 7**

## **REPORT OF CORPORATE DIRECTOR – PLACE**

### **DEVELOPMENT MANAGEMENT PROGRESS REPORT**

1. To report on planning applications received and determined (including the decision made) by the Development Management Team between 22<sup>nd</sup> May 2018 and 30<sup>th</sup> June 2018, and to confirm those applications that remain outstanding for more than 17 weeks at 30<sup>st</sup> June 2018.

#### **Background**

2. Appendix A highlights applications received between 22<sup>nd</sup> May 2018 and 30 June 2018, and those determined in the same period. Appendix B highlights applications outstanding for over 17 weeks. Appendix C sets out the Committee's work programme for forthcoming meetings of the Planning and Licensing Committee.

#### **Statutory and Policy Implications**

3. 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.
4. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol 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.

#### **RECOMMENDATIONS**

5. That Committee considers whether there are any actions they require in relation to the contents of the report.

## **Corporate Director - Place**

### **Constitutional Comments**

[RHC/4/7/2018]

Planning & Licensing Committee is the appropriate body to consider the content of the report. If Committee resolves that any actions are required it must be satisfied that such actions are within the Committee's terms of reference.

### **Comments of the Service Director - Finance , Infrastructure and Improvement (SES 03/07/18)**

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

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

None

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

All

### **For any enquiries about this report please contact:**

Report Author / Case Officer  
Ruth Kinsey  
0115 9932584

**Planning Applications Received and Determined**  
**From 22<sup>nd</sup> May to 30<sup>th</sup> June 2018**

Division	Member	Received	Determined
<b>BASSETLAW</b>			
			To vary conditions 11,13,16, 37 and 54 of planning permission 1/14/00038/CDM for maximum ash recovery revised method statement; Deposition of PFA to cease no later than 31 December 2025; Landscape and aftercare scheme. West Burton Power Station and Bole Ings Ash Disposal Site. Retford. Granted 05/06/2018 (Committee)
Misterton	Cllr Tracey Taylor	Proposed new 20MWE Waste to Energy Power Generation facility and associated plant and external works. Plots A5 and A6 Lords Wood Road, Harworth. Received 27/06/2018	
<b>MANSFIELD</b>			
Warsop Worksop South	Cllr Andy Wetton Cllr Kevin Greaves		Variation of Condition 3 of Planning Permission Ref: 2/2014/0272/NT to allow a further 5 years operation of the Soil Management Area. Welbeck Colliery, Elkesley Road, Meden Vale. Withdrawn 23/05/2018

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Warsop Worksop South	Cllr Andy Wetton Cllr Kevin Greaves	Proposed variations to the soil management areas, the internal linking access road and the installation of welfare and office portacabins and toilet block unit. Welbeck Colliery, Elkesley Road, Meden Vale. Received 24/05/2018	
Mansfield South	Cllr Stephen Garner Cllr Andy Sissons	Variation of condition 2 of planning permission 2/2011/0307/ST to erect a new covered waste storage bay on existing footprint. Full planning application for new wash down area and drainage. AB Waste Disposal Limited, Bleakhill Sidings, Sheepbridge Lane, Mansfield. Received 21/06/2018	
Mansfield North	Cllr Joyce Bosnjak Cllr Parry Tsimbiridis	Erection of Hygiene Suite and Access Ramp. Peafield Lane Academy, Litton Road, Mansfield Woodhouse. Received 22/06/2018	
<b>NEWARK &amp; SHERWOOD</b>			
Muskham & Farnsfield  Farndon & Trent	Cllr Bruce Laughton  Cllr Mrs Sue Saddington	Development is for a change of use from Agricultural land to allow land to be used for conditioning (drying by windrowing) of Topsoil material recovered from sugar beet delivered and excavated from soil settlement lagoons onsite, and engineering works to construct flood compensatory area. British Sugar Corporation Limited, Great North Road, Newark. Received 23/05/2018	

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
<b>ASHFIELD</b>			
Ashfields	Cllr Jason Zadrozny	To vary conditions 13 and 16 of planning permission 4/98/0324 for revised restoration including additional leachate tank. Street Record, Maycroft Gardens, Huthwaite, Sutton In Ashfield. Received 27/06/2018	
<b>BROXTOWE - None</b>			
<b>GEDLING</b>			
Arnold North	Cllr Pauline Allan Cllr Michael Payne		To vary conditions 5 of planning permission 7/2013/0757NCC to reflect a slight change in the proposed final contours of are stored landform including the re-engineering of a clay stockpile facility and its retention/continued use beyond the operational life of the Dorket Head Quarry. Dorket Head Quarry, Woodborough Lane, Arnold. Granted 05/06/2018 (Committee)
Arnold North	Cllr Pauline Allan Cllr Michael Payne		Proposed southerly extension of the clay workings and extraction of clay and associated minerals, with subsequent restoration by infilling with imported inert waste materials to include landscaping and diversion of public rights of way. Dorket Head Quarry, Woodborough Lane, Arnold, Nottingham. Granted 05/06/2018 (Committee)

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Calverton	Cllr Boyd Elliott	Retention of landfill gas utilisation compound until 2040, plus the reinstatement of two power reserve plants fuelled by natural gas, and associated infrastructure. Burntstump Landfill Gas Compound Site, Ollerton Road, Calverton. Received 29/06/2018	
<b>RUSHCLIFFE</b>			
Bingham East	Cllr Francis Purdue-Horan		Single-storey hygiene suite and lobby with accessible ramp, handrails, and associated landscape works. Robert Miles Infant School, School Lane, Bingham. Granted 29/05/2018
Leake & Ruddington	Cllr Reg Adair Cllr Andrew Brown		Erection of single storey classroom extension, Sutton Bonington Primary School, Park Lane, Sutton Bonington. Granted 31/05/2018.
West Bridgford South	Cllr Jonathan Wheeler	Car park entrance improvements. Remove section of timber palisade fencing and kerb edging. Convert 105m <sup>2</sup> of lawn and shrub border into tarmac to create a more functional entrance to the car park for delivery and emergency vehicles. Received 22/06/2018	Returned 27/06/2018

**Applications outstanding over 17 weeks at 30 June 2018**

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
<b>BASSETLAW</b>				
Worksop South Warsop	Cllr Kevin Greaves Cllr Andy Wetton	To vary conditions 1 and 85 of planning permission 1/64/96/2 to allow the continuation of the extraction and processing of limestone until 2035 with restoration complete by 2037 (currently permitted until 28th October 2017 with restoration by 28th October 2019) and removal of condition 77 so to retain the access road. Nether Langwith Quarry, Wood Lane, Nether Langwith, NG20 9JQ	86	Presented to Committee on 31/10/2017 where it was resolved to grant permission upon the agreeing and signing of a S106 Legal Agreement. Negotiations are progressing.
Blyth & Harworth	Cllr Sheila Place	Variation of condition 3 of planning permission 1/66/04/00004 to extend the timescale for inert waste disposal to cease by 22 August 2027, with enhanced restoration for a biodiverse nature conservation afteruse. Serlby Quarry, Snape Lane, Serlby,	50	Letter sent requesting revised restoration plan and additional information.

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Worksop South Warsop	Cllr Kevin Greaves Cllr Andy Wetton	Variation of Conditions 3 and 4 of Planning Permission Ref: 1/13/01390/CDM to allow a further 5 years for the placement of material and restoration of the site. Welbeck Colliery, Elkesley Road, Meden Vale.	47	This application will be determined with the new application received 24/05/2018, for variations to the soil management areas, the internal linking access road and the installation of welfare and office portacabins and toilet block unit
Misterton	Cllr Tracey Taylor	Retrospective Planning application for an extension to the construction and demolition waste recycling area. Scrooby Top Quarry, Scrooby Top, Doncaster	32	Can be found elsewhere on the agenda
Misterton	Cllr Tracey Taylor	To vary condition 3 of planning permission 1/29/97/10 for operations hereby permitted shall cease and all plant machinery and material stockpiles associated with the development shall be removed from the site in preparation for future landfilling by December 2037. Daneshill Landfill Site, Lound Road, Retford	31	Waiting for revised information concerning the end date they wish to keep the recycling facility open

Division	Member	Description	Weeks Out Standing	Comments
Misterton	Cllr Tracey Taylor	To vary condition 3 of planning permission 1/29/05/00008, this permission shall be for a limited period only, expiring on 31 <sup>st</sup> December 2037, by which time the site shall be cleared in order that the final phase of the landfill operation permitted under planning permission 1/29/93/8 is not prejudiced. Daneshill Landfill Site, Lound Road, Retford	31	Waiting for revised information concerning the end date they wish to keep the recycling facility open
Misterton	Cllr Tracey Taylor	To vary condition 4 of planning permission 1/29/06/00010. This permission shall be limited for a period only expiring on 31 <sup>st</sup> December 2037, by which time the site shall be cleared in order that the final phase of the landraise operations permitted under planning permission 1/29/93/8 is not prejudiced. Daneshill Landfill Site, Lound Road, Retford	31	Waiting for revised information concerning the end date they wish to keep the recycling facility open
Misterton	Cllr Tracey Taylor	Sand and gravel extraction, backfill with imported silt and restoration to agriculture and biodiversity. Including construction of a new access road. Land at College Farm, Great North Road, Barnby Moor, Retford	28	Application being assessed with a request for additional information being prepared
<b>MANSFIELD</b>				

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
		Retrospective permission for silica sand extraction and associated revised site restoration proposals. Ratcher Hill Quarry, Southwell Road West, Rainworth, Mansfield	25	
<b>NEWARK &amp; SHERWOOD</b>				
Farndon & Trent  Balderton	Cllr Keith Cllr Mrs Sue Saddington  Cllr Keith Walker	To vary condition 46 of planning permission 3/14/91/1237, revision to approved restoration scheme. Staple Landfill, Grange Lane, Cotham	114	Presented to Committee 20/09/2016 and was resolved to grant permission upon the agreeing and signing of S106 Legal Agreement. Legal have been chased for the agreement to be completed.
Collingham	Cllr Maureen Dobson	Vary conditions 8 and 9 of planning consent 3/98/0800 to allow an extension to the duration of quarry workings until 31st December 2035 (currently 31st August 2016) with full site restoration to be completed by 31st December 2036. The submission also incorporates an interim restoration scheme relating to land to the south of the plant site. Girton Quarry, Gainsborough Road, Girton.	99	Presented to Committee on 18/04/2017 where it was resolved to grant permission upon the agreeing and signing of a S106 Legal Agreement, the document is now been circulated for signing.

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Collingham	Cllr Maureen Dobson	Vary conditions 7 and 8 of planning consent 3/04/00394/CMM to allow the continued retention/use of the plant site/access road at Girton Quarry until 31st December 2035 (currently 31st August 2016) with full site restoration to be completed by 31st December 2036. Girton Quarry, Gainsborough Road, Girton.	99	Presented to Committee on 18/04/2017 where it was resolved to grant permission upon the agreeing and signing of a S106 Legal Agreement, the document is now been circulated for signing.
Collingham Muskham & Farnsfield	Cllr Maureen Dobson Cllr Bruce Laughton	Proposed southern and western extensions to existing quarry with restoration to water, nature conservation and agriculture together with revised restoration of existing workings and retention of existing plant site and site access. Land at Langford Quarry, Newark Road, Near Collingham.	91	Can be found elsewhere on the agenda
		Planning application to retain existing mobile classroom, Lowes Wong Junior School, Queen Street, Southwell.	28	Officers have been involved in a feasibility study for a permanent replacement classroom
<b>ASHFIELD</b>				

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Hucknall North	Cllr Ben Bradley	Planning application for the continued use of an Aggregates Recycling Facility at Wigwam Lane for the treatment of waste to produce soil, soil substitutes and aggregates. Total Reclaims Demolition Ltd Wigwam Lane, Bakerbrook Industrial Estate, Hucknall	307	Meetings between the applicant and NCC have resulted in the applicant reconsidering the use of the site
Hucknall North		Retention of mobile classroom (Building 4,) Leen Mills Primary School, Leen Mills Lane, Hucknall	49	Still awaiting further information
Hucknall North		Retention of mobile classroom (Building 4,) Leen Mills Primary School, Leen Mills Lane, Hucknall	49	Still awaiting further information
<b>BROXTOWE</b>				
Stapleford & Broxtowe Central	Cllr Dr John Doddy Cllr William Longdon	Change of use to waste timber recycling centre including the demolition of existing building and construction of new buildings. Shilo Park, Shilo Way, Cossall	284	Additional information now received and consultations are underway.
<b>GEDLING</b>				
Newstead	Cllr Chris Barnfather	4.5 hectare eastern extension to existing sand quarry with restoration to nature conservation. Bestwood II Quarry, Mansfield Road, Papplewick, near Ravenshead	32	Awaiting further information requested under the EIA regulations. All 4 applications will be determined together

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Newstead	Cllr Chris Barnfather	Erection of a portable unit to provide changing facilities for female staff. Bestwood II Quarry, Mansfield Road, Papplewick, near Ravenshead	32	Awaiting further information requested under the EIA regulations. All 4 applications will be determined together
Newstead	Cllr Chris Barnfather	To vary conditions 3,6 and 29 of planning permission 7/2014/1156/NCC for an extension of time to extract the remaining mineral within Bestwood II Quarry until 31 December 2028. Bestwood II Quarry, Mansfield Road, Papplewick, near Ravenshead	32	Awaiting further information requested under the EIA regulations. All 4 applications will be determined together
Newstead	Cllr Chris Barnfather	Vary condition 4 of planning permission 7/2015/0320NCC to enable retention of the visitors car park until final restoration of the quarry (31st December 2030 or within two years of the completion of mineral extraction, whichever is the sooner). Bestwood II Quarry, Mansfield Road, Papplewick, near Ravenshead	32	Awaiting further information requested under the EIA regulations. All 4 applications will be determined together
<b>RUSHCLIFFE</b>				
Leake & Ruddington	Cllr Reg Adair Cllr Andrew Brown	The proposed construction of an inland leisure marina; associated ancillary building, infrastructure, car parking and landscaping with incidental mineral excavation. Redhill Marina, Redhill Lock, Ratcliffe on Soar.	89	Still awaiting further information under the EIA regulations. Understand the applicant has met with HS2 regarding their construction requirements across his land.

Division	Member	Description	Weeks Out Standing	Comments
Leake & Ruddington  Toton, Chilwell & Attenborough	Cllr Reg Adair Cllr Andrew Brown  Cllr Richard Jackson Cllr Eric Kerry	The extraction and processing of sand and gravel, including the construction of a new site access road, landscaping and screening bunds. Mineral washing plant and other associated infrastructure with restoration to agriculture and nature conservation areas. Land off Green Street, Mill Hill and land at Barton in Fabis, off Chestnut Lane, Nottingham	44	Application continuing to be assessed

## Schedule of future planning applications to be reported to Planning and Licensing Committee

(Please note: The committee dates identified are for guidance only. A final decision regarding the committee date is not made until shortly before the agenda is published).

18 <sup>th</sup> September 2018	1/18/00219/CDM	Daneshill Landfill Site, Lound Road, Retford DN22 8RB	To vary condition 4 of planning permission 1/29/06/00010. This permission shall be limited for a period only expiring on 31st December 2037, by which time the site shall be cleared in order that the final phase of the landraise operations permitted under planning permission 1/29/93/8 is not prejudiced.
18 <sup>th</sup> September 2018	1/18/00218/CDM	Daneshill Landfill Site, Lound Road, Retford, DN22 8RB	To vary condition 3 of planning permission 1/29/05/00008, this permission shall be for a limited period only, expiring on 31st December 2037, by which time the site shall be cleared in order that the final phase of the landfill operation permitted under planning permission 1/29/93/8 is not prejudiced
18 <sup>th</sup> September 2018	1/18/00217/CDM	Daneshill Landfill Site, Lound Road, Retford, DN22 8RB	To vary condition 3 of planning permission 1/29/97/10 for operations hereby permitted shall cease and all plant machinery and material stockpiles associated with the development shall be removed from the site in preparation for future landfilling by December 2037.
18 <sup>th</sup> September 2018	7/2017/1504/NCC	Bestwood II Quarry, Mansfield Road, Papplewick, near Ravenshead, NG15 8FL	To vary conditions 3, 6 and 29 of planning permission 7/2014/1156/NCC for an extension of time to extract the remaining mineral within Bestwood II Quarry until 31 December 2028.
18 <sup>th</sup> September 2018	7/2017/1503/NCC	Bestwood II Quarry, Mansfield Road, Papplewick, near Ravenshead, NG15 8FL	Vary condition 4 of planning permission 7/2015/0320NCC to enable retention of the visitors car park until final restoration of the quarry (31st December 2030 or within two years of the completion of mineral extraction, whichever is the sooner)
18 <sup>th</sup> September 2018	2/2018/0040/NCC	Ratcher Hill Quarry, Southwell Road West, Rainworth, Mansfield, NG21 0HW	Retrospective permission for silica sand extraction and associated revised site restoration proposals.
18 <sup>th</sup> September 2018	4/V/2018/0233	Portland Industrial Estate, Welshcroft Close, Kirkby in Ashfield, NG17 8EP	Proposed construction and operation of external glass storage bays with associated bulking.
18 <sup>th</sup> September 2018	1/18/00628/CDM	C.W. Waste Services Limited, Sandy Lane Industrial Estate,	To operate a waste transfer station, asbestos/clinical and inert waste facility

		Worksop, S80 1TN	
23 <sup>rd</sup> October 2018	1/18/00791/CDM	Welbeck Colliery, Elkesley Road, Meden Vale, NG20 9PS	Proposed variations to the soil management areas, the internal linking access road and the installation of welfare and office portacabins and toilet block unit.
23 <sup>rd</sup> October 2018	2/2017/0525/NCC	Welbeck Colliery, Elkesley Road, Meden Vale, NG20 9PS	Variation of Conditions 3 and 4 of Planning Permission Ref: 1/13/01390/CDM to allow a further 5 years for the placement of material and restoration of the site

**Planning Applications currently being processed by the County Council which are not currently targeted to a specific meeting of the Planning and Licensing Committee.**

Planning Application: 8/17/02096/CMA  
Location: Land off Green Street, Mill Hill and land at Barton Fabis, off Chestnut Lane  
Proposal: The extraction and processing of sand and gravel, including the construction of a new site access road, landscaping and screening bunds. Mineral washing plant and other associated infrastructure with restoration to agriculture and nature conservation areas.

Planning Application: 1/18/00043/CDM  
Location: Land at College Farm, Great North Road, Barnby Moor, Retford  
Proposal: Sand and gravel extraction, backfill with imported silt and restoration to agriculture and bio-diversity, including construction of a new access road.

Planning Application: 1/17/01035/CDM  
Location: Serlby Quarry, Snape Lane, Serlby, DN10 6BB  
Proposal: Variation of condition 3 of planning permission 1/66/04/00004 to extend the timescale for inert waste disposal to cease by 22 August 2027, with enhanced restoration for a biodiverse nature conservation afteruse.

Planning Application: 3/18/00756/CMA  
Location: Land at Rufford Hills Farm, Off Rufford Lane, Rufford, NG22 9DQ  
Proposal: Drill and test a borehole including flaring, erect containerised units and associated plant and equipment, new access track, extract mine gas, generate electricity and ancillary operations.