

GEDLING DISTRICT REF. NO.: 7/2017/1144NCC

PROPOSAL 2: VARIATION OF PLANNING CONDITIONS 3, 7, 10, 16, 17, 21 AND 25 IMPOSED UNDER PLANNING PERMISSION 7/2011/0548NCC IN RELATION TO CONFIGURATION OF SITE LAYOUT, AMENDED DRAINAGE SCHEME, ALTERATION TO CAR PARKING FACILITIES, ALTERATION TO PLANT AND MACHINERY USED ON THE SITE, INCREASE TO STORAGE HEIGHTS AND PHASING FOR PROVIDING BOUNDARY ENCLOSURES.

RECOMMENDED PLANNING CONDITIONS

Commencement

1. This permission is for the continued operation of the waste management facility comprising metal recycling facility, end of life vehicle de-pollution centre, aggregate recycling facility, non-hazardous waste transfer facility, plastic recycling facility and a waste electrical and electronic equipment (WEEE) facility subject to a variation of planning conditions 3, 7, 10, 16, 17, 21 and 25 imposed under Planning Permission 7/2011/0548NCC in relation to the configuration of the site layout, amendments to the drainage scheme, alterations to the car parking facilities, alteration to the plant and machinery used on the site, an increase in the storage heights, and phasing for providing boundary enclosures at Chris Allsop Business Park, Private Road No 2, Colwick Industrial Estate, Nottingham.

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

Schedule of approved plans

2. The development hereby permitted shall be retained in accordance with the following documents, unless amendments are made pursuant to the other conditions below:
 - a. Planning application forms received by the Waste Planning Authority (WPA) on 15th September 2017, supporting statement (revised) received 21st December 2017 and letter from S R Cuthbert (dated 20th December 2017) received by the WPA on 21st December 2017.
 - b. Site Plan (identifying extent of planning application site) received by the WPA on 15th September 2017.
 - c. Drawing No. J1472 005 Rev 1: General Arrangements Plan received by the WPA on 15th September 2017.

- d. Noise Assessment Report prepared by P M Dyson, received by the WPA on 15th September 2017.
- e. Drawing No. 1472-05: Details of existing and proposed fencing/boundaries (showing phasing) received by the WPA on 21st December 2017.
- f. Drawing No. 1472-05 Rev P1: Proposed_Perimeter_Fence received by WPA on 15th September 2017.
- g. Drawing No. J1472-06: Fencing/boundary detail to River Trent Elevation received by WPA on 21st December 2017.
- h. Photo illustrating site road signage received by the WPA on 21st December 2017.
- i. Tree survey report submitted to the WPA on 3rd May 2011 as part of planning permission 7/2011/0548NCC.

Reason: For the avoidance of doubt.

Surfacing and Drainage

3. Surfacing and drainage within Phase 1 shall be maintained throughout the operational life of the site to ensure that all metal processing and storage activities in this area are undertaken from a concrete surfaced impermeable base draining to gullies and holding tanks/oil interceptor tank prior to final discharge from the site at a rate not exceeding 1l/s. Aggregates recycling shall be undertaken from a crushed stone surfaced area.

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

4. Waste storage/processing activities shall not commence within either Phase 2 or Phase 3 until the following details have been submitted to and approved in writing by the WPA:
 - a. The means of construction of the ground surfaces including materials which shall provide an impermeable surface where this is required to satisfactorily manage potentially polluted run-off;
 - b. The means of construction of the internal surfaces within the buildings which are used for the receipt and processing of waste;
 - c. Drainage plans identifying the location of the drainage systems within the site including the specific details in relation to the location of any sealed sump to collect contaminated liquids;
 - d. Drainage proposals including calculations where appropriate to ensure the surface water run-off rate is no greater than the equivalent green-field run-off rate;

- e. 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 before the phase it serves is first brought into use, 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.

5. 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.

Protection of Trees

6. The existing trees on the site which are identified within the tree survey report submitted to the WPA on 3rd May 2011 as part of planning permission 7/2011/0548NCC shall be retained and protected during the construction and operation of the site in accordance with BS 5837:2005. The land between the line of the proposed boundary wall and the trees shall be protected from damage by the erection of temporary chestnut pale (or similar) fencing until such time that the concrete wall is constructed, and within this protected area there shall be no disturbance of the ground including raising or reduction of soil. The trees shall not be lopped, topped, felled or pruned and nor shall there be any crown lifting without the prior written approval of the WPA.

Reason: In the interests of visual amenity.

Access & Parking

7. The off street car parking spaces shown on Drawing No. J1472 005 Rev 1: General Arrangements Plan received by the WPA on 15th September 2017 shall be retained at all times and kept free of all obstructions and only used for the parking of staff and visitors car parking. The car parking spaces shall not be used for the parking/storage of end of life vehicles.

Reason: To ensure satisfactory off street car parking in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.

8. There shall be a maximum of 1,092 two way vehicle movements each week (546 vehicles into the site and 546 vehicles out of the site). Inclusive of these traffic figures, no more than 180 of the overall vehicle movements shall be Heavy Goods Vehicles (HGVs) (90 HGVs into the site and 90 HGVs out of the site) within any week period. 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 a 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 in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.

9. The operator shall take all reasonable steps to instruct all delivery vehicles entering and leaving the site to access from the A612 from the east and avoid trafficking along Mile End Road. The steps shall include the issuing of instructions to all drivers and the retention of signage at the site in accordance with the details identified on the photograph illustrating site road signage received by the WPA on 21st December 2017.

Reason: To ensure that residential properties on Mile End Road are not adversely affected by vehicular movements associated with the operation of the site limit vehicle movements in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.

Hours of Operation

10. The site shall only be fully operated between the hours of 0700 to 1800 Monday to Friday. On Saturdays between the hours of 0730 to 1230 the site shall only be operational for the delivery of material and the sorting of materials using forklift trucks, guillotine, bailer and granulator. The metal and recycling plant shall not be operated. On Sundays between 1000 to 1300 the site shall only be used for the receipt and unloading of incoming waste with no other operations undertaken. Outside of these hours including Bank or Public Holidays the site shall be closed and shall not receive, transfer or process waste. The floodlighting shall not be illuminated outside the operating hours approved within this planning condition.

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.

11. Notwithstanding the provisions of Condition 10, a maximum of six commercial vehicles shall be permitted to enter or leave the site between the hours of 1800 and 0700 Monday to Friday. No loading or unloading of these vehicles shall be

undertaken outside of the approved site operating hours set out within Condition 10.

Reason: To protect the amenity of the surrounding residential properties, in accordance with Nottinghamshire and Nottingham Waste Local Plan Policy W3.9.

Capacity of the Site

12. The maximum amount of waste material accepted at the site shall not exceed 60,000 tonnes per annum in total. A written record shall be kept by the site operator of the amounts of 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

13. Only plant and machinery referenced in table 7.1 & 7.2 of the Noise Assessment report (Ref:1072Colwick) received by the WPA on the 3rd May 2011 in connection with planning permission 7/2011/0548NCC and the Zato metal Shredder referenced within Figure 1 of the noise assessment report submitted to the WPA on 15th September 2017 shall be operated within the site at any time. Any request/application to operate additional machinery shall be supported by details of the sound power output of the machinery to be operated which shall demonstrate that the noise limits detailed in Condition 17 below would not be exceeded.

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

14. The site operating areas shall strictly comply with the layout shown on Drawing No. J1472 005 Rev 1: General Arrangements Plan received by the WPA on 15th September 2017 at all times. Waste shall be stored within its designated area within the site.

Reason: To minimise noise impacts associated with the operation of the site and ensure that the noisier operations are screened from sensitive residential receptors by existing buildings on the site, in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

15. 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 occupiers in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

16. 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 occupiers in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

17. Noise levels from site operations shall not exceed a daytime noise criterion of 5dB(A) above the existing background noise level after the addition of the 5dB(A) penalty to reflect tonal, discrete or impact noise (as advised in BS4142:1997) at any residential property. In the event that a complaint is received regarding noise arising from the development hereby permitted which the WPA considers may be justified the operator shall, within 1 month of a request of the WPA, undertake and submit to the WPA for its written approval a BS4142:1997 noise survey to assess whether noise arising from the development exceeds the daytime noise criterion of 5dB(A) above the existing background noise level after the addition of the 5dB(A) penalty to reflect tonal, discrete or impact noise as advised in BS4142:1997. The monitored noise levels are to be "free-field" carried out at a height of 1.2m to 1.5m above ground level and presented as a Laeq1hour, value. In the event that the noise survey indicates that the levels are in excess of 5dB(A) above background (as corrected by the 5dB(A) penalty to reflect tonal, discrete or impact noise as advised in BS4142:1997), the submitted survey shall include further measures to mitigate the noise impact so as to ensure compliance with the noise criterion. Any additional noise mitigation measures approved by the WPA shall be implemented within one month of the date of their approval and shall thereafter be maintained in accordance with the approved details.

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

18. The Zato metal processing plant shall only be operated when the acoustic screen approved under planning permission 7/2017/1147NCC is in place.

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

Storage Heights

19. Materials and waste shall only be stored within the designated locations identified on Drawing No. J1472 005 Rev 1: General Arrangements Plan received by the WPA on 15th September 2017. The maximum storage height

within the open areas of the site shall be 8m with the exception of storage undertaken within 5m of the site boundary wherein the maximum height of storage shall not exceed 5m.

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

Odour

20. The operator shall inspect all incoming loads upon delivery to the site. Any putrescible or potentially odorous 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. In the event that odorous waste is received during hours of the day/week that site machinery is not permitted to operate, the odorous waste shall be transferred into an airtight storage container/skip by hand. This waste shall thereafter be removed from the site within 72 hours of its delivery.

Reason: To minimise potential odour emissions in compliance with Nottinghamshire and Nottingham Waste Local Plan Policy W3.7

Litter, Dust and Mud

21. Measures shall be employed to ensure that litter, dust and mud generated within the site are 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 access roads, 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 litter, dust or mud arising from the operation of the site which the WPA consider may be justified the operator shall within 1 month of a written request of 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 throughout its operational life.

Reason: To minimise disturbance from windblown litter and dust in accordance with Policy W3.8 and Policy W3.10 of the Nottinghamshire Waste Local Plan.

22. All vehicles transporting processed materials, with the exception of wet clay and heavy metals which are not at risk from falling or being blown onto the highway shall be fully covered with sheeting prior to them leaving the application site and entering Private Road No. 2. 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.

23. The boundary wall treatment shall be installed on a phased basis, with each phase of boundary enclosure installed prior to the commencement of operations in the corresponding phase of development in accordance with the locations and timetable identified on Drawing No. 1472-05: Details of existing and proposed fencing/boundaries (showing phasing) received by the WPA on 21st December 2017. The fencing shall be installed in accordance with the construction specification detailed on Drawing CH/P/4: Boundary Wall Details received by the WPA on 3rd May 2011 in connection with Planning Permission 7/2011/0548NCC, Drawing No. 1472-05 Rev P1: Proposed_Perimeter_Fence received by WPA on 15th September 2017 and Drawing No. J1472-06: Fencing/boundary detail to River Trent Elevation received by WPA on 21st December 2017.

Reason: To minimise disturbance from windblown litter in accordance with Policy W3.8 of the Nottinghamshire Waste Local Plan, and to minimise noise emissions in accordance with Policy W3.9 of the Nottinghamshire Waste Local Plan.

Floodlighting

24. Prior to their installation on site, details of the design and specification of any floodlighting units and poles including details of shielding to minimise light spillage or the likelihood of glare onto adjoining land shall be submitted to the WPA for approval in writing. The floodlighting shall thereafter be installed and maintained in accordance with the approved details.

Reason: In the interests of amenity.

Protection of River Trent

25. No material arising from site demolition and construction works shall be permitted to enter the adjacent River Trent.

Reason: To prevent material from the buildings to be demolished entering the River Trent in the interests of navigational safety, at the request of British Waterways.

Closure of the Site

26. In the event that the use of the site for the importation of waste should cease for a period in excess of one month then, within one week of a written request from the WPA, the site shall be cleared of all stored waste and recycled materials.

Reason: To ensure satisfactory restoration of the site in accordance with Policy W4.1 of the Nottinghamshire and Nottingham Waste Local Plan.

Notes to Applicant

1. Western Power Distribution advise that the company has electrical network within the site which they require 24 hour access to.
2. The Environment Agency advise that:
 - All storage of materials must take place more than 8m, measured horizontally, from the landward toe of the new flood defence. Should any works be proposed within this zone then the prior written consent of the Environment Agency (EA) will be required under Land Drainage Byelaw 18 of the EA's Land Drainage Byelaws, regardless of any granted planning permission. The access road proposed to be 5m from the toe of the defence, will require consent from the EA under this byelaw.
 - All surface water apart from clean, uncontaminated roof water shall be discharged into a fully sealed system. The current arrangements detailed in the proposal describe two gully pots that discharge directly into the River Trent. This arrangement should be changed in order to ensure any potentially polluting liquids are contained on site within a sealed system.
 - As already acknowledged within the submitted documents, the EA direct your attention to PPG2: Above Ground Oil Storage Tanks, for the appropriate methods of construction and bunding requirements. During the period of construction, oil and fuel storage will be subject to the Control of Pollution (Oil Storage) (England) Regulations 2001. The Regulations apply to the storage of oil or fuel of any kind in any kind of container which is being used and stored above ground, including drums and mobile bowsers, situated outside a building and with a storage capacity which exceeds 200 litres. A person with custody or control of any oil or fuel breaching the Regulations will be guilty of a criminal offence. The penalties are a maximum fine of £5000 in Magistrates' Court or an unlimited fine in Crown Court. Further details of the regulations are available from the Environment Agency.
 - This development will require an Environmental Permit under the Environmental Permitting Regulations 2007 from the Environment Agency, unless an exemption applies. The applicant is advised to contact the local Environment Management team on the number provided below. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the operator wishes more specific advice they will need to contact the Environment Management Team at our Trentside offices on 0115 846 3721 or look at available guidance on our website: www.environment-agency.gov.uk/subjects/waste/

- The Environment Agency recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Additional guidance can be found in our Flood line Publication 'Damage Limitation'. A free copy of this is available by telephoning 0845 988 1188 or can be found at the following website www.environment-agency.gov.uk click on 'flood' in subjects to find out about and then 'floodline'. Reference should also be made to the Department for communities and local Government publication 'Preparing for Floods' please email: communities@twoten.com for a copy or alternatively go to:

<http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf>

as well as the communities and local Government publication 'Improving the flood performance of new buildings'.