

 Nottinghamshire County Council	Report to Planning & Licensing Committee
	10th January 2012
	Agenda Item:5
REPORT OF GROUP MANAGER PLANNING	
BASSETLAW DISTRICT REF. NO.: 1/02/11/00023 PROPOSAL: CONSTRUCTION AND OPERATION OF A NEW WASTE TRANSFER STATION LOCATION: WORKSOP RECYCLING CENTRE, SHIREOAKS ROAD, WORKSOP APPLICANT: VEOLIA ENVIRONMENTAL SERVICES NOTTINGHAMSHIRE	

Purpose of Report

1. To consider a planning application for the construction and operation of a Waste Transfer Station (WTS) at Shireoaks Road, Worksop. The key issues relate to noise, odour, traffic and visual impact. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

The Site and Surroundings

2. Nottinghamshire Recycling Limited (NRL) operates an existing waste management facility on the western edge of Worksop approximately 2km from the town centre, on land off Shireoaks Road. This site comprises a materials recovery building, ancillary offices and a weighbridge. The site also has planning permission for a biomass plant which is currently under construction and separate planning permission for a Refuse Derived Fuel (RDF) storage building, which has yet to be implemented.
3. In addition, immediately to the south-west of the NRL site, fronting onto Shireoaks Road is a Household Waste Recycling Centre (HWRC) operated by Veolia.
4. The proposed WTS would be located at the rear (north-west) of the existing NRL site. From the highway vehicles would enter the site off Shireoaks Road via the existing access and would pass through NRL's yard to reach the WTS (see Plan 1).
5. The WTS site is rectangular in nature and measures approximately 78m by 55m, although the planning application boundary stretches through the NRL site

to Shireoaks Road to encompass the vehicular access route. The application site, including the access, measures a total of 0.71 hectares.

6. The site of the WTS building and associated yard is currently used to store inert material and stockpiles of waste wood in connection with NRL's operations. The stockpiles measure approximately 5m in height and cover the proposed development area and beyond. Parts of the stockpile have started to scrub over. Beneath the inert material and wood stockpile is concrete hardstanding.
7. The site is situated within a wider mixed use commercial / industrial area. To the west of the site are two commercial units involved in the manufacturing industry, namely Rockford Components Ltd and Cinch Connectors. To the east and north-east is the former Vesuvius UK works (a glass / ceramics factory) which has now been demolished and now consists of a large area of open concrete hardstanding. The site is bordered to the north by an area of woodland, which extends into Tranker Wood Site of Importance for Nature Conservation (SINC). To the south of the site is Shireoaks Road, beyond which is the Chesterfield Canal which runs east to west parallel to the road (see Plan 2).
8. The nearest residential properties are located on Shireoaks Road, the rear gardens of which are approximately 85m west of the curtilage of the proposed development. The properties are separated from the development by land owned by Rockford Components Ltd and Cinch Connectors which partially screens the site.
9. With regard to land designations the proposed development is located within protected employment land as shown on the Bassetlaw Local Plan proposals map. It is also of note that there is the Tranker Wood Grassland SINC 50m to the north, Tranker Wood SINC 120m to the north and the Chesterfield Canal SINC is 150m from the WTS yard and circa 25m from the entrance off Shireoaks Road. In addition, there are a number of food premises proximate to the application site including the Lock Keeper Inn, a Sainsbury's, a MacDonald's and a large food manufacturer (See Plan 2).

Proposed Development

Background and Planning History

10. The application site was originally used for the manufacturing of coal products and as a brick works.
11. Planning permission was granted in March 2006 for the erection of buildings, office and weighbridge to create a waste transfer/recycling facility (Ref: 1/02/05/00495). Since the original planning permission was granted the site has evolved and been granted planning permission for a number of additional buildings / activities including:
 - a) The siting of a prefabricated site office and amenity block (Ref: 1/02/06/00387) granted in October 2006;

- b) The erection of a lean-to addition to the previously granted materials recovery building, for use in the bagging of recycled materials (Ref: 1/02/06/00388/) granted in November 2006;
 - c) The variation of condition 24 of planning permission 1/02/05/00495, to amend the hours of operation (Ref: 1/02/06/00386) granted in December 2006;
 - d) The development of a small scale biomass power plant generating renewable energy from low grade waste wood (Ref: 1/02/08/00326) granted in November 2008. This is partially constructed, but not yet operational;
 - e) The construction of a steel framed lean-to extension to the existing materials recovery facility (Ref: 1/02/09/00203) granted in August 2009;
 - f) The erection of a steel portal framed building for the storage of recyclables for onward sale (Ref: 1/02/09/00273) granted in October 2010. This permission has yet to be implemented;
 - g) A retrospective application for one ground floor and two first floor prefabricated offices, a prefabricated tyre store and a water storage tank (Ref: 1/02/09/00341) granted in December 2009.
12. In addition to the NRL site, the HWRC operated by Veolia that is immediately adjacent to the south-west was granted planning permission (1/02/06/00410) in December 2006.

Proposed development

13. Veolia ES Nottinghamshire holds the Private Finance Initiative (PFI) contract with Nottinghamshire County Council (NCC) for managing its municipal waste. In order to meet the requirements of the PFI contract Veolia are seeking planning permission for a Waste Transfer Station within the existing NRL site off Shireoaks Road. The throughput of the facility is estimated to be approximately 62,000 tonnes per annum. It is noted that the planning application forms state that the facility would accept up to 75,000 tpa of waste, however, this simply reflects the EA's environmental permitting standard permit thresholds. The WTS would have a lifespan of at least to the end of the PFI contract in March 2033. Veolia would lease the land for the proposed WTS from NRL via NCC.
14. The purpose of the WTS would be to provide a facility between collection and disposal where waste can be assessed for the most appropriate disposal, treatment or re-use; should it not be delivered to its final destination immediately. Waste would then be 'bulked up' and transported to its final destination in larger payloads.
15. The proposed WTS would comprise of the following elements:
- a) a waste transfer station building;
 - b) a weighbridge office with welfare unit;

- c) two weighbridges;
 - d) a waste oil tank;
 - e) a wash bay;
 - f) a detritus bay;
 - g) an external yard for vehicle manoeuvring;
 - h) four staff parking bays;
 - i) fencing; and
 - j) landscaping.
16. The proposed WTS building would be roughly square shaped with a pitched roof. It would measure 43.5m by 46.8m and 12.8m in height to the ridge (9.5m to the eaves) (see Plans 3 and 4). The building walls would be constructed of fair finish grey blockwork up to 2.2m on the east, south and west of the building and concrete pushwalls up to 5m along the northern elevation and partially along the east and west elevations. Single skin Goosewing Grey cladding with green trim would be used above the brick and concrete walls.
 17. The roof cladding would be Goosewing Grey and would have translucent roof lights covering 10% of the roof area. On the southern elevation of the building there would be five roller shutter doors with a galvanised finish and two personnel doors.
 18. The external yard would measure 39m by 49m and be concrete surfaced. The waste oil tank and the proposed wash bay would be on the eastern side of the yard, the parking bays and detritus bay on the western side of the yard and the weighbridge office and weighbridges in the south of the yard.
 19. Two fully welded steel units (portable style units) would form a two storey weighbridge and amenity/office building (see Plan 5). The lower unit would measure 5.2 by 2.7m and the upper unit would measure 9m by 2.7m with a steel column supporting the overhang. The total height of the two units would be 6.0m. The walls would be 1.6mm profiled steel rigid walls coloured green. The buildings would be flat roofed and sealed with bitumen paint. The upper unit would be accessed via a spiral staircase on the western elevation of the buildings. The units would be protected from HGVs by 1.5m high steel bollards painted red and yellow.
 20. The existing perimeter fencing along the northern and part of the western boundary would be retained. New 2.4m high steel palisade fencing would be erected along the eastern, southern and western boundaries of the WTS yard. In addition to fencing the scheme proposes a CCTV system which would operate via infra red cameras and motion detectors. The system would have 24 hour surveillance.
 21. Access to the site is via the existing gated access to NRL's facility. Vehicles would drive in a northerly direction through the NRL site before reaching the

WTS where vehicles would enter the site through gates into the south-east corner of the operational yard.

22. The wastes that the WTS would deal with include:
 - a) the Waste Collection Authority's dry recyclable waste;
 - b) the Waste Collection Authority's Green Waste;
 - c) the Waste Collection Authority's residual waste;
 - d) HWRC waste;
 - e) Commercial and Industrial residual waste;
 - f) the Waste Collection Authority's street sweepings.
23. The WTS would normally receive WCA waste from only Bassetlaw District. However, there may be occasional instances when limited amounts of waste from neighbouring districts within Nottinghamshire may require diverting to the proposed WTS (e.g. an incident at the usual delivery point).
24. The scheme would necessitate the removal of a small area of self set saplings. Replacement planting is proposed along the site's western boundary.
25. The proposed hours of operation are 06:00 to 22:00 Monday to Friday (with normal operating hours of 06:00 – 17:00) and 07:00 to 19:00 Saturday, Sunday and Public and Bank Holidays (with normal operating hours of 07:00 to 13:00).
26. The WTS is predicted to receive 46 and export 17 loads of waste per day, giving a total of 63 HGVs visiting the site per day. However, it is of note that Bassetlaw DC already delivers dry recyclables and bulky waste to the NRL facility, which also receives residual waste from the adjacent Veolia HWRC. As such, approximately 25% of the 46 in-loads per day are trips that are already made to the site.
27. The WTS is anticipated to employ at least three full time members of staff.

Consultations

28. **Bassetlaw District Council** – *The District Council has considered the application and wishes to object for the following reasons:*
 - a) *The operation of a waste transfer station may result in environmental concerns, particularly in relation to odour, which may not be satisfactorily controlled by conditions and, as such, detract from the amenity of nearby residents and workers.*
 - b) *The operation of a waste transfer station would have a negative impact on the residents of nearby Rhodesia.*
29. **Bassetlaw District Council Environmental Health Officer** – *It is considered that sufficient information has been submitted to decide that odour and pest*

control matters have been taken into account in the design of the facility, and that similar operations have been operated without complaint in another area. The operation of the facility will be a permitted activity so the Environment Agency will have requirements in place also for these matters.

30. *In relation to the Geo-Environmental Risk Assessment the content and findings are satisfactory that the site is subject to further investigations when full access to the site can be achieved after the removal of the wood waste currently deposited there. There is no objection to these further investigations being carried out concurrent with the commencement of any development of the site.*
31. **Rhodesia Parish Council** – *There are various concerns with the proposed development, including:*
 - a) *it is only 110m from residents on Shireoaks Road;*
 - b) *there will be movements on site, especially on Saturday and Sunday;*
 - c) *the working hours of 06:00 – 22:00 seem excessive, especially with residents nearby;*
 - d) *there is already normal traffic noise close to residents;*
 - e) *in the summertime the noise to residents whilst outside will be unbearable.*
32. **Environment Agency** – *The Agency has no objection in principle, but recommends that if planning permission is granted conditions relating to a scheme to deal with contamination of the site and a surface water drainage scheme are attached.*
33. *In relation to the Phase 1 Geo-Environmental Desk Study the Environment Agency agrees with the recommendation for a site specific intrusive investigation to be undertaken. The EA also agrees with the proposed installation of groundwater monitoring standpipes for subsequent groundwater monitoring. The groundwater sampling and associated laboratory analysis for contaminants should be undertaken to sufficiently characterise contamination on site.*
34. *In relation to the Geo-Environmental Risk Assessment the EA highlight that hydrocarbons are present in soils and groundwater. Phenols are at borehole 103 at 7m and 8.5m depth. The associated ground water sampling has also confirmed elevated concentrations of phenols in perched groundwater. However phenols are not present in groundwater in the Edlington Mudstone Formation.*
35. *In the absence of any soils laboratory analysis, the source of the magnesium detected in the perched and deeper groundwater has not been discussed within the report. Although significant thicknesses of lower permeability mudstone have been proven, the Environment Agency would consider groundwater in the Secondary B aquifer to be a receptor. Further consideration should be given to the source of the magnesium detected in the perched and deeper groundwater and whether this will require remediation.*

36. *The Environment Agency would agree with the recommendations for supplementary trial pitting to enable the Made Ground to be characterised in more detail, following the removal of wood waste.*
37. *It is noted that Volatile Organic Compounds (VOC) contamination has been detected in soils and perched groundwater as part of the 2008 RPS Investigation. It is recommended that VOC analysis is undertaken as part of any trial pitting.*
38. *In light of the above, results so far indicated that further investigation is required in line with the recommendations above. However, it is not imperative that they are carried out prior to planning approval.*
39. **NCC Land Reclamation** – *To date the applicant has supplied a Desk Top Study and site conceptual model which has determined the scope of a site investigation regime at the application site, which is presently on-going. The applicant has also submitted a 'Geo-Environmental Risk Assessment – Site Investigation Report', which contains the findings from the first phase of the intrusive site investigation and also the first rounds of ground gas monitoring undertaken across the application site. The general findings of the first phase of the investigation include:*
- a) *Ground Conditions – The recent ground investigation revealed the site is underlain by made ground consisting of wood waste to a maximum depth of 6.7m below ground level (bgl) Natural deposits consisting of the mudstone and sandstone (Edlington Formation) were encountered in all locations from between 6.0m bgl to a depth of 21.9m bgl.*
 - b) *Soil Condition – The soil results were compared to commercial Generic Assessment Criteria (GACs) to identify any contaminants of concern from within the different strata across the site. No determinands exceeded the GACs used for the assessment, so no risks to human health have been identified. However, asbestos was identified in three of the twelve samples analysed.*
 - c) *Water Condition – The generic screening of groundwater identified some exceedances in perched groundwater (made ground) and the underlying Secondary B Aquifer (Edlington Formation). The concentrations within the Edlington Formation were all at significantly lower levels than those recorded within the perched groundwater.*
 - d) *Gas Condition – The site is currently considered to be Characteristic Situation 2, requiring basic passive gas protection. Three further gas monitoring visits are to be undertaken before this conclusion can be confirmed.*
40. *With regard to human health, no plausible pollutant linkages have been identified between contaminants in the underlying soils and future users of the site. However, concentrations of some determinands and asbestos within the made ground / wood waste may pose a risk to construction and maintenance workers. Appropriate method statements and personal protective equipment should be employed on site.*

41. *With regard to controlled waters, the presence of low permeability Mudstones and Sandstones should protect the underlying Principal Aquifer from any significant downward percolation of mobile contaminants. The development would introduce hardstanding and associated drainage which will reduce infiltration and downward percolation, providing further protection. Given the above, it is highly unlikely that the underlying Principal Aquifer could be affected or that groundwater remediation would be necessary.*
42. *Prior to development, the wood waste is to be removed and trial pitting is to be undertaken to supplement the existing investigation. At that stage, the above conclusions should be reviewed and a remediation strategy should be completed and submitted to the Local Authority.*
43. *To date the applicant has fulfilled the first of the recommendations made with regard to providing a detailed Desk Top Study (DTS) for the application site. The second and third recommendations have been partially fulfilled through the submission of the 'Geo-Environmental Risk Assessment', in that an intrusive investigation and initial gas monitoring has been implemented.*
44. *The applicant has to date identified a potential risk to ground workers from soil contamination and asbestos identified in made ground deposits and a category 2 gas risk associated with identified gas regime within the underlying deposits at the site. Currently investigation data suggests no potential impact to underlying groundwaters or future site users.*
45. *Taking into consideration the investigation findings presented to date, any subsequent findings which may negate the use of the site as a waste transfer station are not envisaged, and planning permission may be granted under the condition that the remaining recommendations are completed in full, to include:*
- a) A finalised site investigation report of the application area, targeting potential contaminants identified in the DTS.*
 - b) A complete gas monitoring programme and gas risk characterisation of the site.*
 - c) A site specific Remedial Strategy and Contingency Plan for dealing with previously unidentified / potentially contaminated materials during redevelopment.*
46. **NCC Highways Team** – *The site would be accessed via the existing access currently serving the material recovery facility and household waste recycling facility. All HGVs would negotiate the mini roundabout on the A60.*
47. *The details submitted with the application state that the number of vehicles likely to visit the facility is 63 HGVs per day. Assuming a 9 hour day (08:00 – 17:00) this would equate to 7 HGVs per hour (or 1 HGV every 8 minutes). This can be considered as 1 trip (i.e. an 'in' or an 'out' movement) every 4 minutes. Considering the existing use of the site, and its previous industrial uses, 1 extra vehicle movement every 4 minutes does not represent an unreasonable intensification of use of the site.*

48. *There would be conflict between the general public exiting the recycling/waste centre and HGVs exiting the facility. The Authority would require measures to increase safety for members of the public, such as the erection of signage to warn drivers of approaching HGVs. An appropriately worded condition should be attached.*
49. *In addition, it is requested that conditions are attached ensuring the parking and manoeuvring areas are provided in accordance with the approved plans and are suitable drained and surfaced in a bound material before the development is brought into use, in order to prevent mud, debris and surface water from travelling from the site into the public highway.*
50. **NCC Planning Policy** – *For unallocated sites for waste management facilities Planning Policy Statement (PPS) 10: Planning for Sustainable Waste Management states that proposals should not undermine the principles of the waste hierarchy. It also promotes the co-location of complementary facilities. It is considered the proposed development satisfies these requirements as it would pull together different uses and support the sorting of waste for recycling before disposal.*
51. *Policy W9.1 of the Nottinghamshire and Nottingham Waste Local Plan (WLP) supports the development of waste transfer stations in existing employment sites providing there are no unacceptable environmental impacts. The site lies within an industrial area that is designated in the Bassetlaw District Plan for employment use. Additionally, surrounding / existing uses are related to waste management and thus set a precedent for the area. As such, providing no unacceptable environmental impacts are considered likely from the development, the proposals are acceptable in principle.*
52. *Environmental issues are considered within Chapter 3 of the WLP. The most relevant issues are vehicle movements, dust and noise. Due to the location and nature of the development (being within an enclosed building and operated under an Environmental Permit) it is considered that subject to full assessments from relevant departments within the Council, any adverse impacts should be able to be satisfactorily mitigated (under policies W3.6, W3.10 and W3.15).*
53. *Therefore, due to compliance with both national and local planning policy no objections are raised to this proposal.*
54. **NCC Noise Engineer** – *The revised noise assessment was requested following concerns regarding the accuracy of the original background noise survey.*
55. *The consultant has decided to quantify noise impact against the 25th percentile La90 background noise level for both the daytime (07:00 – 23:00) and the night time early morning shoulder (06:00 – 07:00) periods. The 25th percentile value of the measured La90 data sets being lower than the average value for both time periods. The reason for using this noise metric is to ensure that the noise impact is not underestimated.*
56. *The maximum daytime noise increase at the three properties on Shireaoks Road from the use of the proposed WTS and its associated HGV movements is predicted to be 4dB(A) and less than 1dB(A) during the night time early morning*

shoulder hour. The predicted noise increases for both periods comply with the County Council's allowable noise criteria of 10db(A) above daytime background noise level and 5dB(A) above night time background noise level.

57. *The reference level of noise used in the predictions from HGVs using the access road to the WTS and loading/unloading in the WTS forecourt has been based on 46 deliveries in any one hour during the daytime period (07:00 – 23:00) and 5 deliveries in any 5 minute period during the night time early morning shoulder hour (06:00 – 07:00). This represents an absolute worst case scenario, given that the application states there would be a total of 46 HGVs per day delivering the waste to the WTS.*
58. *In light of the above, it is considered that the proposal will not give rise to an adverse noise impact at the properties on Shireoaks Road. Notwithstanding this, the NCC Noise Engineer suggests that noise control and management measures itemised in the conclusions section of the revised noise report be incorporated as conditions in any grant of planning permission. It is also recommended that conditions are attached relating to hours of operation, acoustic fencing and noise mitigation in the event of a justified complaint.*
59. **NCC Conservation Team (Ecology)** – *The proposed development would not directly or indirectly affect any statutorily designated nature conservation sites. No locally designated sites (e.g. Tranker Wood Grassland SINC, Tranker Wood SINC and Chesterfield Canal SINC) would be directly affected by the development. In order to ensure that there is no negative impact on these sites, the Ecology Appraisal included in the planning application recommends that a construction management plan is produced so that potential impacts arising from noise and dust are avoided/controlled. It is recommended that the production of such a construction management plan should be made a condition of any permission granted.*
60. *It should be noted that the site lies within the 5km buffer zone around the prospective Sherwood Special Protection Area (SPA) and is within approximately 3.1km of the nearest part of the Indicative Core Area identified by Natural England. Given the physical separation of the proposed development from the nearest part of the SPA, it appears that the only possible impacts could arise from indirect effects due to:*
 - a) *bird mortality from increased road traffic (during construction and operation); and*
 - b) *pollution and/or nutrient enrichment of breeding habitats from increased road traffic (during construction and operation).*
61. *It is noted that one of the purposes of the WTS is to reduce transport requirements and it is assumed that vehicles visiting the site would be as a result of redirection of vehicles from elsewhere. The 'additional' vehicle movements amount to 17 one-way movements of vehicles transporting waste out of the site. Given the site's location on a busy road it is not expected that the additional vehicle movements would give rise to significant bird mortality from road traffic, or a significant increase in vehicular emissions and subsequent nitrogen deposition. Furthermore, given the operating hours it is unlikely that*

vehicles would be moving to and from the site when nightjars are active. However, it would be advisable to have this analysis of the situation confirmed by Natural England.

62. *The ecology appraisal confirmed that the site has low nature conservation value. However the site has some potential for reptiles. The ecology appraisal recommends that works are carried out at a time of year when reptiles are active (April – October) and that an ecologist is present on site when the top 1 metre of wood refuse and spoil currently present on the site is being removed. It is recommended that a condition is used to require the submission of a method statement in relation to site preparation and reptiles, incorporating these recommendations.*
63. *The ecology appraisal makes reference to the possible presence of protected species, as such, it is recommended that a condition requires the site and land within 30m of the northern site boundary to be searched for protected species prior to work commencing.*
64. *A small area of self-set sapling trees requires removal. A standard condition should be used to control vegetation clearance during the bird nesting season.*
65. *The site will not be lit in the hours of closure. Provided this is the case, and given the normal operating hours, there is unlikely to be any impact upon bats using habitat in the vicinity of the site.*
66. *The proposals include a small element of soft landscaping along the western boundary of the site. In order to maximise the biodiversity value of this, some amendments are suggested to the planting mix. These changes can be secured by condition. In addition, the grassland should not be cut between the start of April and the end of August.*
67. **Nottinghamshire Wildlife Trust** – *It is notable that no species surveys have been undertaken at all for the development, despite the presence of semi-natural habitat of high value close to the development site, particularly the Tranker Marsh SINC. There is also a substantive history of reptile activity in the immediate environs, as evidenced by the reptile fencing near to the site boundary, which has been erected as part of the planning requirement for the translocation of common lizards and slow worms on the adjacent Vesuvius site.*
68. *The ruderal habitat that has developed on the soil/spoil heap on the site contains a high proportion of plants that bear nutritious seed and so is likely to be used by feeding, and possibly breeding, birds.*
69. *The noise assessment does not take into account the effect of noise on any birds or bats breeding adjacent to the proposed development, or indeed birds on site.*
70. *It is therefore difficult to assess the likely effects of the proposed development, when no information is provided. Given the small scale of the site, the habitat currently present and its recent history, however, some of the assumptions made are agreed with:*

- a) *Bats are unlikely to roost on site, but may roost in the adjacent woodland and feed over the site, although it is likely to form a major part of any foraging habitat.*
 - b) *Bird species which nest in trees are unlikely to be breeding on site;*
 - c) *Badgers are unlikely to be resident on site;*
 - d) *Amphibians are unlikely to be breeding or foraging on site.*
71. *The applicant's assertion that no further survey is necessary is noted, but this can only be agreed with on the basis that the following is conditioned:*
- a) *With regard to bats, all new lighting should be cowled to ensure that there is no light spill onto the adjacent woodland. This is in addition to the applicant's commitment to maintaining the current lighting regime that is used at the HWRC.*
 - b) *In regard to birds and bats, reversing alarms should be switched off where possible and silent night alarms are used, as suggested by the applicant.*
 - c) *Thus it should be conditioned that a species rich, native sward is sown in place of the amenity mix currently proposed.*
 - d) *The applicant's proposal to have the clearance of the spoil overseen by an ecologist for the first 1m of material in from every edge should therefore be conditioned, and the work should be undertaken outside the hibernation season i.e. the proposal to undertake the clearance between April and September*
 - e) *In relation to protected species the proposed activity check should be conditioned.*
72. *All the proposals for mitigating the effects on fauna should be confirmed in a detailed ecological plan to be agreed by the WPA, Natural England and Nottinghamshire Wildlife Trust.*
73. *In addition, it is of note that the proposed development lies within the buffer zone for the pSPA, although, it is not within 2km of a known breeding site for either nightjar or woodlark and given the nature of the development there would not be a significant effect from increased recreational pressure, predation by cat, noise, disturbance or habitat loss. There may be an increased effect from emissions of NOx from vehicles on sensitive habitats used by these species, but if it can be demonstrated that vehicle movements would not increase overall in the area i.e. be displaced from elsewhere, then this can be discounted.*
74. *Subject to the conditions described above Nottinghamshire Wildlife Trust do not object to this application.*
75. **Natural England – No objection.**

76. **NCC Conservation Team (Forestry)** – *The Forestry Team is satisfied that the tree survey information is accurate and there is no objection to the removal of trees as there would be little impact upon the visual amenity of the area. The proposed planting scheme is satisfactory and it is recommended that the tree protection measures detailed in the tree survey report are implemented for the duration of the development.*
77. **NCC Landscape Team** – *The proposed footprints of the new buildings lie well within the site, and replace stockpiles of materials some 4 – 5m in height. There are shed constructions of similar size and height to the east and west of the site and the proposed structures would not be out of character though, at 12m high for the main building, would be significantly higher than the existing stockpiles.*
78. *Overall, given the context of the proposals the buildings would not be out of character though it would increase the density of structures on the site. It is considered the impact on landscape character would be slight adverse.*
79. *There would be views into the site from the Chesterfield Canal, as a long distance tow path used by cyclists and walkers. The A57 follows the line of the canal at this point but views to the north are screened by hedging and tree planting. The service road running along the canal does not benefit from screening, but more direct views into the site already comprise stockpiles of waste, vehicle movements and security fencing. The site is also directly opposite a public house located at the lock gates, with the beer garden having uninterrupted views across the canal.*
80. *The scrubby woodland on the northern boundary of the site would provide partial screening of the site, and given the likely level of receptor use of the site, the visual impact of the proposals is considered neutral. The planting along the southern boundary, when mature, would provide screening and so addresses concerns relating to views into the site from the road. Overall, there are no objections to the proposal.*
81. **NCC Countryside Access Team** – *There are no recorded Rights of Way that would be affected by the proposals.*
82. **Central Networks East** – *No objection.*
83. **Severn Trent Water Limited** – *No objection.*
84. **National Grid (Gas)** has not responded. Any response received will be orally reported.

Publicity

85. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement. Two letters and five e-mails have been received raising objections on the following grounds:
- a) Increase in traffic levels in general;

- b) The impact that increased traffic levels will have on the existing road condition which, it is claimed, is already in a poor state;
- c) A single entrance could impede emergency service vehicles if there is a major incident at the site;
- d) The potential for a serious accident due to the increase in HGVs visiting the site;
- e) Unacceptable noise levels for residents, particularly outside of normal working hours and at the weekend;
- f) Visual impact on the views from residential properties on Shireoaks Road;
- g) Potential odour impact;
- h) Dust impact;
- i) Litter escaping from the site;
- j) Potential for vermin, flies and seagulls;
- k) Concerns regarding food safety;
- l) Concern that the facility will devalue residential properties on Shireoaks Road;
- m) The proposed development is identified as protected employment land on the Bassetlaw Local Plan proposals map. It is considered that the proposed WTS does not meet the aims of this designation;
- n) It is considered that the development does not meet the criteria of Bassetlaw Local Plan policy 2/14 which states that permission will be granted for the enlargement or redevelopment of business premises or sites provided that it does not create or aggravate environmental, amenity, safety, or traffic problems and does not adversely affect the character of the surrounding area;
- o) Existing businesses adjacent to the proposed development site have not been able to sell or rent out their site as *"no one wants to expand or set up to operate alongside a rubbish dump"*;
- p) There are alternative sites that appear to be better suited to handling waste and recyclables;
- q) It has been rumoured that the WTS would only accept recyclable material, however, the supporting statement states that a wide range of wastes would be dealt with;
- r) Concern regarding the impact on fauna and flora biodiversity in the area, particularly at the Tranker Woods and Chesterfield Canal SINCs;

- s) Concern that the proposal could impact negatively on local residents, businesses, restaurants, schools and supermarkets;
 - t) It is claimed that the WTS would act as a staging post to feed waste into the Rufford Energy Recovery Facility (ERF). There are also other concerns linked to the ERF;
 - u) Concern that full consultation has not been undertaken;
 - v) Concerns that the application should not only be considered by the Bassetlaw Planning Consultation Group (PCG) and should be referred to their committee for full debate and discussion;
 - w) It is suggested that the building could be orientated so that the doors of the building and weighbridge face away from the residential properties.
86. In addition to direct objections and concerns as listed above, there have been a number of requests for further information / clarification on a number of issues. These are detailed below:
- a) Clarification is sought on where the waste is coming from;
 - b) Clarification on whether the waste would include clinical and hospital waste;
 - c) The distinction between 'opening' and 'operating' hours of the facility.
87. In addition, there were a number of specific concerns with the accuracy of the noise assessment. These are listed below:
- a) It was considered that the monitoring location for the background survey was not representative of the nearest noise sensitive receptors.
 - b) The noise assessment was unclear if HGVs were modelled as being within or outside the proposed building.
 - c) It is considered that an inappropriate correctional value of 10 dB(A) has been applied to the monitoring location, which is not representative for the residential properties. A more appropriate correctional value of -5 dB(A) should be applied.
 - d) It is considered that the claim that the background noise level will drown out HGV reversing beepers is wrong.
 - e) The noise assessment makes no reference to discharging loads onto the floor of the building. An operation which can be particularly noisy when depositing glass and tins.
88. Councillor Ivor Jones, a District Councillor for Worksop North West, objects to the proposed development due to the proximity to existing residential properties and the odour, noise and dust resulting from the operations that could impact upon the residents. This is of particular concern given the proposed operating hours, which are deemed to be considerable. Concern is raised regarding the

traffic congestion that the proposal could have and the impact on the condition of the surrounding roads, which are already considered to be in a poor state of repair.

89. County Councillor Alan Rhodes, also a District Councillor for Worksop North West, objects to the proposed development due to the increase in vehicular movements and the impact that this could have on both congestion and the quality of life of nearby residents. Concern is raised regarding fumes and litter escaping from the site. Also, it is questioned whether full consultation on this planning application has taken place and it is stated that residents on Sandy Lane and the Parish Council at Shireoaks should have been consulted.
90. County Councillors Kevin Greaves and Sybil Fielding have been notified of the application.
91. The issues raised are considered in the Observations Section of this report.

Observations

Introduction

92. This application seeks planning permission for the construction and operation of a new Waste Transfer Station (WTS) on Shireoaks Road, Worksop. The WTS would accept approximately 62,000 tonnes of waste per annum and the site would comprise a portal frame building for accepting and bulking waste, two weighbridges, a weighbridge office and amenity cabin, an external yard for vehicle manoeuvring and other site infrastructure (e.g. waste oil tank, parking spaces and detritus bay) as detailed in the proposed development section above.

Policy Position

National Policy

93. National policy relevant to the planning application is contained in Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS 10) published in July 2005 and updated in March 2011.
94. PPS10 indicates that the overall objective of government policy on waste is to protect human health and the environment by producing less waste and by using it as a resource where possible. PPS10 highlights the importance of moving waste up the waste hierarchy of prevention, preparing for re-use, recycling, other recovery and disposal as a last resort. It also encourages waste management facilities on industrial sites and promotes co-location with other waste facilities which have complementary activities.
95. WTSs play an important intermediate role between the collection and final disposal of waste. They provide a facility to bulk up relatively small amounts of waste at a local level until sufficient quantities are accumulated to merit transportation to the relevant waste management facility which can involve longer distance haulage. WTSs help achieve a more environmentally

sustainable system of waste management as they assist in reducing the overall transport distances associated with the management of waste.

96. The proposed WTS would have some benefit in helping to move waste up the waste hierarchy and is therefore in accordance with the principles of PPS10 and Waste Strategy for England 2007. It would also encourage sustainable waste management by reducing overall waste vehicle miles and in this manner it is deemed to be generally supported by PPS 10. Furthermore, the proposed co-location of the WTS with other waste facilities (i.e. the existing HWRC and the materials recovery facility operated by NRL) which are complementary is directly in line with PPS 10 principles.

Regional Policy

97. The East Midlands Regional Plan (EMRP), adopted in March 2009, continues to form part of the development plan, despite the Localism Bill, which proposes to revoke regional plans, having received Royal Assent in November 2011. However, the Act has yet to come into full force and this is not due to take place until April 2012. In the meantime, the Government is consulting on the environmental report on the revocation of the EMRP, a process which is due to run until January 2012. Therefore, for the time being at least, the EMRP remains a material consideration in the assessment of planning application, although the weight attached to it is considered to be limited due to the above timetable for its revocation.
98. The EMRP sets out in Policy 38 the regional priorities for waste management and promotes waste being treated higher up the 'waste hierarchy' as set out in the Waste Strategy for England 2007. The Regional Plan also promotes, in the northern sub-area, that the broad pattern of facilities should combine a centralised strategy of larger facilities on previously used land (including former colliery land) with the expansion of existing facilities.
99. The proposal would be located adjacent to a number of existing waste operations including a materials recovery facility and a HWRC. There is also permission for a wood fuelled biomass facility adjacent to the proposal. As such, the proposed development is in line with the pattern of waste facilities promoted in the Policy 38 of the Regional Plan.

Nottinghamshire and Nottingham Waste Local Plan

100. Policy W9.1 of the Nottinghamshire and Nottingham Waste Local Plan relates specifically to WTSs and allocates a number of sites where planning permission will be granted subject to adequate environmental safeguards. Proposals outside of the preferred areas will be permitted in existing employment sites or those designated in the city and district local plans provided there is no unacceptable environmental impact. The proposed development is not located in one of the allocated sites. However, it would be within the boundaries of an existing waste site and is located in an area of protected employment land as shown on the Bassetlaw Local Plan proposals map. As such, the development is, in principle, in accordance with Policy W9.1.

Bassetlaw District Council Core Strategy and Local Plan

101. Bassetlaw District Council's Publication Core Strategy and Development Management Policies Development Plan Document (DPD) was published in November 2010. On the 14th November 2011 the Council received the Inspector's final report, which found the Strategy to be 'sound'. Bassetlaw intend to adopt the DPD on the 22nd December 2011, after which there will be a six-week period for legal challenge before the DPD comes into force. In light of the above, at the time of writing the Core Strategy does not form part of the development plan. However, significant weight is afforded to the document as a material consideration given its advanced stage to becoming adopted.
102. Policy CS2 of the Core Strategy relates to development within Worksop. In relation to economic development the Policy states that at least 45% of the District's employment needs will be delivered at Worksop through existing permissions and allocations in the Site Allocations DPD.
103. A new proposals map has been published in support of the Core Strategy. However, no employment areas have been allocated on the plan. As stated above, the employment needs will be delivered through a Site Allocations DPD, the publication of which is not expected until late 2012. Notwithstanding this, Policy DM7 of the Core Strategy states that all allocated and existing, or vacant former, employment sites will be protected for economic development purposes. As such, the development is in accordance with this policy.
104. Policy DM4 of the Core Strategy relates to the design and character of development proposals. Section A of the Policy specifically applies to major development, seeking that proposals:
 - a) make clear functional and physical links with the existing settlement and surrounding area and have not been designed as 'standalone' additions;
 - b) complement and enhance the character of the built, historic and natural environment;
 - c) are of a scale appropriate to the existing settlement and surrounding area;
 - d) provide a qualitative improvement to the existing range of houses, services, facilities, open space and economic development opportunities.
105. Whilst the proposed development could operate as a stand alone development, it is co-located with existing waste management operations and therefore does link with the surrounding area. The development is of a scale appropriate to the surrounding industrial area and provides an economic development opportunity, although it would have a slight adverse impact upon the character of the build environment.
106. The Core Strategy, whilst significantly advanced, has at the time of writing not yet been adopted. As such, consideration is also given to the Bassetlaw Local Plan. The Local Plan proposals map shows the area to be developed as protected employment land, to which Policy 2/13 of the Local Plan applies. Policy 2/13 precludes non-employment development in designated areas of

protected employment land. The proposed development is fully in accordance with this policy.

Noise

107. The proposed development would result in a new building with associated operations that would have a noise impact. Noise would occur from a number of sources including HGVs accessing the site and manoeuvring within the yard (e.g. refuse lorries delivering to the site and articulated lorries removing waste) and plant movements within the WTS building (e.g. wheeled loaders and excavators).
108. There have been a number of objections to the proposed development specifically in relation to noise impact from local residents, Rhodesia Parish Council and Councillors Jones and Rhodes. The noise concerns relate to noise in general and more specifically noise levels outside of normal working hours and at the weekends.
109. In addition, some local residents have raised concerns regarding the accuracy of the noise assessment, particularly in relation to the location at which background noise monitoring was undertaken; whether noise from HGVs was modelled within or outside of the proposed building; concern over the use of an 'inappropriate correctional value' of 10dB(A) being applied to the monitoring location; claims that the background noise will drown out reversing beepers; and the lack of reference to the discharge of noisy loads (e.g. glass) onto the WTS floor.
110. The concerns regarding the accuracy of the assessment have been considered and in consultation with the NCC Noise Engineer an amended noise assessment was requested. The new assessment contained background noise monitored from the rear garden of one of the local residents, a more representative location which was agreed with the NCC Noise Engineer.
111. The finding of the noise assessment in relation to noise from the WTS building and from HGVs are summarised in Tables 1 and 2 below.

Table 1: WTS noise impact comparison table

	Background Noise (L_{a90})	Noise from WTS building	Difference dB
Night time early morning shoulder hour (06:00 – 07:00)	46.3	45.3	- 1
Day time hours (07:00 – 23:00)	41.4	45.3	+ 3.9

Table 2: HGV movement noise impact comparison table

	Existing Ambient Level dB L_{Aeq} 1hour	Total External Level dB L_{Aeq} 1hour	Difference dB
Night time early morning shoulder hour (06:00 – 07:00)	50.4	50.6	+ 0.2
Day time hours (07:00 – 23:00)	52.8	53.1	+ 0.3

112. The NCC Noise Engineer has considered the revised assessment and is satisfied with its methodology. In terms of its findings, it demonstrates that the proposed development would result in noise levels within the County Council's allowable noise criteria for both night and day. It is also of note that the assessment has used a 'worst case' scenario in its assessment of vehicle movement and its method of calculating background noise and therefore provides a more robust assessment in terms of potential impact.
113. It is of note that no representations from local residents have been received in relation to noise following the submission of the revised noise assessment.
114. Notwithstanding the above noise assessment findings, the NCC Noise Engineer recommends that noise control and management measures itemised in the conclusions section of the revised noise report be incorporated as conditions in any grant of planning permission; and there should be conditions relating to the hours of operation, acoustic fencing and additional investigation and potentially mitigation being undertaken in the event of a justifiable complaint. These conditions are in line with Policy W3.9 of the WLP which recommends the use of conditions to mitigate potential noise impact.
115. It is of note that the hours that the Veolia WTS proposes to operate do not match those permitted at the existing NRL facility. Whilst this inconsistency is noted, the noise assessment submitted with the WTS application has demonstrated that the proposed development is capable of operating these hours without undue impact on nearby receptors. For reference the hours that NRL are permitted to work are set out in Table 3 below:

Table 3: NRL working hours

	Operations	Hours
A	All operations as referred to under Condition 4 of the NRL permission*	07:00 – 18:00 Monday to Friday 07:00 – 13:00 Saturday No operations on Sundays and Bank Holidays
B	Tipping and storage in the main building of waste from household waste recycling centres only	In addition to the hours detailed in (A) above: 13:00 – 16:00 Saturday 08:00 – 13:00 Sunday and Bank Holidays
C	Movement of HGVs onto and off the site, not passing the main tipping building located on the site, only	In addition to the hours detailed in (A) above: 13:00 – 18:00 Saturday 08:00 – 18:00 Sunday and Bank Holidays

*Condition 4 states – "The development hereby permitted relates to the construction of buildings and associated development, recycling of paper, cardboard, ferrous metals, non-ferrous metals, glass, plastic, brick, concrete, soil and green waste as set out in the accompanying note to the planning application received by the WPA on 19th August 2005.

116. In addition to the above, Veolia provide some further information regarding their hours, stating that the facility is unlikely to receive waste deliveries before 07:00 and after 17:00 due to the scheduling of the Waste Collection Authority (WCA) collection rounds and HWRC transport arrangements. The reason for opening the facility at 06:00 is to prepare for the day, remove full loads of HGVs off site and potentially load any material that is already present in the WTS building.
117. Saturdays would see some WCA refuse collection vehicles delivering to the WTS and possibly some deliveries of commercial waste. Sundays would generally be limited to HWRC waste. It should be noted that the site currently

receives HWRC waste at weekends (delivered to NRL) and therefore this would be no different to the present situation. However, it is unlikely that waste would be received before 07:30 and after 17:00 at the weekends. A key point is currently after 12:00 on a Saturday there would be limited loading of waste as there are not available disposal outlets for the material, so the WTS would receive waste only on Saturday afternoon and Sunday.

Odour

118. The proposed development would receive dry recyclable, green waste and residual waste from the WCA. In addition, it would receive waste from HWRCs, the nearest of which is located approximately 150m south-east of the proposed development. As with any development that deals with waste, particularly residual waste, there is potential for odour resulting from the operation.
119. Due to the location of the development and the potential for odour a number of local residents, businesses and Councillors Jones and Rhodes have raised concerns in relation to the impact that odour from operations could have on nearby residential and business properties.
120. Bassetlaw District Council (BDC) has objected to the proposed development. One of the reasons for objection is environmental concerns in relation to odour, which may not be satisfactorily controlled by conditions and, as such, detract from the amenity of nearby residents and workers.
121. Subsequent to the BDC consultation response the applicant provided further information relating to working practices and odour mitigation. The applicant states that they attempt to clear the site of waste by the end of each working day. This ensures a quick turn-around and reduces the time that waste could degrade and become malodorous on the site. However, there may on occasion be a limited volume of waste stored on site to accommodate any late deliveries when there is insufficient time to deliver to the waste destination (recycling or disposal facility). It is noted that there is the potential for up to three days' waste to be stored on the site in circumstances such as a Bank Holiday or mobile plant break down.
122. The applicant states that as a precautionary measure the WTS would be fitted with a misting system to control odour (and dust) and additives can be incorporated into the spray to mitigate odours should it be necessary. This system would cover the reception area, loading area and the building's doors.
123. It was also highlighted that the facility would be regulated by an Environmental Permit (EP) which would set limits (including waste storage times and other odour control methods) and be regularly inspected by the Environment Agency (EA). In addition, Veolia drew attention to the fact that they operate other sites within the UK and highlight two in particular (Craven Arms and Oswestry WTS) which have not received any odour complaints since becoming operational. These facilities are comparable to the proposed development with regard to nearest sensitive receptors, with the closest property to the Oswestry facility being located 60m from the site and from the Craven Arms facility the nearest residential property is 110m distant. The facilities have been operating since November 2010 and October 2009 respectively.

124. In order to substantiate the statement regarding odour at two similar facilities a Planning Officer from Shropshire Council confirmed that they had dealt with planning applications for Integrated Waste Management Facilities (IWMF) which combine waste transfer and civic amenity functions at Craven Arms and Oswestry and that they were operational. Although concerns regarding impact on local amenity were raised at the time, the Officer is unaware of any complaints relating to odour or noise from operational sites. Clearly, this response alone does not confirm that the proposed development would operate without odour complaint. However, it does substantiate the statement from Veolia about other similar facilities operating without odour issues, at the time of Planning Officer's response.
125. The ongoing discussion regarding odour issues resulted in the additional information not being taken into account in the consultation response provided by BDC. However, consultation directly with the BDC Environmental Health Team has taken place subsequent to the response from BDC Development Control.
126. Bassetlaw EHO states that based on the additional information from Shropshire Council and Veolia it is considered there is sufficient information to decide that odour matters have been taken into account in the design of the facility, and that similar facilities operate without complaint in other locations. The EHO also highlights that the facility would require an EP and would be regulated by the EA.
127. In light of the above, it is considered that the proposed development would not result in an undue odour impact upon local residents and businesses. This would be as a result of the turn-around time of waste at the facility, the operations being undertaken within a building and additional odour mitigation measures as necessary (e.g. odour misting sprays). Notwithstanding this, it is recommended that a number of conditions relating to odour be attached to any planning permission to ensure local amenity is not materially affected. Such conditions shall include the following:
- a) the removal of putrescible waste from the WTS as soon as possible and in any event within 72 hours of its receipt at the site;
 - b) the regular cleaning of all areas of the WTS;
 - c) the use of a water mist dust suppression system with the addition of deodorant as required;
 - d) adequate stocks at all times of deodorant for use in the water mist dust suppression system;
 - e) the keeping of doors closed to the WTS building except to allow for the passage of HGVs.
 - f) Scope for additional odour control measures in response to substantiated complaints.
128. Policy W3.7 of the WLP relates to odour. It allows conditions to be imposed on planning permission for waste management facilities to reduce the impact of

unpleasant odours. The proposed development, with the recommended conditions above, is considered to be in accordance with Policy W3.7.

Air Quality and Dust

129. One of the concerns and reasons for objection raised by local residents has been the impact that the proposed operations may have on air quality; particularly in relation to dust, but also fumes escaping the site has been raised as an issue.
130. In relation to fumes, traffic levels at the proposed WTS are anticipated to total 63 HGVs per day. In addition there would be mobile plant (e.g. wheeled loaders and excavator) operating within the building. Whilst these vehicles and plant would emit fumes, it is not considered such fumes would be excessive provided the vehicle and plant are maintained in good working order, particularly in the context of a wider existing industrial environment. Notwithstanding this, it is recommended that a condition is attached to any planning permission to ensure that all plant and machinery is maintained in good working order to prevent fumes from adversely impacting on nearby receptors.
131. As detailed above all tipping, sorting and bulking would take place within the WTS building. As such, the potential for dust propagation would be limited. Notwithstanding this, dust could potentially escape the building if a particularly dry and dusty load is imported, and could escape the site if it is not kept clean. As such, it is recommended that a condition is attached to any planning permission to mitigate dust. Such a condition shall include:
- a) internal roadways, storage areas and hard surfaces shall be regularly swept to keep them free of mud and debris likely to give rise to dust;
 - b) the storage of materials, particularly dry materials, shall be restricted to approved storage areas and bays;
 - c) if dust is likely to arise outside areas shall be damped down in dry weather conditions;
 - d) bulk loads arriving at or leaving the site shall be carried in enclosed or sheeted containers.
 - e) a dust mitigation water misting spray shall be installed to cover the reception area, loading area and the building's doors.
132. Policy W3.10 of the WLP states that where planning permission is granted for a waste management facility conditions will be imposed to suppress dust generation. The proposed development, with the recommended conditions above, is considered to be in accordance with Policy W3.10.

Highways

133. The proposed WTS is anticipated to accept 46 loads of waste per day, and 17 loads of bulked-up waste would leave the site per day. This would result in a total of 63 HGV movements (126 trips i.e. in and out) per day.

134. The anticipated vehicle movements and waste tonnage from the various waste sources are set out in the Tables 4 and 5 below.

Table 4 – Waste in

Waste In	Tonnage p/a	Tonnes per day	Total loads p/a	Loads per week	Loads per day
WCA Residual	35,337	135	5,355	103	20
WCA Dry Recyclables	7,709	30	1,152	22	4
HWRC Residual	7,094	27	1,299	25	5
C&I Residual	10,000	38	3,401	65	13
WCA Street Sweepings	1,950	7	1,048	20	4
Sub-total	62,090	237	12,255	235	46

Table 5 – Waste out

Waste out	Tonnage p/a	Average tonnes per load	Total loads p/a	Loads per day
Residual	52,431	15	3,325	14
Dry Recyclable	7,709	15	512	2
Street Sweepings	1,950	7	256	1
Sub-total	62,090	37	4,093	17
Total (Waste in & out)	62,090		16,348	63

135. Notwithstanding the total waste vehicle movements detailed above, it should be noted that BDC already deliver dry recyclables and bulky waste to the NRL site, which the proposed development would be co-located with. Furthermore, of the HWRC residual waste shown in Table 4, 2,311 tpa would be sourced from the Worksop HWRC, which is also co-located with the proposed development and the NRL site. In total, approximately 25% (or 11 loads) of the anticipated 46 loads to be delivered to the facility per day represent existing vehicle movements.
136. Objections to the proposed development have been raised in relation to traffic. Some of the objections relate to the general increase in traffic in the area, on what is considered to be an already congested road. However, other concerns highlight that Shireoaks Road is in a poor state of repair and additional vehicle movements would make this worse.
137. The NCC Highways Team has been consulted on the planning application and no objection was raised. As such, it is considered that the surrounding highway network is capable of accommodating the anticipated traffic movements associated with the proposed development.
138. The supporting statement comments that the WTS would have a rate of importation of approximately 60,000 tpa and this is reflected in the traffic movement breakdown (shown in Tables 4 and 5), which are based on a throughput of 62,090 tpa. It is noted that the planning application forms state that the facility would accept up to 75,000 tpa of waste, however, this simply reflects the EA's environmental permitting standard permit thresholds, as such, no anticipated vehicle movement data has been provided in relation to a facility dealing with 75,000 tpa and no assessment has been made as to the capability

of the road network to accommodate vehicles associated with such tonnage. Therefore, it is recommended that a condition is attached to any planning permission ensuring the vehicles movements are limited to those which have been assessed as being acceptable (i.e. 63 vehicles per day). The condition could ensure that HGV movements average no more than 63 vehicle movements per week day (half this at the week ends), but allow for a slightly higher daily maximum to provide a degree of flexibility for seasonal fluctuations and catch up periods such as Bank Holidays and Christmas.

139. Objection has also been raised in relation to the potential for a serious accident to occur due to increases in HGVs visiting the site. This is recognised and the Highways Team have also highlighted concerns relating to the potential for conflict between general public entering/exiting the HWRC and HGVs accessing/exiting the WTS. As such, it is recommended that additional measures are put in place to increase public safety, such as the erection of signage to warn drivers of HGVs. This could be secured by way of condition.
140. Concern has also been raised over the single entrance, as it is stated that it could impede emergency service vehicles if there is a major incident at the site. Whilst this issue is noted, the entrance off Shireoaks Road is designed specifically for HGV access and egress, as are the internal roads and manoeuvring areas within the Worksop HWRC, the NRL site and the proposed WTS. As such, the fact that the site has a single entrance does not raise concerns regarding emergency service vehicle access. Furthermore, it is considered that there would be no realistic alternative or secondary access available.
141. The Highways Team also recommend conditions ensuring that no part of the development is brought into use until parking and manoeuvring areas are provided in accordance with the approved plans; and they are suitably drained and surfaced in a bound material in accordance with plans approved by the WPA. It is also recommended that these areas are not used for any use other than parking and turning of vehicles.
142. A condition is recommended to prevent the HGVs that transport bulked-up waste from travelling past the residential properties on Shireoaks Road and through Rhodesia village.
143. In light of the above, the Highways Team have no objection to the proposed development and the highway network is assessed as having sufficient capacity to accommodate vehicle movements associated with the proposed development. As such, the proposal is deemed to be in accordance with Policy W3.14 of the WLP.

Visual Impact

144. The largest element of the proposed development is the main WTS building which would have a pitched roof and a footprint of circa 2,036m². It would measure approximately 12.8m in height to the ridge (9.5m to the eaves). In addition, two fully welded steel units which would form a two storey weighbridge and amenity/office building. The lower unit would measure 5.2 by 2.7m and the

upper unit would measure 9m by 2.7m. The total height of the two units would be 6.0m.

145. It is also noted that the proposed development would necessitate the removal of a stockpile of inert materials and shredded wood measuring approximately 5m in height.
146. Adverse visual impact, particularly in relation to the properties located on Shireoaks Road is an issue that has been raised in letters of objection.
147. The applicant has considered the landscape and visual impact of the proposed development and has assessed views of the development from a number of locations including, an old cricket ground to the north of the site; the rear of properties on Shireoaks Road; Shireoaks Road itself; the Lock Keeper Inn and the Chesterfield Canal.
148. The applicant does not consider the cricket ground to be a sensitive visual receptor as it has not been used as such for a number of years. Furthermore, it is stated that existing trees to the north of the proposed development effectively screen the site from this location.
149. The Landscape Report acknowledges the proximity of some residential properties on Shireoaks Road, although, it is considered that views would be largely screened by the existing 'Cinch Connectors' factory and mature trees within the gardens of the properties. It is the view of the applicant that the removal of the stockpile and its replacement with a corrugated clad building similar to that of the existing factory would cause very little change in views from these properties.
150. Views have been considered from Shireoaks Road. It is considered that the removal of the stockpile and its replacement with an additional metal clad structure similar to those located within the recycling site would similarly have little impact in the context of existing views. Views from the Chesterfield Canal towpath are similar to those from Shireoaks Road, and it is also judged that the development would have little impact in the context of existing views from this location. Views from the Lock keeper Inn are distant and should be taken in an existing industrial context with the NRL buildings, the HWRC, Shireoaks Road and nearby factories. Therefore, it is considered that the impact of the development on views from the beer garden is negligible.
151. In addition to the above, planting has taken place to the south of the HWRC, which was required as part of its planning permission. The planting is currently young and needs time to mature, but will assist in screening views from the canal towpath, the Lock Keeper Inn and Shireoaks Road.
152. The NCC Landscape Team acknowledge the existing stockpiles that would be removed to facilitate the proposal, but note that the WTS building would be 12m in height, some 7-8m taller than the stockpiles. The Landscape Team consider that the building would not be out of context in the proposed location, although it would increase the density of structures on site. The overall impact on landscape character would be 'slight adverse'.

153. The NCC Landscape Team note that there would be views of the building from the south, including the road, the canal and the public house; but the planting on the southern boundary of the HWRC when mature would assist in screening these views. Overall, the NCC Landscape Team has no objection to the proposal.
154. Policy 2/1 of the Bassetlaw Local Plan relates to employment development within settlement envelopes and one of the criteria within the policy requires development not to have an adverse impact upon the character of the surrounding area. The development has been assessed as having a 'slight adverse' impact on landscape character and is not entirely in accordance with this element of Policy 2/1. However, the NCC Landscape Team does not consider the impact significant enough to raise an objection.
155. It is recommended that a condition is attached to any planning permission requiring samples of materials to be used to be submitted for approval to ensure suitability in accordance with Policy W3.3 of the WLP.
156. Policy W3.4 of the WLP allows screening and landscape conditions to be attached to planning permission for a waste management facility to reduce visual impact. In line with this policy it is recommended that the landscape proposals submitted as part of the application are implemented, subject to amendments sought by ecological consultees, and be maintained for a period of 5 years to ensure that the landscaping fully establishes.

Ecology

157. The nearest statutory designated nature conservation site is the Lindrick Golf Course SSSI located 3.2km to the north-west. The closest locally designated sites are Tranker Wood Grassland Site of Importance for Nature Conservation (SINC), Tranker Wood SINC and Chesterfield Canal SINC. The development would not directly or indirectly affect any statutorily or non-statutorily designated nature conservation sites. As such, the proposed development is in accordance with Policies W3.23 of the WLP and 6/1 of the Bassetlaw Local Plan.
158. Concern has been raised in objections relating to the potential impact on fauna and flora biodiversity in the area, particularly with regard to the Tranker Woods and Chesterfield Canal SINC. However, as highlighted above there would be no impact on these sites.
159. The proposed development is located within the 5km buffer zone around the prospective Sherwood SPA and is approximately 3.1km from the nearest part of the Indicative Core Area (ICA) identified by Natural England. The NCC Ecologist has identified that given the physical separation from the ICA the only possible impacts that could arise are from indirect effects due to bird mortality from increased road traffic, and nutrient enrichment of breeding habitats from vehicle emissions due to increased road traffic. The applicant states that the proposed WTS would contribute towards a more sustainable solution to the long term management of municipal waste through bulking prior to hauling to a suitable disposal/recovery facility, thus reducing overall waste miles and CO₂ emissions. The development would result in 17 additional vehicle movements per day, however, given the site's location on a busy road bird mortality from these

vehicles is unlikely. Furthermore, given the operating hours it is unlikely that vehicles would be moving to and from the site when nightjars are active.

160. An ecological appraisal was undertaken in support of the application and states that the site currently holds no wildlife value. However, it does contain some recommendations in relation to fauna.
161. The appraisal states that no reptiles were seen on site at the time of the survey and no records were received for the site itself. However, records relating to sites in close proximity and a reptile fence to the north suggest that reptiles may be present at the time of construction. As such, the appraisal recommends that the timing of works is carried out when reptiles are active (on a warm sunny day after 11am and between April and October) and able to react to works being carried out. It is also recommended that an ecologist is present for the first 1m clearance of wood refuse and spoil mound in case of the presence of reptiles. The NCC Ecologist and NWT recommend that a condition is attached to require the submission of a method statement in relation to site preparation and reptiles, incorporating the recommendations made in the ecology appraisal.
162. The possible presence of protected species in proximity to the north of the site is highlighted in the ecology appraisal. The NCC Ecologist and NWT recommend that a protected species method statement is required by way of condition to ensure that the site is checked for their presence prior to work commencing.
163. The site has been assessed as having some limited foraging potential for bats, but no potential roosting sites. There may, however, be potential roost sites in the adjacent woodland. As such, it is necessary to keep external lighting to the same timings as the current lighting system used within the HWRC. The appraisal also highlights the opportunity to enhance the area for bats by erecting bat boxes on the outside of the proposed development close to any warm air outlets to provide suitable roosting temperatures. The NCC Ecologist considers that subject to the site not being lit outside of normal working hours, there is unlikely to be any impact upon bats. Notwithstanding this recommendation, NWT suggest that all new lighting be cowled to reduce light spill on adjacent woodland. Given that during the winter some of the normal working hours will be in the hours of darkness, it is recommended that a condition relating to lights being cowled is attached to any planning permission.
164. A small area of self-set sapling trees requires removal. The NCC Ecologist advises that a condition be attached to control vegetation clearance in the bird nesting season. NWT highlights the impact that reversing alarms may have on birds and bats and recommends that they be switched off where possible and silent night alarms are used. This is recommended in mitigation measures suggested in the noise assessment and it is considered that a condition to this effect should be attached to any planning permission.
165. The proposals include a small element of landscaping along the western boundary of the site. The NCC Ecologist and NWT recommend some alternative planting mixes to provide a species rich planting mix. It is recommended that an alternative landscaping scheme is submitted by way of condition.

166. NWT recommends that all the proposals for mitigating the effects on fauna should be confirmed in a detailed ecological plan. It is considered that the method statement relating to reptiles and protected species discussed above should be sufficient to cover this request.
167. Subject to the recommended conditions above, the proposed development would have no material adverse impact upon any protected species. The development is therefore considered to be in accordance with Policy 6/1B of the Bassetlaw Local Plan.

Contamination

168. In support of the planning application a Phase 1 Geo-Environmental Desk Study has been undertaken. The study highlights that the northern area of the site has remained undeveloped since the earliest historical mapping of 1886 and it is unknown when the site was covered in hardstanding. The southern part of the site has been developed a number of times including as a brick works and chemical works, however it has remained undeveloped since 1993.
169. In addition to the previous uses of the site, the proposed development area is covered with made ground consisting of wood waste to a maximum depth of 6.7m below ground level (bgl). Whilst the storage of wood waste in this area does not contravene the extant planning permission which the current site users NRL operate under, it is of note that in February 2011 NRL were found guilty of breaching the Environmental Permitting (England and Wales) Regulations 2007 and 2010 in relation to the storage of wood and other wastes on land that does not have the benefit of an environmental permit or relevant exemptions.
170. In light of the above, the NCC Contaminated Land Officer sought further information relating to the potential for contamination at the site, specifically a full site specific Desk Top Study (DTS); an up-dated site investigation of the application area; a more recent gas monitoring programme; and a site specific remedial strategy and contingency plan for dealing with previously unidentified/potentially contaminated materials.
171. To date the applicant has supplied a DTS and site conceptual model which has determined the scope of a site investigation regime at the application site, which is presently on-going. The applicant has also submitted a 'Geo-Environmental Risk Assessment – Site Investigation Report', which contains the findings from the first phase of the intrusive site investigation and also the first rounds of ground gas monitoring undertaken across the application site.
172. The investigations to date have identified no plausible pollutant linkages between contaminants in the underlying soils and future users of the site. However, concentrations of some determinands and asbestos within the Made Ground/wood waste may pose a risk to construction and maintenance workers. It is considered highly unlikely that the underlying Principal Aquifer could be affected or that groundwater remediation would be necessary. Also, prior to development the wood waste is to be removed and trial pitting is to be undertaken to supplement the existing investigation.

173. The applicant has fulfilled the first of the recommendations made by the NCC Contaminated Land Officer in providing a DTS and has partially fulfilled the second recommendation by implementing intrusive investigation and initial gas monitoring. Taking into account the findings to date, the NCC Contaminated Land Officer does not envisage any subsequent findings which may preclude the use of the site as a WTS and recommends that planning permission can be granted for the site subject to the following conditions:
- a) a finalised site investigation report of the application area, targeting potential contaminants identified in the DTS;
 - b) a complete gas monitoring programme and gas risk characterisation of the site;
 - c) a site specific remedial strategy and contingency plan for dealing with previously unidentified/potentially contaminated materials during redevelopment.
174. The Environment Agency has also highlighted further information to be submitted in relation to contamination. The EA state that the source of magnesium detected in the perched and deeper groundwater has not been discussed in the Geo-Environmental Risk Assessment and further consideration should be given to its source. The EA echo the recommendations for further trial pitting to enable the made ground to be characterised in more detail and it is also noted that Volatile Organic Compounds (VOC) contamination was detected in soils and perched groundwater as part of a previous investigation. It is recommended that a VOC analysis is undertaken as part of the future trial pitting. The EA is satisfied that these additional works can be undertaken post planning permission in line with requirements of a condition.
175. Policy W3.5 of the WLP states that planning permission for waste management facilities will not be granted where there is an unacceptable risk of pollution to groundwater or surface water. In light of the above, it is considered that the proposed development is fully in accordance with this policy.
176. Policy W3.6 of the WLP allows conditions to be imposed to protect surface and groundwater resources. The conditions recommended by the NCC Contaminated Land Team and the EA in relation to additional site investigation information and a remediation strategy are in line with Policy W3.6.

Other Material Considerations

177. The proposed development is within the boundaries of an existing waste management facility on an area of land that is allocated within the Bassetlaw Local Plan (BLP) proposals map for employment use. Policy 2/13 of the BLP relates to protected employment land and restricts non-employment creating development in allocated areas. Objection has been raised on the basis that the proposed development does not accord with this allocation. Waste facilities are treated as employment creating development and Policy W9.1 of the WLP specifically directs new WTS towards employment areas. Furthermore, BDC do not object on ground of conflict with the BLP employment allocation. The

proposed development would employ at least three full time members of staff in addition to those involved at the construction stage and indirectly.

178. Objection to the WTS has been raised in relation to litter and the potential for its escape from the site. All waste delivered to the site would be tipped, sorted and loaded within the WTS building and bulk loads arriving at or leaving the site would be carried in enclosed or sheeted containers. In addition, there would be fencing around the perimeter of the WTS. Therefore, there would be little potential for litter escape from the site. Notwithstanding this, a condition is suggested requiring the collection of any escaped litter on a daily basis in accordance with Policy W3.8 of the WLP.
179. Representations received from residents have highlighted that the WTS could result in vermin, flies and gulls causing nuisance. It is considered that given the process will take place within a building there would be little potential for bird nuisance. As highlighted in the section above relating to odour the turn around of waste at the site would be daily which reduces the potential for flies and vermin. In addition, the design of the facility and normal operational practices would be used and there would be regular visits from a specialist pest control contractor. Furthermore, the Bassetlaw EHO is satisfied that pest issues have been taken into account in the design of the facility and notes that the EA will regulate the WTS in relation to these matters.
180. Impact upon a number of food businesses, specifically the possible effects on food hygiene and safety, has been raised in objections to the proposed development. The local food businesses identified as being of concern include the Lock Keeper Inn (circa 300m south-east of the WTS building); a Sainsbury's supermarket (circa 310m south of the WTS building); Premier Foods/Bachelors which is a large food manufacturer (circa 400m north-east of the WTS building); and a MacDonald's restaurant (circa 470m south-east of the WTS building).
181. The concerns regarding food hygiene and safety are noted. However, the proposed facility is for the transfer of waste and, therefore, waste turn around times would be relatively quick helping to minimise waste decomposition on site. Whilst it is acknowledged that some waste may be in a state of decomposition before reaching the facility, as discussed above any waste that is particularly odorous (decomposed) would be removed from the site immediately and taken to a suitable facility. The most proximate food business highlighted is approximately 300m distant from the WTS building, which is not an insignificant distance. There is also a HWRC which receives and stores household waste in an open environment more proximate to the food businesses to the south of the proposed site. The HWRC does not appear to have raised any concerns. The proposed development would take place within the confines of a building, reducing potential for any food hygiene or safety issues. Furthermore, the Bassetlaw Environmental Health Team has been consulted and has not raised food safety and hygiene as a concern and raised no objection to the development. Notwithstanding this, it is recommended that should planning permission be granted a condition is attached to ensure that the doors remain closed at all times other than when vehicles are accessing/egressing the building.

182. One of the issues raised by local residents is that alternative sites appear to be better suited to handling waste and recyclables. Suggested sites include former pit heads described as “in the middle of nowhere with substantial covered areas and vast concrete hard standing areas”. Notwithstanding the potential suitability of other sites, Policy W9.1 of the WLP specifically directs new WTS to existing and designated employment sites. Furthermore, the development would be located within the boundaries of an existing waste management facility. As such, from a site location perspective the development is in accordance with the WLP. The development would also be co-located with an existing waste facility (NRL) and a HWRC, in line with the principles of PPS10 which includes industrial areas when identifying suitable locations and states that Authorities should look for opportunities to co-locate facilities together with complementary activities.
183. Suggestion that the building be orientated so that the weighbridge and building doors face away from local residents’ properties has been received. The applicant has considered the orientation in the design stage and states that the land indicated in the planning application is the area of land offered by NRL, which is not wide enough to allow the doors to be positioned on the eastern elevation. A smaller footprint is not deemed practical as sufficient room is required for processing and storage. As such, rotating the building by 90° is not deemed practical.
184. Questions have been raised with regard to whether full consultation has been undertaken for this application. As part of the determination process the parties listed in the consultations section above have been consulted. The nearest residential properties on Shireoaks Road have been consulted, as have adjacent businesses. Site notices were erected on Woodhouse Close; outside the properties on Shireoaks Road; outside the existing entrance to NRL/the Veolia HWRC on Shireoaks Road and on Sandy Lane. In addition, the application was advertised in the Worksop Guardian. Consultation has been undertaken fully in accordance with the NCC Statement of Community Involvement (SCI).
185. Criticism of the consultation process is made in that Shireoaks Parish Council (PC) should have been consulted. The development is not within Shireoaks PC, in fact there is another PC that sits between the proposed development site and Shireoaks, namely Rhodesia PC.

Other Issues

186. On the 2nd November 2011 five Rhodesia Parish Councillors were taken on a tour of a WTS in Derby and a Materials Recovery Facility (MRF) in Mansfield by Veolia Environmental Services. Veolia stated that the tour of the Derby facility was used because of its proximity to residential dwellings, size of the facility and the layout which closely matches the Worksop proposal. The MRF was chosen to demonstrate how Veolia as a company operate. Veolia report that during the tour a number of concerns were voiced by the Parish Councillors relating to noise, odour, vehicle movements, orientation of the building, and the relationship between Veolia and NRL (the existing site owners). All questions and concerns were answered by Veolia staff. No further comments have been received from the Parish Council following the original response.

187. Objections have been raised that the proposed development would devalue nearby residential properties. This is not a material consideration and should not be taken into account in any determination.
188. One letter of objection stated that the WTS is part of NCC Public Finance Initiative (PFI) contract with Veolia to act as a staging post to feed an Energy Recovery Facility (ERF). The purpose of the proposed facility is to act as a bulking facility, or 'staging post', between collection and recycling, recovery or final disposal. However, the proposed ERF at Rufford was refused planning permission by the Secretary of State in May 2011 following a public inquiry. As such, waste from the proposed Shireoaks WTS would clearly not go to this facility. The letter goes on to say that if the ERF is turned down the Vesuvius site (the area of demolished land east of the NRL site) could become an alternative location. It is important to note that this is speculation and has no bearing on the determination of this application.
189. Concern was raised in a letter of objection that the application was only considered by the Bassetlaw District Council Planning Consultation Group (PCG), which is a small group of Councillors and Officers that decides whether applications should go to full committee. This concern is no longer an issue as the application was considered at the Bassetlaw Planning Committee on 25th May 2011.

Other Options Considered

190. 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.

Human Rights Act Implications

191. 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 may be affected. The proposals have the potential to introduce impacts of additional traffic, noise, odour, dust and visual impact upon local residents and businesses. However, these considerations need to be balanced against the wider benefits the proposals would provide in the need for the facility and the wider public benefits it would provide for the sustainable management of Nottinghamshire's waste in line with national and local planning policy. Members will need to consider whether these benefits would outweigh the potential impacts.

Statutory and Policy Implications

192. This report has been compiled after consideration of implications in respect of finance, equal opportunities, 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.

Crime and Disorder Implications

193. The development would be located within the boundaries of an existing waste management facility and would benefit from 2.4m high perimeter fencing. The site would also benefit from a CCTV system and, although no lighting would illuminate the site during the hours of closure, the CCTV system would operate via infra red cameras and motion detectors. The system would have 24 hour surveillance.

Conclusions

194. The County Council is of the opinion that the proposed development is in accordance with Waste Strategy 2007 and PPS10 objectives which encourage the development of waste transfer stations as part of integrated waste management facilities to ensure waste is managed at a higher level within the waste hierarchy. Development of WTSs within industrial estates is considered appropriate under Nottinghamshire and Nottingham Waste Local Plan Policy W9.1 subject to there being no unacceptable environmental impact which the application has demonstrated.
195. The proposal is an employment creating development and, as such, satisfies Policy 2/13 of the Bassetlaw Local Plan which relates to development within land allocated for employment uses on the proposals map.
196. The proposed development is assessed as having a 'slight adverse' impact on landscape character and is, therefore, not entirely in accordance with Policy 2/1 of the Bassetlaw Local Plan. However, the NCC Landscape Team does not consider the impact significant enough to raise an objection.
197. In light of the above, the development is considered to be in accordance with the development plan, with the exception of Policy 2/1 of the BLP. However, the level of impact that the development would have on the landscape character is deemed to be minor and, as such, the significance afforded to this is not sufficient to outweigh the benefits that the development would have in relation to the sustainable management of Nottinghamshire's waste. Therefore, it is recommended that planning permission is granted.

Statement of reasons for the decision

198. The County Council is of the opinion that the proposed development is in accordance with the following policies.
199. Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10), Waste Strategy for England 2007 and the East Midlands Regional Plan highlight the importance of moving waste up the waste hierarchy of prevention, preparing for re-use, recycling, other recovery and disposal as a last

resort. In addition, PPS10 encourages waste management facilities on industrial sites and promotes co-location with other waste facilities which have complementary activities. Policy 38 of the Regional Plan seeks, in the northern sub-area, that the broad pattern of facilities should combine a centralised strategy of larger facilities on previously used land with the expansion of existing facilities.

200. Policy W9.1 (General Waste Transfer Stations – Areas of Search) of the Nottinghamshire and Nottingham Waste Local Plan (WLP) supports the development of Waste Transfer Stations in existing or designated employment sites provided there is no unacceptable environmental impact. The proposed development is in accordance with this policy.
201. It has been demonstrated that the proposed development would operate within the County Council's allowable noise criterion. The development is therefore deemed to be in accordance with Policy W3.9 (Noise) of the WLP.
202. It is considered that the development would not have an undue odour impact on local residents and no objections are raised by the District Environmental Health Officer or the Environment Agency. Conditions are attached to assist in odour mitigation in line with Policy W3.7 (Odour) of the WLP.
203. The proposed operation would take place within a purpose built building and, as such, is unlikely to have a significant dust or air quality impact. Notwithstanding this, conditions are attached to prevent any significant dust impact on nearby properties in line with Policy W3.10 (Dust) of the WLP.
204. The surrounding highways network is capable of accommodating the vehicle movements generated by the proposed development in accordance with Policy W3.14 (Vehicular Movements) of the WLP.
205. Policy W3.23 (Nature Conservation and Geological Sites) of the WLP and 6/1 (Protected Nature Conservation Sites) of the Bassetlaw Local Plan (BLP) seek to protect sites of nature conservation. The proposed development would not have any material impact on any nature conservation site and it therefore is in accordance with Policy W3.23 and 6/1.
206. The proposed development would not result in an unacceptable risk of pollution to ground or surface water, subject to the relevant attached condition. As such, the development meets Policies W3.5 (Water Resources – Pollution Issues) and W3.6 (Water Resources – Planning Conditions) of the WLP.
207. The proposed development would not lead to significant litter impacts on the surrounding area. Should any litter escape the site a condition will require it to be retrieved on a daily basis in line with Policy W3.8 (Litter) of the WLP.
208. Policy 2/1 (Development within Built Up Areas) of the BLP states that employment creating development will be acceptable provided it does not create or aggravate environmental, amenity, safety or traffic problems and does not adversely affect the character of the surrounding area. The proposed development meets the criteria in this policy for the most part, although, it is deemed to have a slight adverse impact on landscape character. The significance afforded to the impact on landscape character is not sufficient to

outweigh the benefits that the development would have in relation to the sustainable management of Nottinghamshire's waste. Furthermore, conditions are attached to reduce landscape impact in accordance with Policies W3.3 (Visual Impact of Plant, Building and Stockpiles) and W3.4 (Visual Impact – Screening and Landscape Measures) of the WLP.

209. There are no material considerations that indicate that the decision should be made otherwise than in accordance with the above. The County Council considers that any potential harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

RECOMMENDATIONS

210. It is RECOMMENDED that planning permission be granted subject to the conditions set out in Appendix 1. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

SALLY GILL
Group Manager (Planning)

Constitutional Comments

Committee have power to decide the recommendation.

[SHB 20.12.11]

Comments of the Service Director - Finance

The contents of this report are duly noted; there are no financial implications.

[DJK 20.12.11]

Background Papers Available for Inspection

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

Electoral Division(s) and Member(s) Affected

Worksop North - Councillor Sybil Fielding

Worksop West - Councillor Kevin Greaves

Report Author: Oliver Meek 0115 9774700

For any enquiries about this report please contact the report author

File Name: W000750

W000750
PSP.OM/PAB/EP5328
22 December 2011

RECOMMENDED PLANNING CONDITIONS

Commencement

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

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

2. The Waste Planning Authority (WPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development.

Reason: To enable the WPA to monitor compliance with the conditions of the planning permission.

Approved Plans

3. The development hereby permitted shall be carried out in accordance with the following plans and documents, unless otherwise required pursuant to other conditions of this planning permission:

- a) Drawing Ref: 11280-23 0001 Rev L01 titled 'Site Local Plan' – received by the WPA on 23rd December 2010;
- b) Drawing Ref: 11280-23 0101 Rev L01 titled 'Proposed Site Layout' – received by the WPA on 23rd December 2010;
- c) Drawing Ref: 11280-23 0102 Rev L02 titled 'Proposed Site Elevations' – received by the WPA on 15th March 2011;
- d) Drawing Ref: 11280-23 0103 Rev L01 titled 'Proposed Transfer Station Plan / Elevations' – received by the WPA on 23rd December 2010;
- e) Drawing Ref: 11280-23 0104 Rev L01 titled Weigh Office / staff amenity proposed plan and elevations – received by the WPA on 23rd December 2010;
- f) Drawing Ref: 11280-23 0105 Rev L01 titled 'Proposed Site Drainage' – received by the WPA on 23rd December 2010;
- g) Drawing Ref: E11617 0001 Rev A01 titled 'Detailed Soft Landscape Proposals' – received by the WPA on 23rd December 2010;
- h) Drawing Ref: 11280-23 0106 Rev L01 titled 'Typical Fencing and Gate Details' – received by the WPA on 23rd December 2011;
- i) Planning Application Forms – received by the WPA on 23rd December 2010;

- j) Planning Application Supporting Statement – received by the WPA on 23rd December 2010;
- k) Design and Access Statement – received by the WPA on 23rd December 2010;
- l) Letters from Waterman providing clarification in relation to ecology, landscaping, hours of operation, vehicle movements, the wood chip stockpile, building orientation, burning, pest control and odours – received by the WPA on 7th, 11th and 15th March, and 5th May 2011;
- m) The noise impact assessment letter – received by the WPA on 15th March 2011;
- n) Phase 1 Geo-Environmental Desk Study – received by the WPA on 5th July 2011;
- o) Geo-Environmental Risk Assessment – received by the WPA on 8th November 2011.

Reason: For the avoidance of doubt.

- 4. Prior to their use on site samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the WPA. The development shall thereafter be carried out in accordance with the approved details unless a variation is otherwise agreed in writing by the WPA.

Reason: In the interest of visual amenity and to accord with Policy W3.3 of the Nottinghamshire and Nottingham Waste Local Plan (WLP).

- 5. Prior to the commencement of the development hereby permitted, details and specific location(s) of any CCTV around the WTS shall have been submitted to and approved in writing by the WPA. The CCTV shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect residential amenity and to accord with Policy W3.3 of the WLP.

Landscaping

- 6. Within 3 months of the commencement of the development hereby permitted as notified under Condition 2 above an amended soft landscaping plan, broadly in accordance with that listed in Condition 3 (g) above, shall be submitted to the WPA for its approval in writing. The approved scheme shall be completed within the first sowing/planting season and thereafter maintained for a period of 5 years and failed planting/seeding shall be replaced with similar specimen.

Reason: In the interest of biodiversity and to accord with Planning Policy Statement 9: Biodiversity and Geological Conservation.

7. Any trees or shrubs which become damaged during the course of the development shall be replaced with similar specimens in the first available planting season in accordance with details, including a maintenance schedule, which shall have been previously submitted to and approved in writing by the WPA. Any replacement planting shall be maintained for 5 years in accordance with the approved details.

Reason: In the interest of the amenity and to accord with Policy W3.4 of the WLP.

Contamination

8. Before any development commences, the following shall be submitted to and approved in writing by the WPA:
- a) a finalised site investigation report of the application area, targeting potential contaminants identified in the Phase 1 Geo-Environmental Study – received by the WPA on 5th July 2011;
 - b) a complete gas monitoring programme and gas risk characterisation of the site;
 - c) a site specific remedial strategy and contingency plan for dealing with previously unidentified/potentially contaminated materials during redevelopment.

Reason: To protect ground and surface water from pollution in accordance with Policy W3.5 and W3.6 of the WLP.

Noise

9. The palisade fencing proposed to the south and west of the site shall be upgraded to solid fencing to act as a noise barrier, in line with recommendations in the noise assessment letter (Ref: E11671-R-1.1.2-JL). The fencing shall be installed in line with details that have been submitted to, and approved in writing by, the WPA before the development is brought into use.

Reason: In the interests of the amenity of nearby occupiers and to accord with Policy W3.9 of the WLP.

10. In the event that the WPA consider that operational noise emissions from the WTS are likely to generate complaints the operator shall undertake a noise survey within 2 weeks of a written request from the WPA. The noise survey shall be undertaken in accordance with BS4142:1997 and shall be carried out under the supervision of the WPA. The results of the noise survey shall be provided to the WPA for its written approval within 1 month of the survey being undertaken. Should the results of the noise survey suggest that further mitigation measures are necessary these shall be identified within the report and implemented within 1 month following their approval by the WPA, unless otherwise agreed in writing by the WPA.

Reason: In the interests of the amenity of nearby occupiers and to accord with Policy W3.9 of the WLP.

Odour and Air Quality

11. Steps shall be taken to prevent the emission of odours from the site including, but not necessarily restricted to, the following steps relating to the use of the WTS building:
- a) the removal of putrescible waste from the WTS as soon as possible and in any event within 72 hours of its receipt at the site;
 - b) the regular cleaning of all areas within the building;
 - c) the use of water mist dust suppression systems (with the capability of the addition of a deodorant within the site as required);
 - d) the retention at all times at the site of stocks of deodorant for use in the water mist dust suppression system;
 - e) keeping the doors to the WTS building closed when vehicles are not entering or exiting the building.
 - f) no parking of any vehicles loaded with waste materials outside the WTS building overnight or outside the permitted hours of working.

Reason: In the interests of the amenity of nearby occupiers and to accord with Policy W3.7 of the WLP.

12. In the event that the WPA consider that the operation of the facility is likely to generate complaints, the operator shall submit to the WPA for approval in writing a scheme of odour control within four weeks of receiving a written request from the WPA. The scheme shall provide for a system of response to verifiable complaints of odour received from the WPA including investigation of the complaint and consideration of remedial action where practicable and the reporting of the results to the WPA. Following approval of such a scheme, the operation shall only take place in accordance with the details of the approved scheme.

Reason: In the interests of the amenity of nearby occupiers and to accord with Policy W3.7 of the WLP.

13. No waste shall be burned at the site.

Reason: In the interests of the amenity of nearby occupiers and to accord with Policy W3.7 of the WLP.

Dust and Litter

14. Measures shall be employed to prevent dust escaping from the WTS site including:
- a) internal roadways, storage areas and hard surfaces shall be regularly swept to keep them free of mud and debris likely to give rise to dust;

- b) the storage of materials, particularly dry materials, shall be restricted to approved storage areas and bays;
- c) the provision of suitable dust suppression systems on all areas used for the storage of waste outside the building;
- d) bulk loads arriving at or leaving the site shall be carried in enclosed or sheeted containers;
- e) a dust mitigation water misting spray shall be installed to cover the reception area, loading area and the building's doors.

Reason: In the interests of the amenity of nearby occupiers and to accord with Policy W3.10 of the WLP.

15. Measures shall be employed to prevent the deposit of mud, clay and other deleterious materials on the surrounding public highway during construction and operation. Such measures shall include, but not necessarily be limited to, the provision of wheel washing facilities, regular sweeping and cleaning of the access, vehicular circulation routes and the adjacent public highway. In the event that such measures prove inadequate, then within two weeks of a written request from the WPA 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 WPA for its approval in writing. The approved steps for the protection of the surrounding roads shall be implemented within two weeks of approval and thereafter maintained at all times.

Reason: In the interests of highway safety and to accord with Policy W3.8 of the WLP.

16. Measures shall be employed to ensure that litter generated within the site is kept to a minimum and contained within the site. These shall include, but not necessarily be restricted to, the regular sweeping of operational areas within the site and the daily collection of litter escaped from the WTS. The storage of waste material shall be restricted to the WTS building and the designated outside storage areas only.

Reason: To minimise disturbance from windblown litter in accordance with Policy W3.8 of the WLP.

Vermin

17. Measures shall be employed to ensure that vermin is controlled at the site. In the event that these measures prove unsuccessful, then upon the written request of the WPA the applicant shall, within 7 days of such a request, submit for approval in writing an action plan specifying the steps proposed to be taken to control vermin. The vermin action plan shall thereafter be implemented immediately in accordance with the approved measures.

Reason: To ensure satisfactory environmental management at the site.

Capacity of the Site

18. The maximum amount of waste material accepted at the site shall not exceed 62,090 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 WLP.

Traffic

19. The number of HGV waste vehicles entering the site shall not exceed 70 vehicles per day or 756 vehicles over any 14 day period. A record shall be kept by the operator of the number of HGV movements into the site on a daily basis. These records shall be made available to the WPA within seven days of a written request from the WPA. All such records shall be kept for at least 24 months.

Reason: To minimise potential 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.

20. Before the development hereby permitted is brought into use, parking and manoeuvring areas as shown on Drawing Ref: 11280-23 0101 Rev L01 titled 'Proposed Site Layout' shall be provided in accordance with the approved details.

Reason: To ensure the satisfactory working of the site.

21. Before the development hereby permitted is brought into use, signs shall be erected at the entrance to warn users of the HWRC of the regular use by HGVs. Signs shall be erected in accordance with details which have been previously submitted to, and approved in writing, by the WPA. The signs shall thereafter be maintained as approved.

Reason: In the interests of public safety.

22. The operator shall take all reasonable steps to prevent HGV drivers that transport bulked-up waste from turning left into, or turning right out of, the site; in order to prevent these HGVs passing through Rhodesia village and the residential properties on Shireoaks Road. The steps shall include the issuing of instructions to all drivers and the display of signage at the site in accordance with details which have been previously submitted to, and approved in writing, by the WPA. The signs shall thereafter be maintained as approved.

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

Ecology

23. Before any development hereby permitted commences a method statement detailing protection measures for reptiles and other protected species during the site preparation phase shall be submitted to, and approved in writing by, the WPA. The development shall thereafter be carried out in full accordance with the approved method statement which shall incorporate the recommendations made in Section 6.0 of the Ecology Appraisal (Ref: E11317-C-1-1-1-SF-REW) – received by the WPA on 23 December 2010.

Reason: In order to reduce potential for impact on protected species.

24. Prior to the commencement of the development hereby permitted details of the design and specification of floodlighting units and poles shall be submitted to the WPA for approval in writing. The details to be submitted shall include details of shielding to minimise light spillage or the likelihood of glare onto adjoining land. The floodlighting shall thereafter be installed and maintained in accordance with the approved details unless any variation is subsequently agreed in writing by the WPA.

Reason: To protect the amenity of surrounding land and to ensure the protection of wildlife in the interests of nature conservation and to accord with PPS9.

25. Any site clearance operations that involve the destruction or removal of vegetation, including felling, clearing or removal of trees, shrubs or hedgerows on site, shall not be undertaken during the months of March to August inclusive unless otherwise previously agreed in writing by the WPA.

Reason: To avoid disturbance to breeding birds.

Hours

26. Unless in the event of an emergency when life, limb or property is in danger (which the WPA shall be notified of in writing within 48 hours of its occurrence) or with the prior written agreement of the WPA no construction work shall be carried out or plant operated other than between the following hours:

07:00 hours to 18:00 hours on Mondays to Fridays; and between
07:00 hours to 13:00 hours on Saturdays.

No construction work shall take place on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenity of nearby occupiers and to accord with Policy W3.9 of the WLP.

27. The development hereby permitted shall only operate between the following hours:

06:00 hours to 22:00 hours on Mondays to Fridays; and between
07:00 hours to 19:00 hours on Saturdays, Sundays and Bank Holidays

Reason: In the interests of the amenity of nearby occupiers and to accord with Policy W3.9 of the WLP.

Surfacing and Drainage

28. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the WPA. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

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

29. 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.

Closure of the Site

30. In the event that the use of the site for the importation of waste should cease for a period in excess of three months then, within seven days 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. The revised landscaping scheme required under Condition 6 should reflect the local occurrence of species in the nearby Tranker Wood. Therefore, it is suggested that *Cornus sanguinea* and *Viburnum opulus* are removed from the planting mix and replaced with *Corylus avellana* and *Salix caprea*. Rather than the grassland areas being sown with a standard amenity seed mix it is recommended that a simple wildflower seed mix is sown (e.g. Naturescape's English Landscape mix or Emorsgate Seed's EM1 mix). If a wildflower mix suggested is sown, the grassland should not be cut between the start of April and the end of August.
2. Your attention is drawn to the attached letter from the Environment Agency dated 25th November 2011. The letter requests further information, including further consideration given to the source of magnesium detected in the perched and deeper groundwater and Volatile Organic Compounds (VOC). This shall be included in the information submitted to discharge Condition 8.