tonal/impulsive noise if applicable; and an LAeq,5mins free-field level of L90+0dB or 35dB (whichever is higher) during the night-time hours of 23:00-07:00hrs including a 5dB penalty if applicable at any residential property. Furthermore, fixed plant site contributory noise levels measured 3.5m from the nearest façade of the main office building of the Highways Depot shall not exceed 55dB LAeq, 1hour. In the first year following the plant becoming operational the operator shall undertake a 3 monthly noise survey to verify compliance with the approved noise limits. A noise compliance monitoring scheme should be agreed in writing with the WPA prior to commencement of the noise survey to enable site contributory noise to be determined. This may involve monitoring at a near field position and agreed calculation method to show compliance. Measurements taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for any such effects. The results of the noise survey shall be submitted to the WPA within a written report for approval in writing. In the event that compliance with noise criteria is not achieved the report shall identify further noise attenuation measures to mitigate noise emissions. These additional noise mitigation m*easures shall be implemented following their written approval by the WPA.*

30. In the event of a justifiable noise complaint being received by the WPA, the operator shall, within a period of 30 days of a written request submit a noise assessment to the WPA to demonstrate compliance or otherwise with the noise limits that have been imposed. If the prescribed noise levels are exceeded then the operator must incorporate as part of the noise assessment report a scheme of noise mitigation for approval in writing. The noise mitigation scheme shall thereafter be undertaken in accordance with the details approved by the WPA.

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

31. The flare shall only operate during periods of emergency shutdown, system start-up / shutdown or as a standby facility if there is failure in the gas engines.

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

32. All plant/machinery shall be regularly maintained to ensure that noise emissions do not exceed the manufacturer's specifications. In the event that the manufacturers maximum operating noise levels are exceeded then the machinery shall be switched off and repaired/adjusted so as to ensure compliance with these operating noise levels.

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

Litter

33. Prior to building works commencing on the site measures shall be employed to ensure that any litter arising from the operations does not leave the site. These measures shall include curtailment of litter during construction works and throughout the operational life of the site the deposit and storage of all waste materials and refuse derived fuel within the buildings and not upon the open areas of the site and ensuring that the fast acting screen shutters of the MRF tipping bay are maintained in good operational order at all times and remain shut except to allow the passage of a vehicle into and out of the building. Regular inspections and litter picks shall be undertaken outside the buildings to remove any litter from the external areas of the site at all times when the development is in existence.

Reason: *To minimise nuisance caused from windblown litter in accordance with Policy W3.8 of the Nottinghamshire and Nottingham Waste Local Plan.*

Dust

34. Measures shall be employed to ensure that fugitive dust emissions from the site are minimised as far as practicably possible. These measures shall include but not necessarily be limited to the following:

- The use (as appropriate) of a dust suppression system within areas likely to give rise to fugitive dust emissions;
- The use as appropriate of water bowsers and/or spray systems to dampen the road sweepings bay, vehicle circulation and manoeuvring areas;
- Ensuring that the fast acting screen shutters installed in the Energy Centre are maintained in good operational order at all times and remain shut except to allow the passage of a vehicle into and out the building;
- All vehicles transporting waste materials either to or from the site shall be fully enclosed or sheeted.

All measures integrated shall be retained for as long as the development is in existence.

Reason: *To minimise potential dust disturbance at the site and to accord with Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan.*

Odour

35. Measures shall be employed to ensure that operations associated with the development hereby permitted do not give rise to any malodours. Such measures may include but not necessarily be limited to the following:

a. Regular movement of waste within the refuse bunker to ensure that material is circulated on a regular basis thus ensuring that waste is not allowed to decompose.

b. The operation of negative air pressure within the tipping hall area and an odour management system, which would draw air from the reception building (and the MRF), through a series of carbon filters (or similar).

c. The application of masking agents where necessary to neutralise any malodours.

All measures integrated shall be retained for as long as the development is in existence.

Reason: *In the interests of amenity and to accord with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.*

36. No storage container, skip, sorted or unsorted waste material or residue of recycled materials or any other items shall be stored outside the buildings or on operational vehicles.

Reason: *In the interests of amenity and to accord with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.*

External Lighting

37. All floodlighting and other external lighting units proposed including cowling enclosures for the completed buildings and site shall be developed and operated in accordance with a detailed scheme previously approved in writing by the WPA. The scheme shall incorporate a lighting contour map to identify levels of lighting within the application site and any light spillage onto adjacent land and shall ensure that the external faces of the completed buildings and chimneys are not illuminated.

Reason: *To ensure landscape, visual and ecological impacts are minimised in accordance with Nottinghamshire and Nottingham Waste Local Plan Policies W3.3, W3.4 & W3.22.*

Landscaping

38. Within one year of the date of commencement, as notified under Condition 2 above a landscape scheme for the site shall be submitted to and approved in writing by the WPA. The landscaping scheme shall include:

<u>Hard Landscaping</u>

a. Proposed finished levels or contours;

b. Means of enclosure;

c. Car parking surfacing;

d. Other vehicle and pedestrian access and circulation areas surfacing;

<u>Soft Landscaping</u>

a. Planting proposals which are sensitive to the habitat of adjoining sites.

b. Written specifications (including cultivation and other operations associated with plant and grass establishment), specifically with regard to grass seed mixes Emorsgate EL2 mix would appear more appropriate than the specified EM1 Mix with EM8 in the wet grassland;

c. Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate, specifically the hedgerow mix should be amended such that hawthorn is the dominant species (50%)

with reductions in blackthorn (20%), guider rose (5%) and hazel 15%) and the tree planting mix should be amended to remove beech and make the difference up with field maple;

d. Habitat suitable for dingy skipper butterflies;

e. Proposals to incorporate tree planting along the site boundary should be reviewed to ensure that they do not offer potential 'predator perches' to the adjoining wader mitigation area.

f. Implementation programme to include timetable of landscaping/planting and arrangements for a minimum of 5 years aftercare/post planting management.

The landscaped areas shall be maintained thereafter in accordance with the approved management plan. Any trees, shrubs or planting that, within a period of five years after planting, die, are removed or, in the opinion of the WPA, become seriously damaged or diseased, shall be replaced in the following planting season with similar specimens to those originally approved, unless the WPA gives written consent to any variation.

Reason: *In the interests of visual amenity and to ensure compliance with Policy W3.4 of the Nottinghamshire and Nottingham Waste Local Plan.*

Closure of Site

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

Reason: *In the interest of amenity and to ensure compliance with Nottinghamshire and Nottingham Waste Local Plan Policy W4.1.*

Notes to Applicant

1. National Grid (Gas) advise that Low or medium pressure (below 2 bar) gas pipes and associated equipment have been identified in the vicinity of the proposed works. The developers attention is drawn to the letter from National Grid dated 16th December 2013, specifically the recommendations to the developer, before carrying out any work at the site.

2. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of the Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from the Coal Authority's website.

3. The outline drainage strategy includes a petrol/oil bypass separator prior to discharge into the attenuation pond. The detailed drainage strategy should ensure that the separator is suitable for the type of pollutants encountered on

site as per Environment Agency Pollution Prevent Guidance 3 (PPG3). Whilst proprietary oil/silt and debris traps are included as a SuDS treatment train in table 5.10 of Ciria C697 guidance, we would recommend that further source control SuDS features are included in the detailed drainage strategy. This will ensure that silts and other diffuse pollutions are removed prior to discharge into the attenuation pond, which ultimately after disposal to the surface water sewer connects to the Gallow Hole Dyke. The Environment Agency does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative above ground sustainable drainage should be used. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible. Suds involve a range of techniques including methods appropriate to impermeable sites that hold water in storage areas e.g. ponds, basins, green roofs etc rather than just the use of infiltration techniques.

4. It is noted that a piled foundation solution may be implemented at the site as such the Environment Agency refer the applicant to the following guidance: - Piling into contaminated sites, Environment Agency, 2002. This guidance provides useful information on piling and penetrative ground improvement methods on land affected by contamination.

5. The proposal will require an environmental permit from the Environment Agency in order to operate as an Energy from Waste facility.

6. Excavated material arising from site remediation or land development works can sometimes be classified as waste. For further guidance on how waste is classified, and best practice for its handling, transport, treatment and disposal please see our waste pages at http://www.environment-agency.gov.uk/business/topics/waste/default.aspx

7. The Environment Agency advise the proposed use of slag in the manufacture of secondary aggregate will be subject to its analysis, in addition to complying with relevant waste legislation-Duty of Care etc..

8. Under the terms of the Salmon and Freshwater Fisheries Act 1975, it is an offence to cause or knowingly to permit to flow, or put, into any waters containing fish, any liquid or solid matter to such an extent as to cause the water to be poisonous or injurious to fish or the spawning grounds, spawn or food of fish.

9. The presence of creeping water primrose within the linear water body to the south of the site (outside the planning application site area) has been noted. Opportunities should be taken to eradicate this plant.