

20 May 2014**Agenda Item:7****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND
CORPORATE SERVICES****RUSHCLIFFE DISTRICT REF. NO.: 8/13/02185/CMA****PROPOSAL: THE ERECTION OF TWO NEW INDUSTRIAL BUILDINGS AND
INSTALLATION OF 7MW (APPROXIMATE) WOOD FUELLED RENEWABLE ENERGY
BIOMASS PLANT, RETAINING EXISTING WOOD RECYCLING AND COMPOSTING
OPERATIONS****LOCATION: JOHN BROOKE (SAWMILLS) LIMITED, THE SAWMILL, FOSSE WAY,
WIDMERPOOL****APPLICANT: STELLAR ENERGY LIMITED****Purpose of Report**

1. To update Members regarding amendments to the recommended conditions and legal agreement, as approved at April's meeting of Planning and Licensing Committee, associated with the planning application for a wood fuelled renewable energy biomass plant and wood recycling and composting operations at John Brooke Sawmills, Fosse Way, Widmerpool, for which Members resolved to grant planning permission. The report is for noting only.

Background

2. During Members' consideration and debate on the application, a number of amendments to the conditions and legal agreement were recommended and agreed, in addition to the inclusion of an advisory note to the operator. Members' resolution to grant planning permission was subject to these amendments. The changes are set out below and the conditions in their entirety are attached as Appendix 1 to this report.

Conditions

Additional Condition Recommended in Light of a Late Consultation Response from Rushcliffe Borough Council

3. Members will recall a late consultation response from Rushcliffe Borough Council which was orally reported at committee. Rushcliffe Borough Council wished it to be noted that the raising of no objection to the application was based on the proposed use of the building as a renewable energy biomass plant as encouraged by Central Government policies and guidance. It was reported that the Borough Council's comments should not imply that a favourable view would be forthcoming for any general industrial building of this size in this countryside setting. In light of these comments, a further condition was recommended to and agreed by Members, which reads as follows:

The biomass building hereby approved shall only be used for the generation of renewable energy.

Reason: *The size and scale of the biomass building in a countryside location is only considered appropriate given its use in the generation of renewable energy.*

4. This condition has been inserted as Condition 4 in the attached schedule of conditions which of course results in later conditions being renumbered.

Condition 19

5. Condition 19 (Condition 18 in the original schedule of conditions appended to the April committee report) sets out the hours of operation for the various activities proposed on site and, as a result of Members seeking confirmation that no HGVs be permitted to enter and exit the site on Sundays, Public and Bank Holidays, the condition has been amended as follows (additional text in **bold**).

19. Except in the case of an emergency when life, limb or property are in danger (with such instances being notified in writing to the WPA within 48 hours of their occurrence), or with the prior written approval of the WPA, the following shall not take place except within the hours specified below:

	Mondays to Fridays	Saturdays	Sundays Bank/ Public Holidays
Site development works including construction of the biomass plant and wood chipping/shredding/storage building	7am to 7pm	7am to 12pm	Not at all
Operation of the biomass plant	24 hours a day	24 hours a day	24 hours a day
Receipt of wood fuel into the biomass plant	7am to 7pm	7am to 7pm	8am to 4pm
Operation of plant and machinery associated with wood recycling and composting activities, and the movement of HGVs into and out of the site	8am to 6pm	9am to 5pm	Not at all

Reason: To safeguard the amenity of nearby occupiers and in compliance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

Condition 26

6. Condition 26 (Condition 25 in the original schedule of conditions appended to the April committee report) requires details of the external materials, including colour(s), to be used on the biomass plant, chimney stack and the waste wood chipping/shredding building to be submitted for approval. It was brought to Members' attention that the reason for the condition should have made reference to Policy W3.3 (Visual Impact) of the Nottinghamshire and Nottingham Waste Local Plan instead of Policy W3.9 (Noise). However, Members should be aware that the condition not only requires the colours of the various structures to be approved but also their acoustic properties to ensure that noisy processes within the biomass building and the waste wood chipping/shredding building do not give rise to noise complaints. Accordingly, the reason for this condition has been amended as follows (additional text in **bold**).

26. No development shall commence until details of the external materials, including colour(s), to be used on the biomass plant building, the chimney stack and the waste wood chipping/shredding building have been submitted to the WPA for its approval in writing. The external materials and any other details required in the construction of the biomass building and the waste wood chipping/shredding building shall achieve a noise reduction index of at least 25dB(A) Rw. The biomass building, chimney stack and waste wood chipping/shredding building shall be constructed in

accordance with the approved details and shall thereafter be maintained in order to provide the required noise attenuation.

*Reason: To minimise **the visual impact of the development and to minimise** the risk of noise pollution in accordance with **Policy W3.3 and Policy W3.9** of the Nottinghamshire and Nottingham Waste Local Plan.*

Condition 27

7. Condition 27 (Condition 26 in the original schedule of conditions appended to the April committee report) provides for additional noise surveys and suitable mitigation in the event of a complaint being made in respect of noise. Members raised concerns regarding the length of time that the condition allowed between the receipt of a complaint, the carrying out of a noise survey, the implementation of mitigation measures and the carrying out of a further noise survey. Accordingly, but taking into account the need to allow a realistic length of time to allow the site operator to organise the carrying out of the noise surveys, the condition has been amended as follows (new text in **bold**, deleted text ~~crossed out~~).

27. In the event that a complaint is received regarding noise from the site, the operator shall, within ~~one month~~ **14 days** of a written request from the WPA, undertake and submit to the WPA for its written approval a BS4142:1997 noise survey to assess whether noise from the development exceeds the daytime criterion of 10dB(A) above the existing background noise level or night time criterion of 5dB(A) above the background noise level, after the addition of the 5dB(A) penalty to reflect tonal, discrete or impact noise as advised in BS4142:1997. The noise assessment position and methodology in light of 24hr operations shall be agreed in advance with the WPA.

In the event of either criterion being exceeded, the report shall include additional measures to mitigate the noise impact so as to ensure compliance with the noise criterion, including a timetable for their implementation. The additional mitigation measures shall be implemented in accordance with the approved details and, **once in place**, an additional noise survey undertaken in accordance with BS4142:1997 within ~~one month~~ **14 days** to ensure compliance with the noise criterion. The results of this additional noise survey shall be submitted to the WPA within ~~one month~~ **14 days** of the additional noise survey having been carried out.

Reason: To minimise the risk of noise pollution in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

Condition 29

8. Officers noted that no reason was included for Condition 29 (Condition 28 in the original schedule of conditions appended to the April committee report) which relates to floodlighting. Accordingly, the condition has been amended as follows (additional text in **bold**).

29. Within one month of the date of commencement of the planning permission, as notified under Condition 2(a) above, details of all floodlighting to be used at the site shall be submitted to the WPA for its approval in writing. The details shall ensure that the floodlighting shall be angled downwards and suitably shielded to ensure that it does not result in glare or dazzle to surrounding land, property and other users. The details shall also set out the hours during which individual floodlighting fixtures shall be in use depending on their location and the hours of operation detailed in Condition 18 above. Outside these hours, individual floodlights shall be individually operated through a movement sensor switch with a maximum lighting cycle not exceeding 5 minutes.

The floodlighting shall be implemented and maintained for the life of the development in accordance with the approved details.

Reason: *To minimise the visual impact of the development in accordance with Policy W3.3 of the Nottinghamshire and Nottingham Waste Local Plan.*

Condition 34

9. Condition 34 (Condition 33 in the original schedule of conditions appended to the April committee report) restricts the number of HGVs accessing the site to deposit waste wood and green waste to 15 per day. Members discussed this figure and it was agreed with officers that the condition would be amended to require the operator to keep records of daily HGV numbers which would be made available to the Waste Planning Authority on request. Accordingly, the condition has been amended as follows (additional text in **bold**).

33. The number of HGVs accessing the site to deposit wood waste and green waste shall not exceed 15 per day. **Written records shall be maintained by the operator of all HGV movements into and out of the site with the records kept for a minimum period of two years. Copies of the HGV movement records shall be made available to the WPA within 7 days of a written request being made by the WPA.**

Legal Agreement

10. Members recommended that a liaison committee be set up for the site to allow local residents and parish council representatives to meet with the site operators on a regular basis to discuss operations on site and any concerns they might have. Subsequent discussions with the applicant have confirmed this to be acceptable and the applicant is presently in the process of drawing up heads of terms of a legal agreement which would include the provision of a liaison committee.

Advisory Note to the Applicant

11. Members raised concerns regarding the potential for HGVs entering the site to have to queue on the A46 and the risks this could lead to for other highway users. Officers explained the circulatory route within the site which would allow HGVs to exit the A46 without delay but it was considered that an advisory note be attached to any planning permission issued highlighting this potential concern. The advisory note would read as follows:

The operator should ensure that the vehicle circulatory route within the site is kept free of obstruction at all times in order that all HGVs entering the site can do so without delay and without having to queue on the A46 Fosse Way.

Statutory and Policy Implications

12. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required. It is considered that there are no further implications in respect of the above over and above those set out in the previous committee report.

Statement of Positive and Proactive Engagement

13. In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions and the scoping of the application. The proposals and the content of the Environmental Statement have been assessed against relevant Development Plan policies in the Nottinghamshire and Nottingham Waste Core Strategy, saved policies in the Nottinghamshire and Nottingham Waste Local Plan, and the Rushcliffe Non-Statutory Replacement Local Plan; the National Planning Policy Framework, the National Policy Statement for Energy, the Waste Management Plan for England, and Planning Policy Statement 10: Planning for Sustainable Waste Management. The Waste Planning Authority has identified all material considerations; forwarded

consultation responses that may have been received in a timely manner; considered any valid representations received; liaised with consultees to resolve issues and progressed towards a timely determination of the application. Issues of concern have been raised with the applicant, such as the impact on the setting of a listed building, noise impacts, and the impacts of shadowing from the proposed biomass plant on adjacent agricultural land, and these have been addressed through negotiation and acceptable amendments to the proposals, as requested through a Regulation 22 submission. The applicant has been given advance sight of the draft planning conditions and the Waste Planning Authority has also engaged positively in outlining matters that would need to be included in a legal agreement. The conditions and legal agreement have been further considered by Members and amendments have been made as recommended. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

14. It is RECOMMENDED that the above amendments are noted and Members' attention is drawn to the schedule of revised conditions set out in Appendix 1 of this report.

JAYNE FRANCIS-WARD

Corporate Director Policy, Planning and Corporate Services

Constitutional Comments

This report is for noting only.

[SLB 30/04/2014]

Comments of the Service Director - Finance

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

[SEM 01/05/14]

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

Councillor John Cottee

Keyworth

Report Author / Case Officer

Jonathan Smith

0115 9696502

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

RECOMMENDED PLANNING CONDITIONS

Commencement

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

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

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

(a) The construction of the development hereby permitted;

(b) The generation of energy from the biomass plant.

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

3. From the commencement of the development, a copy of this permission including all plans and documents hereby approved and any plans or documents subsequently approved in accordance with the permission shall always be available at the site for inspection by the WPA during normal working hours.

Reason: To ensure that the development is carried out in accordance with the approved plans and documents.

Approved details

4. The biomass building hereby approved shall only be used for the generation of renewable energy.

Reason: The size and scale of the biomass building in a countryside location is only considered appropriate given its use in the generation of renewable energy.

5. Unless otherwise agreed in writing by the WPA, or where amendments are made pursuant to the other conditions attached to the permission, the development hereby permitted shall be carried out in accordance with the following plans and documents:

(a) Planning application forms and Environmental Statement received by the WPA on 23 August 2013;

- (b) Response to Information Request Made Under Regulation 22 of EIA Regulations Version 1.3 received by the WPA on 18 February 2014;
- (c) Drawing Number 2474-1376-02 Revision B – Site Location Plan received by the WPA on 23 August 2013;
- (d) Drawing Number 2474-1376-03 Revision E – Proposed Site Layout Plan received by the WPA on 18 February 2014;
- (e) Drawing Number 2474-1376-04 Revision B – Proposed Biomass Building Elevations received by the WPA on 18 February 2014;
- (f) Drawing Number 2474-1376-05 Revision A – Proposed Storage Building Elevations received by the WPA on 18 February 2014;
- (g) Drawing Number LL95.02 Revision A – Landscape Masterplan received by the WPA on 18 February 2014.

Reason: For the avoidance of doubt.

- 6. Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or subsequent amending legislation, no fixed plant or machinery, buildings, structures or private ways, shall be erected, extended, installed or replaced at the site, other than those expressly authorised by this permission, without the prior written approval of the WPA.

Reason: In the interests of visual amenity.

Construction of the biomass plant

- 7. No development shall commence until details of the contractors' access and site working arrangements have been submitted to, and approved in writing by, the WPA. The details shall specify the following:
 - (a) The size and location of the works compound(s);
 - (b) The number, size (including height) and location of all contractors' temporary buildings;
 - (c) The location(s) and means of access to the site;
 - (d) Arrangements for the use/disposal of surplus soil materials including any temporary soil storage arrangements;
 - (e) Provision for contractors' parking;
 - (f) The means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site;
 - (g) The arrangements for parking of contractors' vehicles and contractors' personal vehicles;

- (h) Measures to minimise disturbance from noise which may include but not necessarily be restricted to the following:
 - (i) Cladding, insulation and operation of plant and machinery in accordance with manufacturers' recommendations;
 - (ii) Erection of noise attenuation bunds and fencing;
 - (iii) Additional restrictions on hours of working to those specified in Condition 19 below.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual and highways amenity and to ensure that the development is in compliance with Policy W3.3 and Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.

- 8. No development shall commence until a routeing plan for construction traffic to and from the site has been submitted to, and approved in writing by, the WPA. The plan shall identify the arrangements for:
 - (a) Identifying steps and procedures to be implemented to minimise the impact of construction traffic including the management and routeing of HGVs to the site;
 - (b) Eliminating the deposition of debris, mud or dust upon the public highway resulting from the use of any vehicles leaving the development site;
 - (c) Ensuring that all construction drivers under the control of the applicant are made aware of the approved arrangements;

The routeing plan shall be implemented throughout the duration of the construction period.

Reason: To ensure the appropriate controls are in place to monitor and manage the site generated construction traffic and to ensure the safe operation of the A46 trunk road.

- 9. If, during the construction of the development hereby permitted, contamination not previously identified through the Groundsure Geology and Ground Stability Report submitted with the application and received by the WPA on 23 August 2013, is found to be present at the site, then no further development shall be carried out until a method statement has been submitted to and been approved in writing by the WPA. The method statement shall detail any investigations and remediation requirements to deal with the unsuspected contamination, including measures to minimise the impact on ground and surface waters and on the proposed land use, using the information obtained from the agreed site investigations. The method statement shall be implemented in accordance with the approved details as part of the continued construction of the development hereby permitted or in accordance with any other such timescale as may first be agreed in writing with the WPA.

Reason: To ensure that the construction of the development hereby permitted does not pose a risk to public health or the wider environment by ensuring that the site is made suitable for its intended use, in accordance with Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan.

10. The chimney stack on the biomass building shall be 37 metres high, as per the details on Drawing Number 2474-1376-04 Revision B – Proposed Biomass Building Elevations received by the WPA on 18 February 2014.

Reason: To provide the necessary dispersion of emissions from the chimney stack.

Operational details

11. Only waste wood and any oversized green waste shall be accepted at the site. No other waste types shall be imported into the site.

Reason: In the interest of amenity and aviation safety in order to prevent the importation of putrescible waste which may attract birds.

12. Only green waste shall be composted at the site. Green waste is defined as grass, tree and hedge clippings and other types of organic plant matter originating from private gardens, local authority parks and commercial landscape works, or collected from kerbside collections or household waste recycling centres. The waste shall not include food products and food wastes.

Reason: To ensure satisfactory operation of the site in accordance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.

13. Any non-green or non-waste wood waste identified when material is tipped onto the site shall be removed prior to that waste stream being chipped and shredded. All non-green and non-waste wood waste shall be removed from the site at the earliest opportunity.

Reason: To ensure satisfactory operation of the site in accordance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.

14. The total combined amount of green waste and waste wood imported into the site shall not exceed 20,000 tonnes per annum until the wood chipping/shredding building, as detailed on Drawing Number 2474-1376-05 Revision A – Proposed Storage Building Elevations received by the WPA on 18 February 2014 has been constructed and is available for use, notification of which shall be made in writing to the WPA within one week of its construction. Thereafter, the total combined amount of green waste and waste wood imported into the site shall not exceed 60,000 tonnes per annum. A written record of the tonnages of waste materials being imported into the site shall be maintained by the developer and/or wood processor. Records of the tonnages recorded shall

be made available to the WPA in writing within two weeks of a written request from the WPA.

Reason: To safeguard the amenity of users of nearby land and the nearest residential occupiers.

15. Upon the completion of the construction of the wood chipping/shredding building, as detailed on Drawing Number 2474-1376-05 Revision A – Proposed Storage Building Elevations received by the WPA on 18 February 2014 and as notified under Condition 14 above, waste wood shall only be chipped and shredded inside this wood chipping/shredding and storage building as identified on Drawing Number 2474-1376-03 Revision E – Proposed Site Layout Plan received by the WPA on 18 February 2014.

Reason: In the interests of amenity and to ensure the development is in compliance with Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan.

16. Green waste shall only be chipped and shredded in the 'green waste shredding' location detailed on Drawing Number 2474-1376-03 Revision E – Proposed Site Layout Plan received by the WPA on 18 February 2014.

Reason: In the interests of amenity and to ensure the development is in compliance with Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan.

17. No materials may be burned on the site except in the biomass plant. Any fire occurring shall be regarded as an emergency and immediate action taken to extinguish it.

Reason: In the interests of amenity.

18. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, of the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges, and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land, or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.

Noise

19. Except in the case of an emergency when life, limb or property are in danger (with such instances being notified in writing to the WPA within 48 hours of their occurrence), or with the prior written approval of the WPA, the following shall not take place except within the hours specified below:

	Mondays to Fridays	Saturdays	Sundays Bank/ Public Holidays
Site development works including construction of the biomass plant and wood chipping/shredding/storage building	7am to 7pm	7am to 12pm	Not at all
Operation of the biomass plant	24 hours a day	24 hours a day	24 hours a day
Receipt of wood fuel into the biomass plant	7am to 7pm	7am to 7pm	8am to 4pm
Operation of plant and machinery associated with wood recycling and composting activities, and the movement of HGVs into and out of the site	8am to 6pm	9am to 5pm	Not at all

Reason: To safeguard the amenity of nearby occupiers and in compliance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

20. All plant, machinery and vehicles operating within the site shall incorporate noise abatement measures and be fitted with silencers and 'white noise' reversing warning devices maintained in accordance with the manufacturers' recommendations and specifications at all times to minimise any disturbance to the satisfaction of the WPA.

Reason: To minimise the risk of noise pollution in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

21. Internal noise levels within the biomass plant building hereby permitted and detailed on Drawing Number 2474-1376-04 Revision B – Proposed Biomass Building Elevations received by the WPA on 18 February 2014 shall not exceed 90dB(A).

Reason: To minimise the risk of noise pollution in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

22. No roof lights shall be fitted into the roof of the biomass plant building hereby permitted and detailed on Drawing Number 2474-1376-04 Revision B – Proposed Biomass Building Elevations received by the WPA on 18 February 2014.

Reason: To minimise the risk of noise pollution in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

23. The main doors on the biomass plant building hereby permitted and detailed on Drawing Number 2474-1376-04 Revision B – Proposed Biomass Building Elevations received by the WPA on 18 February 2014 shall be kept fully shut at all times with the exception of deliveries of processed waste wood into the building and the removal of ash from the building.

Reason: To minimise the risk of noise pollution in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

24. All pedestrian doors on the biomass plant building hereby permitted and detailed on Drawing Number 2474-1376-04 Revision B – Proposed Biomass Building Elevations received by the WPA on 18 February 2014 shall be kept fully shut at all times except when in use.

Reason: To minimise the risk of noise pollution in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

25. No development shall commence until details of all the acoustic screening, both around the air condenser unit and around the green waste shredding area and as detailed on Drawing Number 2474-1376-03 Revision E – Proposed Site Layout Plan received by the WPA on 18 February 2014, have been submitted to the WPA for its approval in writing, including a timetable for the installation of the screens. The acoustic screening shall be erected in accordance with the approved details prior to the generation of energy from the site and shall thereafter be maintained in order to provide the required noise attenuation.

Reason: To minimise the risk of noise pollution in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

26. No development shall commence until details of the external materials, including colour(s), to be used on the biomass plant building, the chimney stack and the waste wood chipping/shredding building have been submitted to the WPA for its approval in writing. The external materials and any other details required in the construction of the biomass building and the waste wood chipping/shredding building shall achieve a noise reduction index of at least 25dB(A) Rw. The biomass building, chimney stack and waste wood chipping/shredding building shall be constructed in accordance with the approved details and shall thereafter be maintained in order to provide the required noise attenuation.

Reason: To minimise the visual impact of the development and to minimise the risk of noise pollution in accordance with Policy W3.3 and Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

27. In the event that a complaint is received regarding noise from the site, the operator shall, within 14 days of a written request from the WPA, undertake and submit to the WPA for its written approval a BS4142:1997 noise survey to assess whether noise from the development exceeds the daytime criterion of 10dB(A) above the existing background noise level or night time criterion of 5dB(A) above the background noise level, after the addition of the 5dB(A)

penalty to reflect tonal, discrete or impact noise as advised in BS4142:1997. The noise assessment position and methodology in light of 24hr operations shall be agreed in advance with the WPA.

In the event of either criterion being exceeded, the report shall include additional measures to mitigate the noise impact so as to ensure compliance with the noise criterion, including a timetable for their implementation. The additional mitigation measures shall be implemented in accordance with the approved details and, once in place, an additional noise survey undertaken in accordance with BS4142:1997 within 14 days to ensure compliance with the noise criterion. The results of this additional noise survey shall be submitted to the WPA within 14 days of the additional noise survey having been carried out.

Reason: To minimise the risk of noise pollution in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

Dust

28. No development shall commence until a dust management plan has been submitted to, and been approved in writing by, the WPA. The dust management plan shall set out measures to minimise the generation of dust and reduce its impact on nearby dust sensitive receptors, including adjacent agricultural land, to acceptable levels, both during the construction and operation of the development hereby permitted, provide for dust monitoring, and provide a scheme for dealing with complaints. The dust management plan shall include, but not necessarily be limited to, any or all of the following steps as appropriate:
- (a) The use of water bowsters, sprays and vapour masts to dampen haul roads and other operational areas of the site;
 - (b) The sweeping of access and haul roads, where necessary;
 - (c) The minimisation of drop heights during loading and unloading of unprocessed and processed waste wood and green waste;
 - (d) Limiting on-site vehicle speeds;
 - (e) Provisions for the temporary suspension of operations, including vehicle movements, during periods of unfavourably dry or windy weather conditions;
 - (f) Details of the mechanisms to be employed to monitor dust and airborne particles including the monitoring locations and the mechanism to record the dust monitoring data, including its submission to the WPA;
 - (g) Details of the measures to be undertaken should the monitoring results indicate that operations on site are likely to lead to justifiable complaints;
 - (h) Details of the mechanism for dealing with any complaints received either directly from members of the public or via the WPA.

The dust management plan shall be implemented in accordance with the approved details.

Reason: To minimise the risk of dust and air pollution in accordance with Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan.

Lighting

29. Within one month of the date of commencement of the planning permission, as notified under Condition 2(a) above, details of all floodlighting to be used at the site shall be submitted to the WPA for its approval in writing. The details shall ensure that the floodlighting shall be angled downwards and suitably shielded to ensure that it does not result in glare or dazzle to surrounding land, property and other users. The details shall also set out the hours during which individual floodlighting fixtures shall be in use depending on their location and the hours of operation detailed in Condition 19 above. Outside these hours, individual floodlights shall be individually operated through a movement sensor switch with a maximum lighting cycle not exceeding 5 minutes.

The floodlighting shall be implemented and maintained for the life of the development in accordance with the approved details.

Reason: To minimise the visual impact of the development in accordance with Policy W3.3 of the Nottinghamshire and Nottingham Waste Local Plan.

Drainage

30. No development shall commence until drainage plans for the disposal of surface water and foul sewage have been submitted to, and approved in writing by, the WPA. The scheme shall be implemented in accordance with the approved details before the development hereby permitted is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage in addition to reducing the risk of creating or exacerbating a flooding problem and to minimise the risk of flooding in accordance with Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan.

Highways and access

31. All HGVs entering and leaving the site shall only do so by means of a left turn into and out of the site. No HGVs shall cross the central reservation of the A46 when entering and leaving the site.

Reason: In the interests of highway safety in accordance with Policy W3.15 of the Nottinghamshire and Nottingham Waste Local Plan.

32. No development, including the construction of the biomass plant, shall commence until details of the signs to be erected at the site entrance directing HGV drivers to enter and leave the site by means of a left turn manoeuvre only have been submitted to, and approved in writing by, the WPA. The signs shall be erected in accordance with the approved details and shall thereafter be maintained in good condition throughout the life of the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policy W3.15 of the Nottinghamshire and Nottingham Waste Local Plan.

33. No development, including the construction of the biomass plant, shall commence until details of the instructions to be issued to all HGV drivers instructing them to enter and leave the site by means of a left turn manoeuvre only have been submitted to, and approved in writing by, the WPA. All HGV drivers accessing the development hereby permitted shall be issued with the instructions as approved throughout the life of the development.

Reason: In the interests of highway safety in accordance with Policy W3.15 of the Nottinghamshire and Nottingham Waste Local Plan.

34. The number of HGVs accessing the site to deposit wood waste and green waste shall not exceed 15 per day. Written records shall be maintained by the operator of all HGV movements into and out of the site with the records kept for a minimum period of two years. Copies of the HGV movement records shall be made available to the WPA within 7 days of a written request being made by the WPA.

Reason: In the interests of highways safety in accordance with Policy W3.15 of the Nottinghamshire and Nottingham Waste Local Plan.

35. Measures shall be employed to prevent the deposit of mud, clay and other deleterious materials on the surrounding public highway during the operation of the site. Such measures may include the provision of wheel washing facilities, regular sweeping and cleaning of the access and vehicular circulation routes. 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 the timeframes specified in the scheme and thereafter maintained at all times.

Reason: In the interests of highways safety in accordance with Policy W3.11 of the Nottinghamshire and Nottingham Waste Local Plan.

Landscaping

36. Prior to the commencement of the development hereby permitted as notified under Condition 2(a) above, a scheme for landscape strategy shall be submitted

to the WPA for its approval in writing. The strategy shall include the following details:

- (a) The identification of all trees, hedges and shrubs to be retained and the measures for their protection during the construction of the development hereby permitted and thereafter, and details of any trees, shrubs and hedges to be removed;
- (b) A landscape strategy for the site and its surroundings, including Broughton Grange Farm and its setting, which details how the landscaping proposals have been designed to benefit the landscape character of the area, the setting of Broughton Grange Farm (drawing from the First Edition Ordnance Survey Map), and the biodiversity of the area;
- (c) A revised Landscape Masterplan based on Drawing Number LL95.02 Revision A – Landscape Masterplan received by the WPA on 18 February 2014 but extended to include Broughton Grange Farm and its setting, including the A46 and existing roadside planting, and designed based on the landscape strategy submitted under Criteria (b) above;
- (d) Planting proposals showing numbers; species (which shall be native species, appropriate to the local area, of native genetic origin and ideally of local provenance (seed zone 402)); proportions (with hedgerows being hawthorn dominant); density; positions; and sizes of all trees, shrubs and hedgerows; and the sowing of wildflower areas, to provide for the revised Landscape Masterplan submitted under Criterion (c) above;
- (e) A landscape management plan and schedule of maintenance for a period of 5 years;
- (f) Timetable for implementation of hard and soft landscape works.

All landscaping planting and protection shall be carried out in accordance with the approved details.

Reason: In the interest of amenity and to benefit landscape character and the setting of a listed building in accordance with Policy W3.4 and Policy W3.28 of the Nottinghamshire and Nottingham Waste Local Plan.

Informatives/notes to applicants

1. The operator should ensure that the vehicle circulatory route within the site is kept free of obstruction at all times in order that all HGVs entering the site can do so without delay and without having to queue on the A46 Fosse Way.
2. Your attention is drawn to the Standing Advice from The Coal Authority dated 1 January 2013 set out below.