



**16 October 2012**

**Agenda Item: 5**

## **REPORT OF GROUP MANAGER PLANNING**

### **RUSHCLIFFE DISTRICT REF. NOS.:**

**A. 8/12/00553/CMA**

**B. 8/12/00922/CMA**

**PROPOSAL: A. PROPOSED INSTALLATION OF A METAL SHREDDING AND RECYCLING SYSTEM AT THE EXISTING METAL RECYCLING FACILITY**

**B. CONSTRUCTION OF A NEW BUILDING TO HOUSE A GENERATOR ASSOCIATED WITH A METAL SHREDDING AND RECYCLING PLANT**

**LOCATION: GLEN BARRY METALS, LANGAR INDUSTRIAL ESTATE NORTH, HARBY ROAD, LANGAR**

**APPLICANT: MR GLEN ALLSOP**

### **Purpose of Report**

1. To consider a planning application for the installation of a metal shredding and recycling system, and an application for a building to house a generator at an existing waste recycling site at Glen Barry Metals, Langar Industrial Estate North, Harby Road, Langar. The key issue relates to potential noise generated when the metal shredder is in operation. The recommendation is to approve both developments, subject to conditions set out in Appendix 1 of the report.

### **The Site and Surroundings**

2. The application site is located to the north of Langar airfield, a former RAF airfield used as a base for skydiving and parachuting, approximately 1.3km to the south-east of Langar village. The site forms part of Langar Industrial Estate North, a mixture of industrial and waste management operations. Smart recycling, a site used for wood shredding accessed from Coach Gap Lane, is located 250m to the north of the application site. John Deere, agricultural engineering premises, is situated to the west the site. Offices at John Deere are 400m from the development subject of these applications (Plan 1).
3. The nearest residential property and cattery (Chardas Cattery), served by an unsurfaced road, lies 570m to the north-east. Mature leylandii stand in the front

garden of that property and there is a mature hedge on the western side of the road, in line of sight between the residential property and the application site.

4. A residential mobile home park (Langar Woods), lies 1.0km to the north-west of the application site. Residential properties at Barnstone Lodge, Little Langar Lodge and Langar Lodge, referenced at Paragraph 23 of the report, lie 975m, 825m and 940m from the installed plant. A residential caravan off Coach Gap Lane is situated 650m to the north-west of the installation (Plan 1).
5. Access to the site is gained from Harby Road along a private, former airfield road 0.65km in length, running along the north-western edge of Langar airfield. A collection of industrial and business operations take place within the airfield approximately 900m to the south of the application site.
6. The application site comprises a metal recycling centre, approximately 125m by 65m served by the former airfield road from Harby Road. A 2.5m high concrete wall is erected along the eastern edge of the yard, returning approximately 20m along the northern and southern boundaries. Mature trees are established around the periphery of the yard. Land adjoining the metal recycling centre, is in the control of the applicant (Plan 2).
7. The yard is used for the recovery of ferrous and non-ferrous metals from various sources, and for the dismantling and the de-pollution of vehicles. Metal cutting is carried out by hand or by shears attached to a hydraulic excavator. Access and egress from the yard is via weighbridges located adjacent to a site office building.
8. A metal shredding machine, conveyor belt and trommel screen, and picking station is located in the northern corner of the site on an impermeable concrete base. The installation is powered by a generator housed within a containerised building adjacent to the metal shredder. The applicant has confirmed that the installed system has been operated intermittently between 09:00 hours – 16:00 hours since April 2012.

## **Background**

9. Planning permission reference 8/03/01676/CMA (March 2004) – Change of use of former builder's yard to metal recycling facility including security fencing, landscaping and staff facilities. A condition of the permission required the site to be laid out as approved in the application.
10. Various planning permissions have been granted for an office building at the site and buildings to meet the operational needs of the site (application references 8/06/01097/CMA, 8/06/01097/CMA, 8/07/02491/CMA and 8/09/01839/CMA).

## **Proposed Development**

### **A. Metal Shredding and Recycling System**

11. Prior to installing the equipment on site, the applicant's company was not able to recover ferrous and non-ferrous metals from waste material that arrived on the site. Non-recoverable metals were transported off-site to a facility with this

capability, the effect of which was to increase vehicle movements to and from the site. The installed equipment allows the sorting and bulking up of recovered metals close to source before being transported by road from the site.

12. Planning permission is sought for the retention of the metal shredder, conveyor belts and trommel screen, and the picking station located in the northern corner of the site. The installed plant is set out in an 'L' shape, is 60m in overall length, and is generally 4m in height. The shredder stack is the tallest part of the installation at an approximate height of 6.3m.
13. The process involves waste metal being placed onto a 6.3m long conveyor which feeds the metal shredder. Mixed shredded material falls onto a conveyor feeding a trommel (a rotating cylinder which separates material by size) to remove items up to 20mm in diameter. The screen feeds a second conveyor leading to an elevated picking station 21m in length.
14. A semi-automatic sorting and picking station, with two cross-band magnets at right-angle to the station, is driven by an electric geared motor. Magnets gather ferrous materials, discharging the material to the appropriate ferrous bay below. A drum magnet on the sorting/picking station ensures that the maximum amount of ferrous material is recovered. A similar system (eddy current separator) is used to remove non-ferrous metal. Recyclable non-metal waste is handpicked from a catwalk to either side of a 1.2m wide conveyor and is placed in a bay below the picking station.
15. The application proposes that hours of operation are the same as the metal recycling facility (08:00 hours – 16:30 hours Monday to Friday and 08:00 hours – 13:00 hours Saturdays with no working on Sundays, Public or Bank Holidays). However, the applicant has subsequently advised that the insurance policy for the metal shredder restricts hours of operation to 09:00 hours – 16:00 on Monday to Friday only. The applicant has indicated that typically the shredder would be used two or three days per week for approximately two to three hours per day, although its use would depend on the quantity of appropriate scrap metal accepted at the site.

## **B. Building to House a Generator**

16. The metal shredding installation, conveyors, trommel and electro magnetic equipment the subject of this report require electrical power. A diesel generator housed in a purpose-designed containerised building coloured blue with a footprint 12.1m x 2.4m and 2.4m in height, has been sited in the yard to the east of the metal shredder (Plan 3).
17. Planning permission is sought to retain the generator building. Whilst the generator is required to operate the metal shredder, the generator could be used alone to produce electrical power for other activities on the site.

## **Common Supporting Information**

18. The installation has been sited on an impermeable concrete base which benefits from a sealed drainage system in accordance with the requirements of the existing waste permit.
19. Sound power levels of the metal shredder and generator in operation on the site have been submitted in support of the application. Sound power level is the acoustic rating of an item of machinery and is not influenced by weather or other factors. The metal shredder and recycling plant (with the generator in operation) has a sound power level of 125dBSWL. whilst the generator has a sound power level of 97dBSWL.
20. Projected over distance, the anticipated noise level generated by the metal shredder and generator at the curtilage boundary of the nearest residential receptor to the east is 55dBL<sub>aeq</sub>, 1 hour (free-field), and 60dBL<sub>aeq</sub>, 1 hour (free-field) at the façade of the John Deere offices.
21. The metal shredding installation and building housing the generator require a revision to the operational layout of the site approved under planning application reference 8/03/01676/CMA. The proposed site layout is shown on Plan 3.

## Consultations

### A. Metal Shredding and Recycling System

22. **Rushcliffe Borough Council** – No objection. *The Borough Council's Environmental Health Officer considers that there is unlikely to be a significant noise impact associated with the metal shredder based on the information provided.*
23. **Langar-Cum-Barnstone Parish Council** - *Object, with reference to the supporting noise report, to the unacceptable level of noise which will be produced by the metal shredder and recycling plant. The operational noise levels of 55dBL<sub>aeq</sub>, 1 hour (free-field) and 60dBL<sub>aeq</sub>, 1 hour (free-field) are too high and reach distressing levels. The noise will affect Barnstone Lodge, Little Langar Lodge, Langar Lodge and John Deere. The Parish Council note that the sound monitoring station used for the noise report supporting the application was sited up-wind of the installation.*
24. **NCC Highways Development Control** – No objection. *The proposal would result in a reduction in vehicle movements. Access arrangements are not affected.*
25. **Langar Airfield** – No response received.
26. **NCC Noise Engineer** – *The sound power levels of the generator and the metal shredder and recycling plant have been determined to be 97dBSWL and 125dBSWL respectively. These values have been derived from on-site sound pressure level (SPL) readings obtained at a distance of 10m from each noise source. The operational noise level at the nearest residential receptor (Chardas Cattery) is predicted to be 55dBL<sub>aeq</sub>, 1 hour (free-field) and 60dBL<sub>aeq</sub>, 1 hour (free-field) at the facade*

*of John Deere offices. These noise levels are quite high and of such a level which may give rise to complaints.*

27. *It has been confirmed by the applicant that the recycling plant has been working on several occasions. This has not yet given rise to any complaints to the Authority.*
28. *Langar-Cum-Barnstone Parish Council has raised concern regarding the level of noise impact at Chardas Cattery and at John Deere's offices as well as at Barnstone Lodge, Little Langar Lodge and Langar Lodge. It is pointed out that these additional properties are located further away from the proposal than Chardas Cattery [note – Chardas Cattery is not specifically referenced in the Parish Council response, but it is the closest residential receptor] and will be exposed to noise levels lower than the 55dBL<sub>aeq</sub>,1hour (free-field) limit.*
29. *The presence of the mature hedge and single line of leylandii in the vicinity of Chardas Cattery will not significantly reduce the level of operational noise reaching this property.*
30. *It is recommended that operational noise levels are controlled through suitably worded noise conditions. Two noise monitoring conditions have been included to ensure that noise in excess of the 55dBL<sub>aeq</sub>,1hour (free-field) noise limit at Chardas Cattery can be substantiated by monitoring at an identified location (Plan 4).*
31. *In addition it is recommended that the amount of material to be processed on site is limited to 20,000 tonnes per annum in order to give some control over the number of vehicles visiting the site.*
32. *Since receiving the above consultation response, and in response to concerns raised by Langar-cum-Barnstone Parish Council (Paragraph 23), noise monitoring has been carried out with the shredder in operation, and a further consultation response has been received:*
33. *At the monitoring position referred to in draft planning condition 4(a), approximately 120m south of the centre point of the plant, noise levels ranged between 54-58dB (LA<sub>eq</sub>). At Chardas Cattery, the nearest residential receptor located approximately 550m to the east of the facility (downwind), noise levels ranged between 44-49dB (LA<sub>eq</sub>). Adjacent to the offices at John Deere approximately 350m west of the facility, noise levels ranged between 46-48dB (LA<sub>eq</sub>). It has been observed, however, that while the metal shredder was audible at this location, the dominant noise source was from road traffic on Harby Road.*
34. *The monitored noise levels are lower at all three positions than the predicted values previously advised. This could be attributable to screening provided by stockpiled material and the concrete perimeter wall which was not accounted for in the originally predicted noise levels. The monitoring position referred to in draft planning condition 4(a), and monitoring position at John Deere were upwind of the facility at the time.*

35. *Given the recorded noise levels and having considered the draft conditions, it is not anticipated that the operation would give rise to any adverse noise impacts at nearby properties and businesses.*
36. **NCC Contaminated Land and Reclamation Team** – *There would appear to be no significant additional impact either to human health or the wider environment from the proposal. The works will be subject to Environment Agency licensing.*
37. *The installation has been sited on an impermeable concrete base which benefits from a sealed drainage system in accordance with the requirements of the existing waste permit issued by the Environment Agency. The existing drainage system (a collection tank with interceptor) should be adequate to deal with any contaminant run-off, thereby protecting local surface and groundwater systems. The metal shredding and recycling operations will not give rise to surface water run-off or water pollution issues.*
38. **Environment Agency** – *No objection. The development will require an Environmental Permit under the Environmental Permitting Regulations 2007 from the Environment Agency unless an exemption applies.*
39. **Severn Trent Water Limited** – *No objection.*
40. **Western Power Distribution** - *No response received.*
41. **National Grid (Gas)** - *No response received.*

## **B. Building to House a Generator**

42. **Rushcliffe Borough Council** – *No objection. The Borough Council's Environmental Health Officer considers that there is unlikely to be a significant noise impact associated with the generator equipment based on the information provided.*
43. **Langar-Cum-Barnstone Parish Council** – *Object to the level of noise that will be generated causing detriment to the neighbourhood, particularly residents at Langar Woods mobile home park.*
44. **NCC Highways Development Control** – *No objection. The site is well located away from the adopted highway in a large industrial site and the junction with the adopted highway is adequate to accommodate vehicles associated with the proposed development.*
45. **Langar Airfield** – *No response received.*
46. **NCC Noise Engineer** - *The noise survey supporting the application has established the sound power level of the generator to be 97dBSWL. The resulting operational noise level of the generator at Chardas Cattery (the nearest residential receptor) will be significantly below 55dBL<sub>aeq,1hour</sub> (free-field) and will not give rise to complaints. Given this there is no requirement for any noise conditions.*

47. **NCC Contaminated Land and Reclamation Team** – No response received.
48. **Environment Agency** – No objection. The operator is advised to contact the Environment Agency to discuss the need to amend the Agency's working plan for the site.
49. **Severn Trent Water Limited** – No objection.
50. **Western Power Distribution** – No objection. There is a decommissioned cable left redundant in the ground and a live cable near adjacent buildings. Precaution should be taken when working in the area.
51. **National Grid (Gas)** – No response received.

### **Publicity**

52. Both applications have been publicised by means of site notices, press notices and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement.
53. It is to be noted that although the Parish Council has objected to potential noise impact on Langar Woods mobile home park, residents have not been notified of the application given the distance from those properties from the application site. Chardas Cattery has been notified of the applications by letter. No representations have been received.
54. Councillor Richard Butler has been notified of the applications.

### **Observations**

55. The proposed activity would take place on an established metal recycling site and would comply with Rushcliffe Borough Local Plan (June 1996) (RBLP) Saved Policy E8 - *Langar Airfield* which states that planning permission will normally be granted for employment development proposals at Langar within the areas defined on the proposals map provided that they arise from the reasonable expansion of existing firms or the beneficial use of suitable existing buildings. The policy is re-stated in Rushcliffe Borough Non-Statutory Replacement Local Plan (December 2006) (RN-SLP) Policy EMP6 - *Langar Airfield*.
56. Nottinghamshire and Nottingham Waste Local Plan (January 2002) (WLP) Policy W5.11 – *Recycling Metals - Scrapyards* states that proposals to extend or modify existing scrapyards will only be permitted where they can achieve significant environmental improvements regarding the appearance and operation of the whole site.
57. The metal shredder and recycling facility, requiring the power provided by the generator, subject of the applications presented for determination would allow waste metals brought to site to be recovered close to source, rather than being exported from site for further processing. The breaking down and sorting of

metals allows material to be bulked-up. The reduction in vehicle movements is welcome. The proposal represents a more sustainable means by which to manage and recover waste metals, and would comply with WLP Policy W5.11 – *Recycling Metals – Scrapyards*, consistent with the Key Planning Objectives set out in Planning Policy Statement 10: *Planning for Sustainable Waste Management*, and the presumption in favour of sustainable development set out in the National Planning Policy Framework (Paragraph 14).

58. RN-SLP Policy EMP2(a) - *Employment Uses in the Countryside* states that within the Countryside planning permission will be granted for the expansion of existing employment uses provided that the proposal would not lead to an over intensification of use on the site or increase any adverse effects of the existing use on existing neighbouring occupiers or the surrounding area.
59. The site is well screened by mature planting and the installation is not readily visible outside the site. The visual impact of the proposal is considered to be acceptable.
60. The metal shredder has potential to generate significant noise in operation. *Technical Guidance to the National Planning Policy Framework* (Paragraphs 28-32) provides technical guidance on noise emissions for the consideration of minerals developments, which is applicable to the character of the submitted application. The guidance suggests that the limit at a noise-sensitive property should be set such that noise does not exceed 55dB(A) Laeq, 1 hour (free-field) during daytime working hours, which is the predicted noise level which may be experienced at Chardas Cattery. The comments of the Environmental Health Officer, incorporated in the response from Rushcliffe Borough Council, should be noted. It should also be noted that the machinery has been in operation without complaint.
61. Properties at Langar Woods mobile home park identified in the consultation response from the Parish Council, lie nearly twice as far from the application site as Chardas Cattery. Residential properties at Barnstone Lodge, Little Langar Lodge, Langar Lodge and the residential caravan off Coach Gap Lane also lie a greater distance from the installed plant. Noise experienced at residential receptors generated by the metal shredder would be below the noise standard identified in the *Technical Guidance*.
62. In imposing a condition to limit noise generated by plant and machinery, there should be reasonable certainty that the applicant would be able to operate within the terms to be imposed. The applicant has confirmed that the metal shredder could work within the limit specified in recommended Condition 3 (8/12/00553/CMA). It is proposed that in the event of a substantiated complaint that noise from the metal shredder exceeds the specified noise limit, the operation of the metal shredder would cease until modifications have been made to mitigate noise generated (Condition 4 - 8/12/00553/CMA). Through the imposition of recommended Conditions 3 and 4 it is considered that amenity at nearby residential property would be adequately safeguarded. The plan referred to in Condition 4 - 8/12/00553/CMA is attached as Plan 4.



63. It is predicted that a higher level of noise (60dB(A) Laeq, 1 hour (free-field)) is likely to be experienced outside the office building of John Deere. However, the outside space at the engineering premises is less noise-sensitive than at residential property. The office building structure, with windows closed, would reduce the noise experienced within the building to an acceptable level.
64. Whilst permission is sought to operate the shredder during the working day, the metal shredder would only operate if there is material to process and the installation is unlikely to be in continuous use. It is considered that permission should be granted for the more restricted hours allowed by the insurance policy for the metal shredder (Condition 5).
65. The generator proposed in the second application presented for determination could be operated to power plant and equipment other than the metal shredder. Operated in isolation, predicted noise generated would be less than that from the metal shredder in operation and should not give rise to unacceptable impact at noise-sensitive receptors.

### **Other Options Considered**

66. 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**

67. 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 an impact on nearby noise-sensitive receptors. However, this consideration needs to be balanced against the wider benefits the proposal provides through the sustainable management of waste at an established waste recycling plant. Recommended conditions would limit noise impacts that may arise. Members will need to consider whether these benefits would outweigh the potential impact.

### **Statutory and Policy Implications**

68. 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**

69. The development would be located within an established waste management facility benefiting from perimeter security treatment.

## Conclusions

70. The proposals offer a more sustainable means by which to process waste metal close to its source, allowing recovered metals to be bulked up, avoiding the need for material to be exported from the site for further processing, and reducing related vehicle movements to and from the site.
71. The generator and metal shredder will generate noise when in operation. However, only the metal shredder has the potential to give rise to potentially significant impacts at the nearest noise-sensitive receptor. Although at the limit of acceptable noise impact, it is considered that noise likely to be generated is acceptable, with recommended planning conditions providing appropriate safeguards to residential amenity.

## Statement of reasons for the decision

### Metal Shredding and Recycling System

72. The metal shredding and metal recycling process would take place on an established metal recycling site and would comply with Rushcliffe Borough Local Plan (June 1996) (RBLP) Saved Policy E8 - *Langar Airfield* which will allow planning permission to be granted for employment development proposals at Langar within the areas defined on the proposals map provided that they arise from the reasonable expansion of existing firms or the beneficial use of suitable existing buildings. The policy is also re-stated in Rushcliffe Borough Non-Statutory Replacement Local Plan (December 2006) (RN-SLP) Policy EMP6 - *Langar Airfield*.
73. The proposal would also comply with Key Planning Objectives of Planning Policy Statement 10: *Planning of Sustainable Waste Management* Nottinghamshire (which considers amongst other criteria, waste as a resource with disposal viewed as the last option, making provision for waste management facilities to meet the needs of communities, and ensuring that design and layout of new development supports sustainable waste management) and Nottingham Waste Local Plan (January 2002) (WLP) Policy W5.11 – *Recycling Metals - Scrapyards* (which will only permit proposals to extend or modify existing scrapyards where they can achieve significant environmental improvements regarding the appearance and operation of the whole site) by offering a more sustainable means by which to manage and recover waste metals. A more sustainable operation would comply with National Planning Policy Framework (Paragraph 14) which states a presumption in favour of sustainable development.
74. In determining the application consideration has been given to potential impact on noise-sensitive receptors. *Technical Guidance to the National Planning Policy Framework* (Paragraphs 28-32) provides technical guidance on noise emissions for the consideration of minerals developments, which is applicable to the character of the submitted application. Potential noise generation from the operation of the metal shredder has been considered and limits to safeguard amenity are the subject of planning conditions.

75. The site is well screened by mature planting and the installation is not readily visible outside the site. The visual impact of the development is considered to be acceptable.
76. The development would comply with RN-SLP Policy EMP2(a) - *Employment Uses in the Countryside* (which will allow the expansion of existing employment uses provided that the proposal would not lead to an over intensification of use on the site or increase any adverse effects of the existing use on existing neighbouring occupiers or the surrounding area).
77. 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.

### **Building to House a Generator**

78. The generator would provide power to the metal shredder and recycling system approved under planning application reference 8/12/00553/CMA, in addition to providing a source of power for alternative activities on the site. The diesel generator, enclosed within a building, would be on an established metal recycling site and would comply with Rushcliffe Borough Local Plan (June 1996) (RBLP) Saved Policy E8 - *Langar Airfield* which will allow planning permission to be granted for employment development proposals at Langar within the areas defined on the proposals map provided that they arise from the reasonable expansion of existing firms or the beneficial use of suitable existing buildings. The policy is also re-stated in Rushcliffe Borough Non-Statutory Replacement Local Plan (December 2006) (RN-SLP) Policy EMP6 - *Langar Airfield*.
79. The proposal would also comply with Key Planning Objectives of Planning Policy Statement 10: *Planning of Sustainable Waste Management* Nottinghamshire (which considers amongst other criteria, waste as a resource with disposal viewed as the last option, making provision for waste management facilities to meet the needs of communities, and ensuring that design and layout of new development supports sustainable waste management), and Nottinghamshire and Nottingham Waste Local Plan (January 2002) (WLP) Policy W5.11 – *Recycling Metals - Scrapyards* (which will only permit proposals to extend or modify existing scrapyards where they can achieve significant environmental improvements regarding the appearance and operation of the whole site) by providing power to more sustainable means by which to manage and recover waste metals. A more sustainable operation would comply with National Planning Policy Framework (Paragraph 14) which states a presumption in favour of sustainable development.
80. In determining the application consideration has been given to potential impact on noise-sensitive receptors. *Technical Guidance to the National Planning Policy Framework* (Paragraphs 28-32) provides technical guidance on noise emissions for the consideration of minerals developments, which is applicable to the character of the submitted application. Potential noise generation from the operation of the generator should not give rise to adverse impact on noise-sensitive receptors.

81. The site is well screened by mature planting and the installation is not readily visible outside the site. The visual impact of the development is considered to be acceptable and would comply with RN-SLP Policy EMP2(a) - *Employment Uses in the Countryside* (which will allow the expansion of existing employment uses provided that the proposal would not lead to an over intensification of use on the site or increase any adverse effects of the existing use on existing neighbouring occupiers or the surrounding area).

## **RECOMMENDATIONS**

82. It is RECOMMENDED that:

- a) planning permission be granted for application reference 8/12/00553/CMA; and
- b) planning permission be granted for application reference 8/12/00922/CMA

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 application.

[SBH 29.08.12]

## **Comments of the Service Director - Finance**

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

[DJK 06.09.12]

## **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 Richard Butler

Cotgrave

Report Author / Case Officer

David Marsh

0115 9696514

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

W001010 – F/2528 & F/2579

PSP.EP5345

28 September2012

## APPENDIX 1

### RECOMMENDED PLANNING CONDITIONS

#### Application reference 8/12/00553/CMA

#### Proposed installation of a metal shredding and recycling system at the existing metal recycling facility

1. The development shall be carried out in accordance with the submitted application and supporting information, and the following plans and documents:
  - a) Location Plan (Drawing GBM 002) received by the CPA on 15 February 2012.
  - b) Site Layout (Drawing GBM/003) received by the CPA on 24 April 2012.
  - c) Metal Shredder and Picking Station Elevation (Drawing GBM 004) received by the CPA on 15 February 2012.
  - d) Photograph of Shredder (GBM 005) received by the CPA on 15 February 2012.

*Reason: For the avoidance of doubt as to the development that is permitted.*

2. All plant, machinery and vehicles associated with the operation of the metal shredding and recycling plant within the site shall incorporate noise abatement measures and be fitted with silencers maintained in accordance with the manufacturers' recommendations and specifications at all times.

*Reason: To minimise noise generated by plant, machinery and vehicles associated with the use.*

3. Noise from the metal shredder and recycling plant approved by this permission shall not exceed 55dBL<sub>aeq,1hour</sub> (free-field) when measured in the curtilage of any residential receptor in conditions with a prevailing wind speed not exceeding 5m/sec.

*Reason: To safeguard the amenity that occupiers of nearby noise-sensitive residential receptors could reasonably expect to enjoy.*

4. In the event that a substantiated noise complaint is made to the Waste Planning Authority (WPA) that noise levels specified in Condition 3 of this permission exceed 55dBL<sub>aeq,1hour</sub> (free-field), use of the metal shredder approved by this permission shall cease until;

- a) noise monitoring witnessed by the WPA has been carried out at position X on attached Drawing 8/12/00553/CMA/1, and a report has been submitted to the WPA to demonstrate that noise from the operation of the metal shredder does not exceed 75dBL<sub>aeq</sub>, 1 hour (free-field); or
- b) modifications or other measures to mitigate the impact of noise, such that the operation can take place without exceeding the noise limit specified in Condition 3, shall be completed or installed.

Not less than 5 working days notice shall be given to the WPA before a measurement of noise generated by the modified installation in accordance with Condition 4b) is carried out. Noise levels shall be measured at any impacted residential receptor, and at position X on attached Drawing 8/12/00553/CMA/1. A noise report shall be submitted to the WPA to demonstrate compliance with Condition 3, and that noise from the operation of the metal shredder does not exceed 75dBL<sub>aeq</sub>, 1 hour (free-field) measured at position X on attached Drawing 8/12/00553/CMA/1, prior to the plant and equipment approved by this permission being brought back into use.

*Reason: To safeguard the amenity that occupiers of nearby noise-sensitive residential receptors could reasonably expect to enjoy.*

- 5. In the event that a complaint is received regarding noise from the metal shredding and recycling activities being carried out on the site which the WPA considers may be justified the operator shall, within 1 month of a request from the WPA, undertake and submit to the WPA for its written approval a BS4142:1997 noise survey to assess whether noise arising from the development exceeds the daytime criterion of 10dB(A) above the existing background noise level after the addition of the 5dB(A) penalty to reflect tonal, discrete or impact noise as advised in BS4142:1997. The submitted survey shall include further measures to mitigate the noise impact so as to ensure compliance with the noise criteria.

*Reason: To safeguard the amenity that occupiers of nearby noise sensitive residential receptors could reasonably expect to enjoy.*

- 6. The metal shredder approved by this development shall operate between 09:00 hours – 16:00 hours Monday to Friday only, and shall expressly not be operated on any Bank or Public Holiday.

*Reason: For the avoidance of doubt as to the development that is permitted and to safeguard the amenity that occupiers of nearby noise-sensitive residential receptors could reasonably expect to enjoy.*

- 7. The amount of material processed on site shall not exceed 20,000 tonnes in any 12 month period. A written record of the weekly amounts of material processed shall be kept by the site operator and shall be made available to the WPA within 7 days of a written request from the WPA.

*Reason: To safeguard against impacts arising from the operation of the site such that they do not have an unacceptable impact on the highway network or cause unacceptable disturbance to local communities in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.*

Informative

1. *Western Power Distribution draws attention to a decommissioned cable on the site near to the development and live cables near adjacent buildings. You are advised to contact Western Power Distribution for further information. A copy of the consultation response is enclosed.*

**Application reference 8/12/00922/CMA**

**Construction of a new building to house a generator associated with a metal shredding and recycling plant**

1. The development shall be carried out in accordance with the submitted application and supporting information, and the following plans and documents:
  - a) Location Plan (Drawing GBM 002) received by the CPA on 30 April 2012.
  - b) Site Layout (Drawing GBM/0033) received by the CPA on 30 April 2012.
  - c) Plan and Elevations (Drawing GBM 0044 – two sheets) received by the CPA on 30 April 2012.

*Reason: For the avoidance of doubt as to the development that is permitted.*

2. The generator shall incorporate noise abatement measures and be fitted with silencers maintained in accordance with the manufacturer's recommendations and specifications at all times.

*Reason: To minimise noise generated by the development.*

Informative

1. Western Power Distribution draws attention to a decommissioned cable on the site near to the development and live cables near adjacent buildings. You are advised to contact Western Power Distribution for further information. A copy of the consultation response is enclosed.



