



19 January 2016

Agenda Item:

REPORT OF CORPORATE DIRECTOR – PLACE

ASHFIELD DISTRICT REF. NO.: 4/V/2015/0175

PROPOSAL: CONSTRUCTION OF A NEW WASTE TRANSFER BUILDING TO REDUCE DUST AND NOISE INCLUDING AN OVERFLOW PICKING STATION PLUS THE CONSOLIDATION OF THE SITE INTO A SINGLE WASTE TRANSFER STATION

LOCATION: PLOTS 7, 8, 9, 15A AND 15B, WIGWAM LANE, HUCKNALL

APPLICANT: CENTRAL WASTE (UK) LIMITED

Purpose of Report

1. To consider a planning application for a new waste transfer building, a garage, and an extension of the applicant's existing operations onto adjacent land, at Wigwam Lane, Hucknall. The key issues relate to noise, highways and residential amenity. The recommendation is to grant planning permission subject to conditions and a legal agreement.

The Site and Surroundings

2. Central Waste operates a waste transfer station from a rectangular shaped piece of land (plots 15A and 15B) measuring approximately 80 metres by 50 metres off Wigwam Lane, although the application site includes an additional adjacent area of land (plots 7, 8 and 9) measuring approximately 60 metres by 35 metres. The site covers a total area of 0.62 hectares (see Plan 1).
3. The site is approximately one kilometre south east of Hucknall Town Centre and is surrounded by a number of other industrial premises including a concrete batching plant and inert recycling facilities (see Plan 1). The additional area of land included in this application has been used as a scrap yard in recent times. Beyond these premises to the west is the Robin Hood railway line and the Nottingham Express Transit tram line while to the east is a golf course. The closest residential premises are approximately 110 metres to the south on The Brickyard, approximately 200 metres to the west on the opposite side of the railway lines on The Copse and Covert Close, and approximately 450 metres to the north west on Porchester Close (see Plan 1).

Planning History

4. Central Waste was originally granted planning permission by the County Council for the erection and installation of a waste picking station in March 2005 (reference 4/2004/1160) on plot 15B (see Plan 1). The permission allowed for the construction of a building on the south eastern boundary of this plot, although this building has recently been demolished due to safety concerns. There are no HGV or throughput restrictions associated with this permission but it is understood that the Environment Agency's permit for plot 15B restricts the throughput to 25,000 tonnes per annum.
5. In 2009, permission was granted for the erection and installation of a waste picking station on the south western boundary of plot 15B (reference 4/2009/0076). In 2010, permission was granted for the extension of the site into plot 15A (reference 4/2010/0210) which is used for the processing and recycling of inert waste. Condition 9 of this permission restricts the throughput of inert waste on this plot to 20,000 tonnes per annum, although again there is no restriction on HGV numbers.
6. A planning application was submitted in 2014 for the construction of a new waste transfer building but the location of the building and the configuration of the site in general raised concerns with respect to noise impacts. Discussions took place between the Waste Planning Authority, Ashfield District Council's Environmental Health Officers and the applicant, resulting in the withdrawal of that application and the submission of the revised application now under consideration.
7. The County Council has also granted planning permissions to another operator in respect of plots 8 and 9. Planning permission was granted in 2003 to Kirkby Skip Hire for a waste transfer/recycling station and retrospective planning permission was granted in 2005 for a building on this site.

Proposed Development

8. It is proposed to construct a new waste transfer building measuring 70 metres by 32 metres and 12 metres in height to the ridge (10 metres to the eaves). The building would cover almost all of plots 7, 8 and 9 and a large part of plot 15B (see Plan 2). It would be enclosed on three sides with green steel sheeting, with the north western elevation open (see Plan 3). The roof would also be covered with green steel sheeting.
9. The building would allow the picking station to be fully enclosed within the building and the applicant considers that this would result in significant benefits to neighbouring residents in terms of noise and dust impacts. It is also proposed to install an overflow picking station which would allow for peaks in business to be dealt with and would also allow operations to continue should the main picking station be subject to maintenance (see Plan 2).
10. Adjacent to the south western corner of the proposed waste transfer building, it is proposed to erect a garage measuring 11 metres by 12 metres and six metres to the ridge (see Plan 2).

11. Towards the northern end of the site outside the footprint of the proposed new buildings, inert waste would continue to be processed and recycled, and empty skips would also be stored in this area (see Plan 2).
12. The application proposes an annual throughput at the site of 75,000 tonnes per annum and anticipates 35,000 tonnes of this being construction, demolition and excavation waste, with 40,000 tonnes of commercial and industrial waste.
13. The applicant has submitted a transport assessment which has considered movements of skip lorries and HGVs into and out of the applicant's existing operation on plots 15A and 15B during the first six months of 2015. The transport assessment states that average monthly HGV movements are 522 per week: 261 in and 261 out. The transport assessment has considered the combined site area of plots 15A and 15B and calculated the number of HGV movements that could likely be expected to be generated by plots 8 and 9, based on their combined site area, given that they have previously been used as a waste transfer station. The expected HGV movements for plots 8 and 9 combined are calculated as being 189 per week.
14. In addition to this, the transport assessment has added a further 200 HGV movements per week with respect to plot 7, based on its previous use by a company called Tyre Force which has now relocated to larger premises on Wigwam Lane. Based on these calculations, the transport assessment considers that the total number of HGVs that could be expected to be generated by the various plots which comprise the application site total 911 per week. Given what the transport assessment describes as significant variations in customer demand that can occur from one week to the next, the applicant is seeking permission for 1,000 vehicle movements a week (500 in and 500 out), which equates to approximately 17 movements an hour.
15. Vehicles entering the site would use the existing access/exit point off the private road close to Wigwam Lane, pass over the weighbridge and then deposit waste inside the building. Mobile plant inside the building would then feed the picking station and segregated waste would also be loaded into HGVs from inside the building. HGVs leaving the site would exit via another existing access/exit point approximately half way along the private road running adjacent to the north western boundary of the site. Each of these access/exit points has a sprinkler system installed to suppress dust and these would be retained (see Plan 2).
16. It is proposed to operate the site between the hours of 7am and 5.30pm Monday to Friday and from 7am to 1pm on Saturdays. There would be no working on Sundays, Public and Bank Holidays.

Consultations

17. **Ashfield District Council** *has no objection to the application. The Environmental Health Officer (EHO) has commented that the building would see an improvement to existing noise levels at the nearest noise sensitive receptor and dust should also be reduced. The EHO has commented that the original noise report shows noise actually increasing to the open north west side of the building which is a natural result of the noise within the building reverberating. This could create a perception of increased noise for residents on Covert Close (from where the district council has received a complaint about general industrial*

noise from this area). However, given that Covert Close is more than twice the distance away from the site compared to the nearest receptor, the levels there would not be significant. Furthermore, the building itself would create a barrier to noise from the Wigwam Lane end of the Oakfield site so, overall, noise levels from this entire industrial area would reduce for them as a result of the proposed building.

18. **Environment Agency** has no objection to the application but notes that the proposed new building covers an area of land for which there is no permit at the present time. A variation to the applicant's existing permit would be required.
19. **NCC (Highways)** has no objection to the application subject to a restriction on the number of HGVs entering and leaving the site and a lorry routeing agreement to prevent HGVs from travelling along High Street, Hucknall.
20. The transport assessment has provided details of the throughputs and HGV movements at the site (plots 15A and 15B) as follows:

Total area (plots 15A and 15B)	4,261 m ²
Total waste inputs (6 months)	25,629 tonnes
Total waste inputs (12 months)	51,258 tonnes
Total HGV movements (6 months)	13,564
Total HGV movements (12 months)	27,128
Number of HGV movements per week	554 (227 trips)
Number of HGV movements per day	101
Number of HGV movements required to process 1,000 tonnes	529
Number of HGVs per 100m ² per week	13

21. From the above figures it is possible to calculate the anticipated level of HGV traffic on plots 7, 8 and 9 as follows:

Total area of plots 8 and 9	1,543 m ²
Number of expected HGV movements in plots 8 and 9 per week	201
Total area of plot 7	738 m ²
Number of expected HGV movements in plot 7 per week	96

22. In summary, the number of HGV movements that could be expected to use the application site as a whole would be:

<i>Plot</i>	<i>Daily</i>	<i>Weekly (5½ days)</i>	<i>Annually (based on a 49 week working year)</i>
<i>Plot 15A and 15B</i>	<i>101</i>	<i>556</i>	<i>27,244</i>
<i>Plot 8 and 9</i>	<i>36</i>	<i>201</i>	<i>9,849</i>
<i>Plot 7</i>	<i>17.5</i>	<i>96</i>	<i>4,704</i>
<i>Total</i>	<i>154.5</i>	<i>853</i>	<i>41,797</i>

23. *The applicant is requesting a limit of 1,000 HGV movements per week, which is 147 extra movements per week over and above the expected numbers detailed in the table above, or 2.6 movements per hour (based on a 10 hour working day), or 1.3 extra HGVs visiting the site per hour.*
24. *Similar calculations can be made based on the amount of waste processed per square metre. The total permitted tonnage on plots 15A and 15B is 45,000 tonnes per annum (25,000 tonnes for plot 15B (stipulated in the environmental permit issued by the EA) and 20,000 tonnes for plot 15A as stated in condition 9 of Planning Permission 4/2010/0210). As these two plots measure a combined 4,621 m², the amount of waste processed per m² is 9.7 tonnes per annum.*
25. *Based on this calculation, plots 7 – 9 (2,281m² combined) could be expected to process 22,216 tonnes per annum, giving a throughput for the whole site of 67,216 tonnes per annum.*
26. *The application is seeking a throughput of 75,000 tonnes per annum, an additional 7,784 tonnes above the expected throughput. Based on a worst case scenario of a HGV carrying only six tonnes of waste, this would equate to an additional 0.5 loads per hour.*
27. *Both methods of calculations show that the requested cap of 1,000 HGV movements per week (500 HGVs visiting the site), or a throughput of 75,000 tonnes per annum, would result in between 0.5 – 1.3 extra HGVs visiting the site per hour.*
28. *NCC (Highways) considers that this extra HGV traffic would have a low and relatively unnoticed impact on the first roundabout at the junction of Wigwam Lane and Papplewick Lane. Beyond this junction the impact on neighbouring junctions would become less as traffic flows are further diluted. Therefore, NCC (Highways) would agree to a planning condition restricting the maximum number of HGV movements to 1,000 movements per week (500 in 500 out) for the consolidation of plots 15 and 7 – 9.*
29. *It is recommended that the permission also contains a provision to secure an appropriate lorry routeing agreement which avoids HGVs using the town centre High Street.*

30. **NCC (Noise Engineer)** has no objection to the application subject to conditions. The additional information submitted by the applicant to assess the impact of increased HGV numbers has been reviewed alongside the original noise assessment. The revised assessment assumes that the increase in vehicle movements would lead to a corresponding increase in the utilisation of plant on the site. The predicted specific noise level of the new proposed operations equals 50.6dB and assumes that all plant on the site would operate 100% of the time. This gives some confidence that the predicted noise impact is a true 'worst case' scenario.
31. While there are naturally some concerns about the potential for noise levels to reach L90+10dB, when considered against the existing operations on site (assessed as being L90+20dB!) the proposals still offer a significant improvement. The position of the proposed building was changed by the applicant earlier this year to maximise the screening effect of the building itself, an alteration that was welcomed, and it is difficult to see what additional screening could feasibly be introduced to further improve screening of noise from the site.
32. While BS4142 states that L90+10dB is potentially a significant adverse impact depending on the context, the context here is clearly one of industrial use albeit with nearby neighbouring residential properties. The Rating Level of 57dB (L90+10dB) includes a 6dB penalty for impulsive noise and so when considering absolute noise levels the predicted worst case noise level is 4dB above the background at 51dB, which in context with the location adjacent to an industrial park is not unacceptably high and is well below the WHO guidance threshold of 55dB for serious annoyance.
33. Overall the benefit provided by the proposals in terms of noise reduction at the nearest property far outweigh the concerns of the predicted noise level still being L90+10dB. Therefore NCC (Noise Engineer) is prepared to support the application given the applicant appears to have taken all reasonable steps to mitigate noise impact and that the proposals offer a significant reduction in the level of noise impact compared to current operations on the site.
34. NCC (Noise Engineer) recommends the following noise conditions:
- (a) Maximum noise levels at the nearest noise sensitive property, both during the construction of the buildings and for the operation of the site;
 - (b) All plant and vehicles under the control of the operator only employing white noise (broadband) reversing alarms;
 - (c) Controlling the hours of operation;
 - (d) Controlling hours during the construction of the buildings;
 - (e) Setting a maximum quantity of waste processed at the site;
 - (f) Restricting external processing operations to plot 15A;
 - (g) All plant to operate at ground level at all times with the exception of 360° excavator(s)/claw(s) operating in Plot 15A to feed screener (max height 2m above ground level);

- (h) *Setting the maximum plant compliment operating on site at any one time;*
 - (i) *The regular servicing of plant and machinery;*
 - (j) *Setting a maximum number of HGV movements per week.*
35. **NCC (Landscape)** *has no objection to the proposed development.*
36. **NCC (Reclamation)** *has no objection and notes that the site is regulated by the Environment Agency waste permit system which covers issues of ground contamination, controlled waters and emissions to air. The proposals to enclose operations under cover would improve environmental controls on the risk pathways, dust and rainfall run-off etc. The environmental permit would need to be updated to reflect the changes proposed.*
37. **Severn Trent Water Limited, Western Power Distribution and National Grid (Gas)** have not responded on the application. Any response received shall be orally reported.

Publicity

38. The application has been publicised by means of a site notice at the site entrance, a press notice in the Ashfield Chad and neighbour notification letters sent to 18 residential properties on The Brickyard and 23 businesses in close proximity to the site in accordance with the County Council's adopted Statement of Community Involvement.
39. **Councillor John Wilmott, Councillor John Wilkinson and Councillor Alice Grice** have been notified of the application.
40. No representations have been received.

Observations

Planning Policy

41. There are a number of strategic policy tests in the Nottinghamshire and Nottingham Waste Core Strategy (WCS) against which the application needs to be considered. Policy WCS3 (Future Waste Management Provision) prioritises the development of new or extended waste recycling, composting and anaerobic digestion facilities and, given that the site already operates in a manner which aims to recycle as much incoming waste as possible and that these operations would continue and be improved should planning permission be granted for a new, larger waste transfer building, it is considered that the proposed development meets this test.
42. Policy WCS4 (Broad Locations for Waste Treatment Facilities) supports medium and large scale waste treatment facilities in, or close to, the built up areas of Nottingham and Mansfield/Ashfield and the site is suitably located to serve both these markets.

43. Policy WCS7 (General Site Criteria) supports waste transfer facilities on employment land and derelict/previously developed land and the site is on an established industrial estate.
44. Policy WCS8 (Extensions to Existing Waste Management Facilities) supports the extension, or redevelopment or improvement of existing waste management facilities where this would increase capacity or improve existing waste management methods, and/or reduce existing environmental impacts. The application is seeking a throughput at the site of 75,000 tonnes per annum and the supporting statement confirms that the maximum permitted throughput for the individual plots is 20,000 tonnes for plot 15A (as confirmed in Condition 9 of Planning Permission 4/2010/0210), 25,000 tonnes for plot 15B (based on the limit set out in the environmental permit), with no limits for plots 7, 8 and 9. As set out in the consultation response from NCC (Highways), it is considered that the proposed 75,000 tonnes throughput represents an increase of around 8,000 tonnes over and above what the application site could be expected to process, based on the existing throughputs at plots 15A and 15B. The proposed development would therefore accord with Policy WCS8 in this respect and it is considered that the ability to manage the commercial and industrial non-hazardous waste streams inside a large purpose-built building would improve existing waste management methods. It is also anticipated that the environmental impacts from the site would also improve as a result of the proposed building, although this is considered in greater detail below.
45. Policy WCS13 supports new or extended waste treatment or disposal facilities where it can be demonstrated that there would be no unacceptable impact on any element of environmental quality or the quality of life of those living or working nearby and where this would not result in an unacceptable cumulative impact. The cumulative impact is an important consideration given the other waste management facilities nearby and again, these are considered in greater detail below.
46. There are also a number of policies in the adopted Nottinghamshire and Nottingham Waste Local Plan (WLP) against which the environmental impacts of the proposed development need to be assessed, including Policy W3.3 (Visual Impact), Policy W3.9 (Noise), Policy W3.10 (Dust), Policy W3.14 (Vehicular Movements) and Policy W3.15 (Vehicular Routeing).

Highways

47. Policy W3.14 of the WLP does not allow for waste management proposals where the vehicle movements likely to be generated cannot be satisfactorily accommodated by the highways network or where they would cause unacceptable disturbance to local communities. Policy W3.15 allows for specified lorry routes to be secured. The National Planning Policy Framework (NPPF) states that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'
48. The impact of HGVs resulting from the proposed development has been the subject of considerable assessment, including the submission of a transport assessment as part of the application. What needs to be highlighted is that the applicant's existing operations on plots 15A and 15B already generate HGV

movements and, until recently, the additional plots into which the applicant is seeking permission to expand into (plots 7, 8 and 9) have been operated by other businesses, including another waste operator, which have been generating their own levels of HGV movements. At present, there are no restrictions on HGV movements attached to any planning permissions for any of the individual plots which comprise the application site. What the assessment of the application has therefore sought to ascertain is the impact of the proposed level of HGV traffic (1,000 movements per week) on existing and recent levels of traffic generated by the application site.

49. NCC (Highways) has reviewed the submitted transport assessment and, based on the data supplied for the first six months of 2015, considers the existing average HGV movements operating from plots 15A and 15B to be 556 movements per week (278 in, 278 out). This is slightly more than what the applicant's transport assessment has calculated (522 movements per week) but this is because NCC (Highways) has made calculations on the basis of the site being operational for only 49 weeks a year, as opposed to the 52 weeks a year used in the transport assessment.
50. Based on the 556 movements per week in plots 15A and 15B described above, NCC (Highways) has made its own calculations to ascertain what level of HGV usage could be expected to be generated across the whole application site. This has been calculated by comparing the combined size of plots 7, 8 and 9 with the combined size of plots 15A and 15B. The level of expected HGV traffic for the entire application site combined has been calculated by NCC (Highways) to be 853 movements per week (around 426 in and 426 out). The application is seeking a limit on HGV movements of 1,000 per week which is 147 movements a week more than the level of HGV generation that NCC (Highways) considers could be expected at the site, based on existing levels, and which equates to an additional 2.6 movements, or 1.3 trips, per hour based on the proposed hours of operation at the site.
51. It is worthwhile highlighting that the reference to HGVs in these observations relates to a variety of vehicle types and the applicant has provided some information on this matter. Around 70% of vehicles are 18 tonnes skip lorries making collections to the site and then taking empty skips to new customers. Around 20% are 26 or 32 tonne 'roll on, roll off' HGVs which transport segregated materials such as scrap metal, plastics, cardboard and green waste off site for further processing, along with other non-recyclable material which is sent to landfill. The final 10% of vehicles are 32 tonnes lorries associated with the transport of soils and other inert materials.
52. NCC (Highways) considers that the impact of an additional 2.6 HGV movement per hour, over and above what can already be expected to be generated by the application site, would be low and relatively unnoticed on the roundabout at the junction of Wigwam Lane and Papplewick Lane with the impact reducing further beyond this junction as traffic flows are diluted. It is therefore considered that the proposed development accords with Policy W3.14 of the WLP and, when assessed against the NPPF, the impact on the local highway network would not be severe as to warrant refusal of the application. What is worth highlighting is the fact that a condition restricting HGV movements to 1,000 per week would provide the first control on HGV numbers across all the individual sites which comprise the application site. Although the maximum number of HGV

movements could be perceived to be an increase on previous levels, there is no way of actually knowing this due to the lack of restrictions in the past.

53. It is considered that any increased throughput at the site, and the associated increase in HGV movements, should only be permitted once the proposed waste transfer building has been erected as the building itself is going to provide much of the environmental mitigation for the site by allowing waste transfer activities to take place inside it. In any event, it is unlikely that the applicant could operate at the proposed maximum throughput (75,000 tonnes per annum) whilst the building is actually being constructed. However, a condition is recommended restricting throughput to the 45,000 tonnes per annum presently permitted in plots 15A and 15B through relevant permissions and environmental permits, with another condition restricting HGV movements to 550 per week which reflects existing levels of traffic as detailed in the transport assessment submitted with the application. Restrictions would then rise to 75,000 tonnes per annum and 1,000 HGV movements per week once the building is in place.
54. The Highways Authority has recommended that HGVs associated with the proposed development and with a gross weight over 18 tonnes be restricted from travelling onto Hucknall High Street and through the town centre in order to protect shoppers from unacceptable disturbance from HGVs. It should be noted that this restriction would only be for a relatively short period of time due to the Hucknall town centre improvement scheme which would result in a section of High Street being pedestrianised. The scheme would also provide an inner relief road along which all HGVs associated with the proposed development would be able to travel. It is therefore anticipated that such a restriction would not have a significant detrimental impact on the applicant's operation of their business in the long term but would reduce the disturbance of HGVs on the local community in the short term in accordance with Policy W3.14. This matter would need to be secured by a legal agreement as it relates to matters outside the application area.

Noise and Dust

55. Policy W3.9 (Noise) of the WLP sets out the measures that can be implemented to reduce the potential noise impact of a development. Policy W3.10 (Dust) provides similar measures with respect to controlling dust emissions.
56. Since the demolition of the former waste transfer building, operations have been undertaken in the open air which is not an ideal situation for either the operator or for adjacent residents as the likelihood for noise and dust related complaints is greatly increased. In fact, the noise assessment states that existing noise levels from activities on site are sufficient to generate significant adverse impacts.
57. The site layout has been designed so that the only waste management activities that would take place outside the building – the processing and recycling of inert waste and the storage of empty skips – would take place at the Wigwam Lane end of the site furthest away from residential properties on The Brickyard and properties further beyond on the opposite side of the railway and tram lines. These residents would also benefit from the fact that the building would be located between them and these outdoor activities and it is considered that the building would adequately screen the properties from any significant adverse dust and noise impacts from these activities.
58. Ashfield District Council's Environmental Health Officer (EHO) has observed that the noise assessment submitted by the application indicates that the reverberation of noise within the proposed waste transfer building could increase the perception of noise at properties on The Copse and Covert Close, which are on the opposite side of the tram and rail lines approximately 200 metres west of the site. Whilst this is the case, the EHO has concluded that the distance to these properties means that noise levels would not be significant. This matter has also been raised with the County Council's Noise Engineer who considers that it is very unlikely that there would be any notable increase in noise and that the development as a whole would result in some level of noise reduction compared to the present situation. He has also noted that a condition is recommended to deal with any justifiable noise complaint. If this condition was triggered, the required noise survey would determine whether maximum noise levels were being exceeded or not.
59. A number of other noise conditions are recommended, including setting maximum noise levels at noise sensitive properties, controlling hours of operation, setting the maximum throughput and HGV movements at the site, and setting the maximum plant complement at the site. These are considered appropriate and would ensure the proposed development complies with Policy W3.9 of the WLP and Policy WCS13 of the WCS.
60. The applicant already operates a dust suppression sprinkler system at the two site entrance/exit points and these help to minimise the amount of mud trafficked onto the public highway. With the provision of the proposed waste transfer building, most activities on site would be undertaken undercover and this too would help minimise the impacts of dust. However, the potential for dust generation remains on a site such as this, particularly where inert materials are to be stored and processed, and so a condition requiring a dust management

plan to be provided is recommended to ensure compliance with W3.10 of the WLP and Policy WCS13 of the WCS. A condition is also recommended restricting the height of inert waste and processed inert materials to five metres.

61. As detailed in the highways observations above, it is considered appropriate to restrict throughput and HGV movements until the proposed waste transfer building has been erected, which would allow most activities to take place inside the building. This would help to minimise the noise and dust impacts of the proposed development until such time as the building has been erected, after which the building itself would provide significant mitigation.

Visual Impacts

62. The proposed waste transfer building is substantial in size at 70 metres by 32 metres and 12 metres in height to the ridge (10 metres to the eaves), the height required in order that plant and machinery can work safely inside it. The south western elevation of the building would be approximately 50 metres from the end of the gardens of the nearest properties on The Brickyard and approximately 80 metres from the rear elevation these properties. Even with the boundary vegetation that exists between these properties and the industrial estate, it is likely that views of the upper parts of the building would be visible from ground floor levels at these properties, although the distance between them and the building would help to minimise the visual impact. It should be noted that there are other industrial units in the area of a similar scale to what is being proposed and there is also a concrete batching plant to the west of the application site which, although further away from these properties, has a prominent visual impact given its significant height of approximately 20 metres.
63. The County Council's Landscape Team has raised no objection to the application, although it is considered appropriate to seek confirmation through a condition of the colour of the cladding to be used. The application forms merely state that the building would be clad in steel sheeting coloured green but confirmation of what shade of green this would be is required to ensure compliance with Policy W3.3 of the WLP.
64. In the interest of visual impact, a condition is also recommended requiring the submission of details of any floodlighting to be installed to ensure that they are correctly installed and do not cause impacts to neighbouring properties or businesses.

Cumulative Impacts

65. Policy WCS13 of the WCS requires the consideration of cumulative impacts and it is accepted that a number of waste management sites are located in this area. To the immediate south east of the site is Oakfield Recycling, a site which has recently been granted planning permission for an extension to site operations and an increased throughput of inert waste. There are other waste management sites around 400 metres further south, including a household waste recycling centre, whilst the application site is surrounded by other businesses including a concrete batching plant. The plots into which this application is seeking permission to extend into have previously been occupied by a waste transfer/recycling station and a car tyre business.

66. There is the potential for the proposed development to result in unacceptable cumulative impacts given the increase in waste throughput at the site and increased HGV movements. However, these increases have been considered in detail, particularly in the highways observations above, and the increases over and above what could be expected to be generated individually by the various plots is not considered to be significant. In addition to this, the proposal seeks permission to construct a new waste transfer building inside which the majority of waste entering the site would be processed and recycled. Observations from the district council's EHO and the County Council's Noise Engineer have confirmed that the building would improve the amenity of the local area and it is interesting to note that the EHO considers that the new building would also help to screen noise from the Oakfield Recycling site from properties on Covert Close. It is therefore considered that the proposed development would not cause any unacceptable cumulative impact in accordance with Policy WCS13.

Legal Agreement

67. The Highways Authority has recommended that HGVs associated with the proposed development and with a gross weight over 18 tonnes be restricted from travelling onto Hucknall High Street and through the town centre in order to protect shoppers from unacceptable disturbance from HGVs. Given that the controls are required outside the application boundary, this matter would need to be secured through a legal agreement.

Other Options Considered

68. 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.

Statutory and Policy Implications

69. 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.

Crime and Disorder Implications

70. The development would be located within an established industrial area benefiting from perimeter security fencing.

Human Rights Implications

71. 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 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) are those to be considered. Waste transfer stations have the potential to introduce impacts of noise, dust and general impacts on residential amenity to neighbouring properties. However, these considerations need to be balanced against the wider benefits the proposals would provide in terms of managing waste further up the waste hierarchy and it is considered that the design of the site, in particular the location of the proposed waste transfer building, would mitigate many of the potential impacts. Members will need to consider whether benefits would outweigh any potential impacts.

Implications for Sustainability and the Environment

72. These are considered in the Observations Section above.
73. There are no service user, financial, equalities, safeguarding of children and human resource implications.

Statement of Positive and Proactive Engagement

74. In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by entering into discussions with the applicant regarding the previously submitted application and discussing ways in which the proposals could be improved and amended to address concerns raised about noise. The revised application has been assessed against relevant Development Plan policies in the Waste Core Strategy, the Waste Local Plan, and the National Planning Policy Framework. The Waste Planning Authority has identified all material considerations, forwarding consultation responses that may have been received in a timely manner, liaising with consultees to resolve issues, and progressing towards a timely determination of the application. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

75. It is RECOMMENDED that the Corporate Director – Place be instructed to enter into a legal agreement under section 106 of the Town and Country Planning Act to secure a lorry routeing agreement to restrict large HGVs associated with the development from travelling along Hucknall High Street.

76. It is FURTHER RECOMMENDED that subject to the completion of the legal agreement before 19 April 2016 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman and the Vice Chairman, the Corporate Director – Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 of this report. In the event that the legal agreement is not signed by 19 April 2016 or within any subsequent extension of decision time agreed with the Waste Planning Authority, it is RECOMMENDED that the Corporate Director – Place be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time.

TIM GREGORY

Corporate Director – Place

Constitutional Comments

Planning and Licensing Committee is the appropriate body to consider the content of the report.

[SLB 08/01/2016]

Comments of the Service Director - Finance

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

[SES 08/01/2016]

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 and Members Affected

Hucknall Councillor Alice Grice
 Councillor John Wilkinson
 Councillor John Wilmot

Report Author/Case Officer

Jonathan Smith

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