

RECOMMENDED PLANNING CONDITIONS

Commencement and duration of the development

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

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

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

- (a) The commencement of site preparation works;
- (b) The commencement of the importation of inert material into the site.

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

3. The importation of inert material into the site shall be completed no later than three years from the date of the commencement of the importation of inert material into the site, as notified under the requirements of Condition 2(b) above. The WPA shall be notified in writing of the date of the cessation of the importation of inert material into the site within 14 days of its occurrence.

Reason: To ensure that the development is completed within an acceptable timeframe.

4. All restoration operations required in accordance with Conditions 18 – 22 shall be completed no later than 12 months from the date of the cessation of the importation of inert material into the site, as notified under the requirements of Condition 3 above.

Reason: To secure the proper restoration of the site within an acceptable timeframe.

Approved plans

5. The development hereby permitted shall only be carried out in accordance with the following details, unless amendments are made pursuant to the other conditions below:

- (a) Planning application forms and Design and Access Statement received by the WPA on 30 June 2014;
- (b) Planning Application Supporting Statement received by the WPA on 12 August 2014;

- (c) Document entitled 'Site Restoration' received by the WPA on 12 August 2014;
- (d) Drawing Number CAP07 – Aerial Site Plan received by the WPA on 30 June 2014;
- (e) Drawing Number 11-58-02 – Existing Levels received by the WPA on 1 April 2014;
- (f) Drawing Number 11-58-05 – Proposed Reinstatement Levels received by the WPA on 24 July 2014;
- (g) Drawing Number CAP09 detailing the location of clay substrate to be used in the restoration of the site received by the WPA on 1 April 2014;
- (h) Ecological Walk-over, Badger and Reptile Survey dated July 2013 received by the WPA on 1 April 2014;
- (i) Document entitled Technical Note 1 – Response to Local Highways Authority's Comments received by the WPA on 11 March 2015;
- (j) Email from the Highways Authority to the WPA dated 8 June 2015 with an attached amended Drawing Number F13073/02 – Proposed Site Access Layout.

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

Pre-commencement requirements

6. No development shall commence on site until all existing trees, hedges and areas of grassland which are to be retained have been protected in accordance with details previously submitted to, and approved in writing by, the WPA. The measures of protection shall also provide for the marking out of the extent of the area to be subject to waste disposal. The measures shall be implemented in accordance with the approved details and no development shall commence until the MPA has been notified in writing that the measures have been implemented in full in order to allow for their inspection. The measures shall thereafter be maintained for the life of the development hereby permitted. Waste disposal operations associated with the development hereby permitted shall only be carried out within the delineated area and no machinery or vehicles shall operate within the protected areas, nor shall any material be excavated or stored within the protected areas.

Reason: To protect adjacent areas of important habitat from disturbance throughout the development in accordance with Policy 16 of the Rushcliffe Core Strategy and Policy EN13 of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

7. No development shall commence until a method statement detailing techniques for the control of noise, dust and vibration during the works has been submitted to, and approved in writing by, the WPA. The development hereby permitted shall be carried out in accordance with the approved method statement.

Reason: To protect the amenities of neighbouring residential properties in accordance with Policy 10 of the Rushcliffe Core Strategy and Policies W3.9 and W3.10 of the Nottinghamshire and Nottingham Waste Local Plan and to prevent damage to adjacent habitats in accordance with the National Planning Policy Framework

8. No development shall commence until an ecological walk-over survey incorporating a refuge search has been undertaken by a suitably qualified ecologist to identify the presence of any protected species within the area to be subject to inert waste disposal, and the results of that survey have been submitted to, and approved in writing by, the WPA. In the event that protected species are identified, the survey report shall include a scheme of mitigation measures to protect any such species affected by the development. The scheme of mitigation shall thereafter be implemented in full accordance with the approved details prior to any works being carried out on the site.

Reason: To ensure the protection of wildlife in the interests of nature conservation in accordance with the National Planning Policy Framework.

9. No development shall commence until a detailed biodiversity management plan, including a timetable for works, which accords with the mitigation, compensation and enhancement recommendations set out in Sections 6.2 and 6.3 of the Ecological Walk-over, Badger and Reptile Survey dated July 2013 received by the WPA on 1 April 2014 has been submitted to, and approved in writing by, the WPA. The site shall be managed in accordance with the approved details for the life of the development.

Reason: To ensure that adequate compensatory and enhancement measures are undertaken in accordance with Policies GP2 and EN12 of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

10. No inert waste shall be deposited at the site until details of measures to prevent the deposit of mud and debris on the public highway have been submitted to, and approved in writing by, the WPA. The approved measures shall be implemented in accordance with the approved details prior to any works commencing on site.

Reason: In the interests of highway safety and to accord with Policy W3.11 of the Nottinghamshire and Nottingham Waste Local Plan.

11. No floodlighting shall be erected on the site until details of the floodlighting to be used have been submitted to, and been approved in writing by, the WPA. 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 and also minimises the impacts on bats. The floodlighting shall not be used outside the operating hours detailed in Condition 12 below. Outside these hours any external lighting shall only be operated individually and through a movement sensor switch with a maximum lighting cycle not exceeding 5 minutes.

Reason: In the interest of visual and residential amenity and to protect foraging bat habitat in accordance with the National Planning Policy Framework.

Operational details

12. 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), the site shall only operate during the following hours:

Mondays to Fridays: 7am to 6pm

Saturdays: 7.30am to 12.30pm

Sundays, Bank and Public Holidays: Not at all

In addition to the above, no HGVs shall enter or leave the site between the following hours on Mondays to Fridays during school term time:

8.30am to 9am and 3.30pm to 4.30pm

Reason: To minimise the impact of the development on residential amenity in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan and to minimise the impact of the development on highway safety in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.

13. Only pre-treated non-recyclable inert waste shall be deposited at the site.

Reason: To ensure the operation of the site does not prejudice the movement of waste up the waste hierarchy.

14. No crushing or screening of inert waste shall take place on or adjacent to the site in association with the development hereby permitted.

Reason: To minimise the noise impact of the development on the amenity of the local area, in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

15. The only mobile plant permitted to operate on the site at any one time shall be either one bulldozer or one 360° tracked excavator. The mobile plant on site shall incorporate white noise reversing warning devices and be fitted with silencers maintained in accordance with the manufacturer's recommendations and specifications.

Reason: To minimise the noise impact of the development on the amenity of the local area, in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

16. In the event of a noise complaint being received by the WPA regarding the development hereby permitted which, in the considered opinion of the WPA may be justified, the applicant shall at the first practicable opportunity following a request from the WPA carry out a noise impact survey which shall be submitted to the WPA for its approval in writing. The free field noise level associated with

the development, when measured in the curtilage of the complainant's property (or an alternative location agreed with the MPA if the complainant's property is not available), shall not exceed the background noise level by more than 10dB(A), subject to a maximum of 55dB L_{Aeq, 1hr}. Should this survey demonstrate that the noise limits are being exceeded the survey report shall specify additional mitigation measures and details of their timing to overcome any unacceptable noise impacts and such measures shall be implemented immediately thereafter in accordance with the approved details and timetable.

Reason: To minimise the noise impact of the development on the amenity of the local area, in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

17. There shall be no more than 18 HGV movements to and from the site (9 in, 9 out) in any one working day Monday to Friday and no more than 8 HGV movements to and from the site (4 in, 4 out) on Saturdays. Written records shall be maintained of all HGV movements into and out of the site and copies of HGV movement records shall be made available to the WPA in writing within 7 days of a written request being made by the WPA.

Reason: To minimise the impact of the proposed development on highway safety and residential amenity in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.

Restoration and aftercare

18. No development shall commence until a detailed restoration scheme has been submitted to, and approved in writing by, the WPA. The scheme shall provide for the restoration of the site to a nature conservation end-use and shall include details of the following:

- (a) The submission of the results of analysis for metals, Polycyclic Aromatic Hydrocarbons and petroleum hydrocarbons of the proposed soil substrate to be used in the restoration of the site, to ensure that the material is suitable for its end use;
- (b) Removal and placement of clay substrate which shall only be derived from the three areas identified on Drawing Number CAP09 received by the WPA on 1 April 2014;
- (c) The creation of micro-topography across the site to include humps, hollows and south-facing bunds;
- (d) Seeding, including the seed mix and proportions, sowing rates, methods of establishment, and areas left for natural regeneration.

The restoration scheme shall be implemented in accordance with the approved details.

Reason: To ensure the restoration of the site to a high standard in accordance with Policy W4.6 of the Nottinghamshire and Nottingham Waste Local Plan.

19. Upon the completion of inert waste disposal, the material shall be prepared for soil replacement and the WPA shall be notified in writing at least 5 working days before any soil replacement takes place to allow inspection of the area before further restoration is carried out.

Reason: To ensure the proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy W4.5 of the Nottinghamshire and Nottingham Waste Local Plan.

20. Upon the completion of soil replacement, the soil shall be prepared for seeding and the WPA shall be notified in writing at least 5 working days before any cultivation and seeding takes place to allow inspection of the area before further restoration is carried out.

Reason: To ensure the proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy W4.5 of the Nottinghamshire and Nottingham Waste Local Plan.

21. Soils shall only be replaced when they and the ground on which they are to be placed are in a dry and friable condition and no movements, respreading, levelling, ripping or loosening of soils shall occur:

(i) When it is raining; or

(ii) When there are pools of water on the surface of the receiving area.

Reason: To ensure the proper restoration of the site, conserving and managing all available soil resources, in accordance with Policy W4.5 of the Nottinghamshire and Nottingham Waste Local Plan.

22. Plant and vehicles shall not cross any area of replaced and loosened ground or replaced soils except where essential and unavoidable for the purposes of carrying out soil replacement, ripping and stone picking or beneficially treating such areas. Only low ground pressure machines shall work on prepared ground.

23. Following the restoration of the site, it shall undergo aftercare management for a 5 year period.

Reason: To provide for the aftercare of the restored site, in accordance with Policy W4.9 of the Nottinghamshire and Nottingham Waste Local Plan.

24. Prior to the site being entered into aftercare, its date of entry into aftercare shall be agreed in writing with the WPA. The 5 year aftercare period shall run from the agreed date.

Reason: To provide for the aftercare of the restored site, in accordance with Policy W4.9 of the Nottinghamshire and Nottingham Waste Local Plan.

25. An aftercare scheme and strategy for the site shall be submitted for the written approval of the WPA at the same time as restoration details are submitted under Condition 18 above. The aftercare scheme and strategy shall outline the steps to be taken, the period during which they are to be taken, and who will be

responsible for taking those steps to ensure the land is restored and brought back to its intended nature conservation afteruse. The aftercare scheme shall include but not be restricted to details of the following:

- (i) Cultivations;
- (ii) Weed control;
- (iii) Sowing of seed mixtures;
- (iv) Soil analysis;
- (v) Keeping of records and an annual review of performance and proposed operations for the coming year, to be submitted to the MPA between 31 March and 31 May each year;
- (vi) Habitat management practices such as the cutting of vegetation;
- (vii) Remedial treatments;

Reason: To provide for the aftercare of the restored site, in accordance with Policy W4.9 of the Nottinghamshire and Nottingham Waste Local Plan.

26. Site management meetings shall be held with the WPA each year to assess and review the detailed annual programmes of aftercare operations referred to in Condition 25 (v) above, having regard to the condition of the land, progress in its rehabilitation and necessary maintenance.

Reason: To provide for the aftercare of the restored site, in accordance with Policy W4.9 of the Nottinghamshire and Nottingham Waste Local Plan.

Alternative Restoration

27. Should, for any reason, inert waste disposal at the site cease for a period in excess of 12 months, then, within three months of the receipt of a written request from the WPA, a revised scheme for the restoration of the site shall be submitted in writing to the WPA for its approval. Such a scheme shall include details of the final contours, provision of soiling and the seeding of the site in a similar manner to that submitted with the detailed restoration scheme approved under Condition 18 above. The scheme shall be implemented in accordance with the approved details.

Reason: To secure the proper restoration of the site within an acceptable timescale.

28. The revised restoration scheme approved under Condition 27 above shall be implemented within 12 months of its approval by the WPA, and shall be subject to the aftercare provisions of Conditions 23 – 26 above.

Reason: To secure the proper restoration of the site within an acceptable timescale.

Notes to applicant

1. The above proposals involve works within the public highway that is land over which you have no control. The Highways Authority therefor requires you to enter into a Section 278 legal agreement to cover the design and construction of the works. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80 to arrange for these works to be carried out.
2. In addition to the above we would also be keen to ensure that haulage routes do not pass through any of the adjacent villages or environmental weight limit zones we would therefore wish to see this secured either by a separate S106 agreement or by the following condition.
3. The development shall not commence until a Haulage Routing Strategy has been submitted to and approved in writing by the Planning Authority and all vehicular movements in connection with the development shall be carried out in accordance with the approved strategy for the lifetime of the development.