



meeting **PLANNING AND LICENSING COMMITTEE**

date **29 MARCH 2006**

from: **Director of Environment**

agenda item number

5

**BASSETLAW DISTRICT COUNCIL APPLICATION NUMBER
1/02/05/00495**

**PROPOSAL: APPLICATION FOR ERECTION OF BUILDINGS, OFFICE AND
WEIGHBRIDGE TO CREATE WASTE TRANSFER/RECYCLING FACILITY**

**LOCATION: LAND AT SHIREOAKS ROAD, WORKSOP, and
NOTTINGHAMSHIRE**

APPLICANT: NOTTINGHAMSHIRE RECYCLING LTD

Purpose of Report

1. To consider a planning application for a waste transfer/recycling facility. The proposal raises issues of impact on the highway, and on the amenity of the surrounding area. The recommendation is to approve planning permission subject to conditions.

The Site and Surroundings (see plan attached)

2. The application site is located off Shireoaks Road on the western fringe of Worksop within an area of mixed industrial use. The site comprises a relatively level area of derelict industrial land, incorporating large areas of hard standing and some areas of low scrub. The site was cleared approximately 8 years ago and the applicant has recently installed a small office unit. The entrance to the site is in the middle of the frontage of the site with Shireoaks Road.
3. There are a few trees on the site: a single mature willow in the far south-east corner, and some self-set sycamore and ash trees along the western boundary and Shireoaks Road. The southern part of the site is bounded by Shireoaks Road with the Chesterfield Canal running parallel to this beyond. The Canal and bank side form a Site of Interest for Nature Conservation (SINC). This also forms a recreation corridor used for canal boating, walking and cycling (National Cycle Network route No.6 and Cuckoo Way walking route along the towpath). Across the road and canal opposite the site is The Lock Keeper public house with car parking and a beer garden fronting onto the canal. Beyond this and the A57 is further industrial/commercial development including a large supermarket.

4. Bordering the site to the east is Vesuvius UK (a glass/ceramics factory) and, beyond that, an area of light to medium industrial units of variable ages. Similarly to the west is Cinch Connectors and Labauto (currently vacant) contained by the line of Shireoaks Road, the canal and the A57 which all run north west to south east for this stretch. Three residential properties are situated on Shireoaks Road, although their gardens back directly onto Cinch Connectors' property. The curtilage of these properties is approximately 82m metres from the boundary of the application site.
5. The northern edge of the application site is abutted by a treed area and an area of land associated with the adjacent industrial area. The woodland extends into Tranker Wood, a SINC. Sports fields belonging to the Dormer works lie beyond the site to the north west, separated from the development area by perimeter trees on the Dormer site.
6. There is presently an office on the site along with a weighbridge. Most of the site is surfaced with the concrete bases of previous industrial uses, with narrow strips of soil present along the western and eastern boundaries. Along the frontage of the site runs a 2m high steel palisade fence, and to the east, west and north the site is secured with either wire mesh fencing or concrete sleeper walls. To the rear of the site the land was covered with red sandstone which has been levelled off, with excess stock piled into a bank across the northern section of the site.
7. The site is presently open to views by the public from the south and partially overlooked by adjacent properties to the north, east and west.

Planning Background

8. The site was previously used for the manufacturing of coal products and as a brickworks. Since 1975, it has received planning permission for prefabricated office accommodation, a change of use from special industrial building to use for packing and storing of BBQ charcoal, installation of weighbridge and control room, and storage buildings. Permission was refused for an application for non-food retail development with associated landscaping and car parking in 1989.

Description of Proposal (see also key facts sheet)

9. It is proposed to develop the site as a waste transfer/materials recycling operation with associated storage facilities. The development involves the erection of a new industrial style building set back within the site measuring approximately 36m x 60m x 12m high (with a small section rising to 15m high), and office/portacabin measuring 12m x 3.6m on the site.
10. It is proposed all vehicles bringing waste to the site will be weighed on arrival and then again on departure. Within the main building, vehicles will discharge their loads into one of two reception bays. The materials will then be sorted into containers and removed from the site for processing. Some material will be shredded within the building.
11. The site will accept cardboard, wood, paper, ferrous and non-ferrous metals, glass, plastic, brick, concrete, soil and green waste (although there will not be

any composting on site, as this material will be transferred to the applicants' other recycling/composting site at South Anston). No hazardous waste will be received or processed at the site.

12. Brick, concrete and soil will be separated out and removed from the building and screened to produce a soil product and hardcore. The soil will be used as an agricultural/ horticultural growing medium. The brick and concrete will be used as both primary and secondary aggregates in the construction and building industries. Wood will be shredded/chipped within the building and sold on for use in various recycled wood products. Paper cardboard, plastic, metals and glass will be sorted and removed from the site for processing elsewhere.
13. It is anticipated that the site would be able to receive, process and recycle some 50,000 m³ (50-75000 tonnes) of material per year when operating at maximum capacity. The applicant anticipates that between 80-90 % of the incoming material will be recycled, reused or reprocessed. Any waste remaining will be taken to a licensed disposal site and recycling centre. The anticipated proportions of waste are 10% dry recyclables, 20% timber, 20% mixed construction and demolition waste and 50% inert.
14. It is anticipated that sources of material will be from Household Waste Recycling Centres (HWRCs), building and construction companies within the locality, other County Council operated waste sites (to take dry recyclables), skip hire companies and commercial premises.
15. The site will contain equipment such as a crusher, screen and shredder. It is proposed that crushing and screening operations will take place outside the building at the north-eastern corner of the site adjacent to the inert materials recovery and recycling area.
16. The development will generate a maximum of approximately 200 vehicle movements (100 in and 100 out) per normal day, delivering waste and dispatching for disposal recycled products and materials that cannot be recycled. Vehicles will range from various sized vans, pickups and skip lorries to ejector trailers. It is proposed that vehicles will access the site via the A57 ring road utilising the A57 to get to the M1 (junction 31), and the A1 and the A60 to get to the M1 (junction 30). Around ten staff vehicles are expected per day. Staff/visitor parking will be provided at the front of the site, with lorry/container/skip parking to the rear of the parking area.
17. The existing concrete bases will remain in situ and will be covered with a new concrete layer on top. A wheelwash is not proposed at the site but the applicant does propose to use a sweeper. Various mitigation measures are proposed to address dust and litter issues, and to ensure containment of noise within the site boundary.
18. It is anticipated that the facility will create approximately 15 new jobs.
19. The planning application states that it is proposed to operate the site between 7.30am to 5.30pm on Monday to Friday and from 7.30am to 1.00pm on Saturday. However the applicant has since confirmed that the preferred working hours are

7.00am to 6.00pm on weekdays, 7.00am to 5.00pm on Saturdays and 8.00 to 1.00pm on Sundays

20. All the mature trees associated with the boundaries of the site will remain and only small sapling trees and scrub will be removed from the main body of the site. Tree and shrub planting is proposed at the site entrance across the front of the site and around the staff and visitor car parking area.
21. An area of approximately 0.6ha within land owned by the applicant has been set aside for a future HWRC to be operated by the County Council. However this will be the subject of a separate planning application.
22. The applicant currently operates a recycling/composting site at South Anston in South Yorkshire and states that he has been looking for 3 years to find a suitable site in South Yorkshire or North Nottinghamshire for this development.

Consultations

23. Bassetlaw District Council - raise no objections to the proposal. However, they raise the following concerns:
 - Traffic generation/congestion at the Sandy Lane junction.
 - A lorry routing agreement should be required to and from the A57 only.
 - This is a sensitive location adjacent to the restored canal and adequate screen landscaping should be required.
 - Site contamination issues must be addressed.
24. The District Council's Environmental Health Officer (Contaminated Land) recommends the inclusion of a planning condition to cover the effect of the potential contamination on the land, the wording of which has been agreed with the Environment Agency (see below).
25. The Environment Agency - comment that the site is known to be contaminated. A site investigation was carried out in 1990. However it is not compliant with current standards of investigation. Whilst the Agency raise no objection in principle to the development, if planning permission is granted they request a planning condition be imposed to require a contaminated land survey to be undertaken and detailing remediation requirements, where necessary, prior to commencement of development.
26. British Waterways –

- Initially raised concern regarding noise levels from the site, and landscaping proposals. However in recent correspondence they have confirmed that the additional information supplied in respect of the proposal goes some way to addressing previous representations on this matter.
- Vehicles should be required to exit the site towards Sandy Lane to reduce the potential conflict with vehicles parked in connection with maintenance of the canal.
- There is a discharge/abstraction pipe which lies between the canal and the site. They advise that the applicant will need to ensure that the pipe is satisfactory sealed to prevent pollution of the canal.

27. Chesterfield Canal Trust - object to the development on the following grounds:

- Impact of the proposed development on the recently restored Chesterfield Canal and the Lockkeeper Inn.
- To avoid any dust nuisance from the site, dust suppression should be installed on any crushing plant and storage areas.
- Concern is raised about the additional vehicle movements arising on Shireoaks Road and limited visibility on the bend of this road. Given these factors, it is suggested that the site is unsuitable for the proposed use.
- Concern regarding the proposed HWRC to the west of the application site.

28. Central Networks - do not wish to raise any objections but comment that they have network and a high voltage overhead line in close proximity to the proposed development. Details of the location of this apparatus have been sent to the applicant for information and attention.

29. National Grid/Transco - comment that the proposal will not affect their electricity transmission apparatus.

30. Severn Trent Water - raise no objections.

Publicity

31. The application was publicised by means of an advertisement in the Worksop Guardian and a site notice was placed at the entrance to the site. Neighbour notification letters were sent to the following residential properties: Dukesfield, Morland, and Woodlands, Shireoaks Road, and the following adjacent companies: Cinch Connectors, Dormer Tools and Vesuvius UK, all on Shireoaks Road.

32. As a result of this notification, seven letters have been received regarding the proposal. Two of these object to the proposal and the remaining raise a number of concerns. These objections and concerns are summarised as follows:

- General noise levels arising from HGV and plant.
- Excessive hours of operation proposed. Operators should not be able to work after 12 noon on a weekend and should be closed all day on a Sunday.
- Lack of screening proposed.
- Height of stockpiled material.

- Pollution - odour from waste, birds, vermin, flies, dust etc. Also surface and groundwater pollution.
- Impact on the Chesterfield Canal.
- Dangerous access into site from Shireoaks Road, and increased traffic generated by the proposal.
- Impact of waste development on future adjacent land uses, jeopardising commercial viability of attracting businesses to take up business on adjacent sites. Alternative and more suitable sites such as redundant pit sites in the countryside where “the presence of odours dust and heavy vehicles would have a minimal effect on the environment”. Development will impose an adverse effect on the environment of existing employment sites.
- Allowing a waste development in an area reserved for employment would not support planning policy aimed at providing employment opportunities in the area.
- Adverse effect on high technology industry that is developing along with commercial offices, shopping centres and restaurants already established.
- Insufficient detail provided with the application in terms of operations, waste materials, noise and dust suppression measures etc.
- No geo-environmental investigation has been submitted to establish the current level of contamination.
- This development has significant potential to be detrimental to the immediate environment.

33. A letter has also been received from Bassetlaw District Councillor Alan Rhodes which raises concern about increased traffic levels and the effect on residents of Sandy Lane. He requests that all traffic to and from the proposed site be directed to use the Worksop by-pass and not Sandy Lane to reach the site and that this directive be included in the conditions.

Planning Policy

34. Within the Waste Local Plan (WLP), Policy W3.14 states that permission will not be granted for a waste management facility where vehicles movements cannot be satisfactorily accommodated by the highways network or would cause unacceptable disturbance to local communities. Policies W5.5 (Material Recycling facilities) and W9.1 (Waste Transfer) support proposals within existing employment areas subject to there being no unacceptable environmental impact.
35. Other planning policies within the WLP of relevance to this proposal are:
- Policy W2.1 supports proposals further up the waste hierarchy which enable a greater recovery and recycling of waste.
 - Policy W3.3 and W3.4 cover issues regarding visual impact, screening and landscape proposals.
 - Policies W3.5 and W3.6 seek to protect ground and surface water.
 - Policies W3.7, W3.8, W3.9 and W3.10 apply to measures to deal with odour, litter, noise and dust.
 - Policy W3.11 provides for measures to ensure the public highway is not contaminated with mud and other deleterious material
 - Policy W3.15 provides for control over routing of waste vehicles.

36. The Bassetlaw District Local Plan (BDLP), Deposit Draft 1995 allocates the site as “Protected Employment Land” under policy 2/13. This policy indicates that permission will be granted for other uses on land allocated for employment in the Local Plan or existing employment areas only if a) their current use produces unacceptable traffic or environmental problems which would be significantly alleviated by the proposed use, or b) the site is no longer capable or satisfactory use for employment creating purposes. Policy 6/13 of the plan provides for the protection of the character, setting and recreational role of the Chesterfield Canal. Policy 7/3 states that permission will only be granted for development where adequate provision is made for vehicle parking, loading, unloading and manoeuvring. Policy 6/1 indicated that permission will not be granted for development which would harm any site identified in the plan as of importance for nature conservation.
37. Planning Policy Statement PPS10 Planning for Sustainable Waste Management comments that in searching for sites and areas suitable for new or enhanced waste management facilities, waste planning authorities should consider a broad range of locations including industrial sites, looking to co-locate facilities and with complementary activities. It also advises that waste planning authorities should assess the suitability of sites for such development against certain environmental criteria, and give priority to the reuse of previously developed land and redundant agricultural and forestry buildings and their curtilages.

Observations

38. The proposed development is in accordance with WLP Policy W2.1 which supports proposals further up the waste hierarchy which enable greater recovery and recycling of waste. With regard to the location of this development, the site is situated on protected employment land in the BDLP. The detailed locational criteria of policies W5.5 and W9.1 of the WLP support such proposals within existing or designated employment areas subject to there being no unacceptable environmental impact. This use of this site is also supported by PPS 10, which promotes the use of previously developed land and industrial areas for the location of waste management facilities.
39. Concern has been raised that although the site is allocated as employment land, the proposed development does not generate many employment opportunities, and would sterilise the site from future employment generating development that could be sited here. As explained above, policies in both the WLP and the BDLP support this type of development in this location without any restrictions on the level of employment proposed or type of employment development. In addition, Bassetlaw District Council do not raise any objections to the proposal in this respect.
40. It is therefore considered that the development is ideally situated in this location in policy terms. However it is important to assess the environmental impacts as follows:

Impact on Amenity and Surrounding Land Uses

41. As explained above, concerns have been raised by local residents, Chesterfield Canal Trust, and British Waterways regarding the environmental impact of the proposed development. Objection has been raised by adjacent landowners regarding the appropriateness of the site for such development and the potential to jeopardise commercial viability of adjacent future land used. It is generally recognised that the role of the planning system is to restrict private development in the public interest and not in the private interest. Commercial/financial interests of land are private which planning legislation is not intended to protect. However, impact on residential amenity, for example, is a matter of public interest, which would constitute a material consideration in the determination of the application. The development is contained within a zone of predominantly industrial use and as such is broadly in keeping with the character of the area. However, it is acknowledged that other land uses are interspersed (residential, commercial and leisure). The majority of operations will occur within the main building, apart from crushing and screening of brick, soil and concrete outside on the north-eastern boundary, where they will then be stockpiled to the rear of the site. Such operations will be restricted by hours of operation in order to protect the amenities of local residents (see below).

Noise

42. The site is located within an industrial area and in close proximity to a main road and the A57 Worksop Bypass. Therefore it is likely that the background noise levels are generally going to be high. Generally, noisy activities anticipated at the site will be from the screen and crusher, shredder (situated to the rear of the site) and loading shovel and tipping lorries (generally within the building). Operations at the site would not be permitted at night-time when background noise levels are lower, so it is daytime noise impact that needs to be assessed.
43. The applicant has undertaken a noise impact report for the development, which concludes that noise emissions from this operation should not give rise to adverse noise impacts at the nearest noise sensitive properties or land uses, given the location. As mentioned in the report, shielding of noise from the outdoor screen and crusher has been assumed to be provided by stockpiles of material. However, in the event of noise levels generating complaints, additional screening can be provided by erecting a permanent barrier. To cover this, a planning condition will be imposed that requires noise complaints to be investigated by the operator against British Standard 4142:1997 and, if the complaints are justified, noise mitigation must be introduced.
44. With regard to the requirements of Policy W3.9 of the WLP, appropriate hours of operation will be imposed on any permission (see below). The applicants state that all plant and machinery will be adequately silenced, and they are content for a condition to be imposed limiting noise levels to a reasonable level at the site boundaries. A condition can also be imposed to enable further noise assessments and mitigation to be carried out in the event of justified noise complaints being received.

Hours of Operation

45. The applicants originally proposed that the recycling facility would operate between the hours of 07:00 to 19:00 Monday to Saturday (not mentioning Sunday, or Bank Holidays). However, they have recently confirmed that their preferred working hours are 07:00 to 18:00 Monday to Friday, 07:00 to 17:00 Saturday, and 08:00 to 13:00 on Sundays. It is not common practice to allow waste recycling facilities such as this, to operate all day on Saturdays (usually only until 1.00pm), or on Sundays or Public Holidays. It is therefore recommended that waste processing, sorting, or movement of waste, operation of plant and vehicle movements in/out and within the site are restricted to between the hours of 07:30am to 5:30pm Monday to Friday and 07:30am to 1:00pm on Saturdays with no working carried out on Sundays, Bank or Public Holidays.

Visual Impact

46. In terms of visual impact of the development, it is unlikely that this proposal will have a significant adverse impact on the surrounding environment. The site is located in an existing industrial estate which supports a mix of industrial and employment uses and is well suited to the proposed use. Stockpiling, crushing and screening operations will be undertaken at the rear of the site behind the building, and will be stockpiled to a maximum height of 5m. Although the front of the site is presently open, the elements that will be immediately visible to the public apart from the building will be staff/visitor parking, lorry/container/skip parking and the weighbridge/office. However, it is considered that a significant reduction in the visual impact of the development will be achieved by tracts of strategic planting proposed along the frontage. Native planting along the frontage will offer a good visual screen during both summer and winter.
47. It is acknowledged that the site is visible from the south from Shireoaks Road, the Chesterfield Canal and canal towpath, and partly visible from the public house. County Councils landscape expertise advise that the screen planting within the site should limit the impact on other overlooking properties, but that full enclosure of the site by screen planting is not necessary.

Impact on Chesterfield Canal

48. The Canal itself does not benefit from any heritage designations, although it is obviously an important local feature that contributes to the local distinctiveness of Worksop. In view of this, it is appropriate to consider the effect of any development on its setting. However it is also important to consider that this area is occupied predominately by industrial units.
49. With regard to Policy 6/13 of the Bassetlaw District Local Plan, the visual impact of the development is addressed above and both County Landscape Team and British Waterways agree that these measures will help to mitigate any impact. Additional landscaping measures have been proposed by the applicant to address concerns raised by British Waterways.
50. Although the Chesterfield Canal Trust are opposed to the development with respect to a) additional vehicle movement, b) impact on the junction with Sandy Lane, and c) the proposed HWRC site, they do acknowledge that dust impact

from the site could be avoided through the use of dust suppression equipment being installed on any crushing plant or storage areas.

Impact on Highways

51. The site is considered to be well positioned to the local highway network in terms of its proximity to the A57. County Highways Engineers have confirmed that the proposal is acceptable in principle. However they recommend that the access/egress should be at 90° from Shireoaks Road, and measure 7.3m in width with 10m junction radii. In order to improve visibility, it is suggested that a new access is created to the west of the existing one away from the bend in the road. A visibility splay of 4.5m x 120m should be achievable in the westerly direction provided that the vegetation is trimmed/removed and the boundary fence is set back. A visibility splay of 4.5m x site boundaries should be provided in the easterly direction by setting back the boundary fence.
52. They also recommend that a Section 278 Agreement will be required for the access alterations. It is considered that subject to these improvements being undertaken, the access is appropriate for this development. Any proposals for the HWRC and joint use of this access will have to be dealt with when that application is submitted.
53. A request has been made by Councillor Rhodes that a lorry routing agreement be imposed on the development requiring that vehicles enter and leave the site via the A57 only. It is acknowledged that Sandy Lane is a busy road which is already used by a number of businesses situated on the western side of Worksop, ie, at Sandy Lane Industrial Estate and Retail Park. Given the fact that the applicant only proposes to use these routes, a condition will be imposed that requires all drivers associated with this development to be given specific instruction to arrive and exit the site using the A57 ring road and not Sandy Lane heading east towards Worksop.

Ecology

54. An extended ecological survey has been carried out for the site to accompany this application which concludes that the site has no nature conservation interests.

Pollution Issues – Dust, Noise, Litter

55. Whilst the level of contamination on the site is unlikely to prevent development from taking place, the Environment Agency and Bassetlaw District Councils Environmental Health Officer (Contaminated Land) have together agreed the wording of a suitable planning condition requiring an updated survey to be undertaken and appropriate mitigation and remediation measures approved in order to ensure that the site is suitable for its intended use and to protect the quality of the water environment.

56. It is acknowledged that the principal sources of dust from site are likely to arise from vehicle movements, receiving and screening waste and placement of materials outside of the building. The application proposed a number of mitigation measures within the site to address any dust arising from these activities such as: speed limits, external inert material stored to a maximum of 4m high, misting equipment installed within the building, dampening down of stockpiles and main traffic areas, and use of a mechanical sweeper to remove any mud or dust that accumulates. In accordance with the requirements of Policy W3.10 of the WLP, appropriate conditions will be imposed to control dust emissions from the site in accordance with the above measures
57. The only material coming onto the site that is likely to become airborne and blown around the site is the paper/cardboard which will be deposited and stored within the building. In the event that any material is blown around the site, it will be hand picked at the end of the working day and recorded on the daily site inspection record sheet.

Impact on Water Environment

58. The Environment Agency are satisfied with the drainage arrangements for the site. With regard to Policy W3.6 of the Waste Local Plan, the operational area of the site where waste is likely to be stored and vehicles parked will be concreted with its own integral drainage system discharging into a 3 stage interceptor prior to the foul water drain. The waste reception area of the building is lined with pre-cast concrete pads which are bunded and sealed around the perimeter of the external walls. Full details will be required under Building Regulations approval and by planning condition.

Archaeology

59. The County Council's Principal Archaeological Officer has advised that there is not likely to be any chance of any pre-industrial archaeology surviving from past site uses.

Conclusion

60. The application has been tested against the relevant policies of the WLP and with specific regard to policies W3.14, W5.5 and W9.1. The development represents a sustainable form of waste management in terms of the waste hierarchy outlined in PPS10, and WLP policy W2.1.
61. The environmental impact of the proposal has been addressed in the observations above and, subject to the imposition of appropriate planning conditions which are presently subject to consultation with the applicant, it is considered that the development is acceptable.

Statutory and Policy Implications

62. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, crime and disorder and those using the

service. Where such implications are material, they have been brought out in the text of the report. Attention is, however, drawn to specifics as follows:-

Human Rights Act Implications

63. The relevant issues arising out of the Human Rights Act 2000 have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are those to be considered. In this case however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

RECOMMENDATIONS

64. It is RECOMMENDED that planning permission be granted for the above development subject to the conditions set out in Appendix 1.
65. Members will need to consider the issues set out in the report and resolve accordingly.

PETER WEBSTER
Director of Environment

Director of Resources' Financial Comments

The report deals with the planning application and has no direct financial consequences arising. [DJK 8.3.06]

Legal Services' Comments

Committee has power to decide the Recommendation. [SHB 8.3.06]

Background Papers Available for Inspection

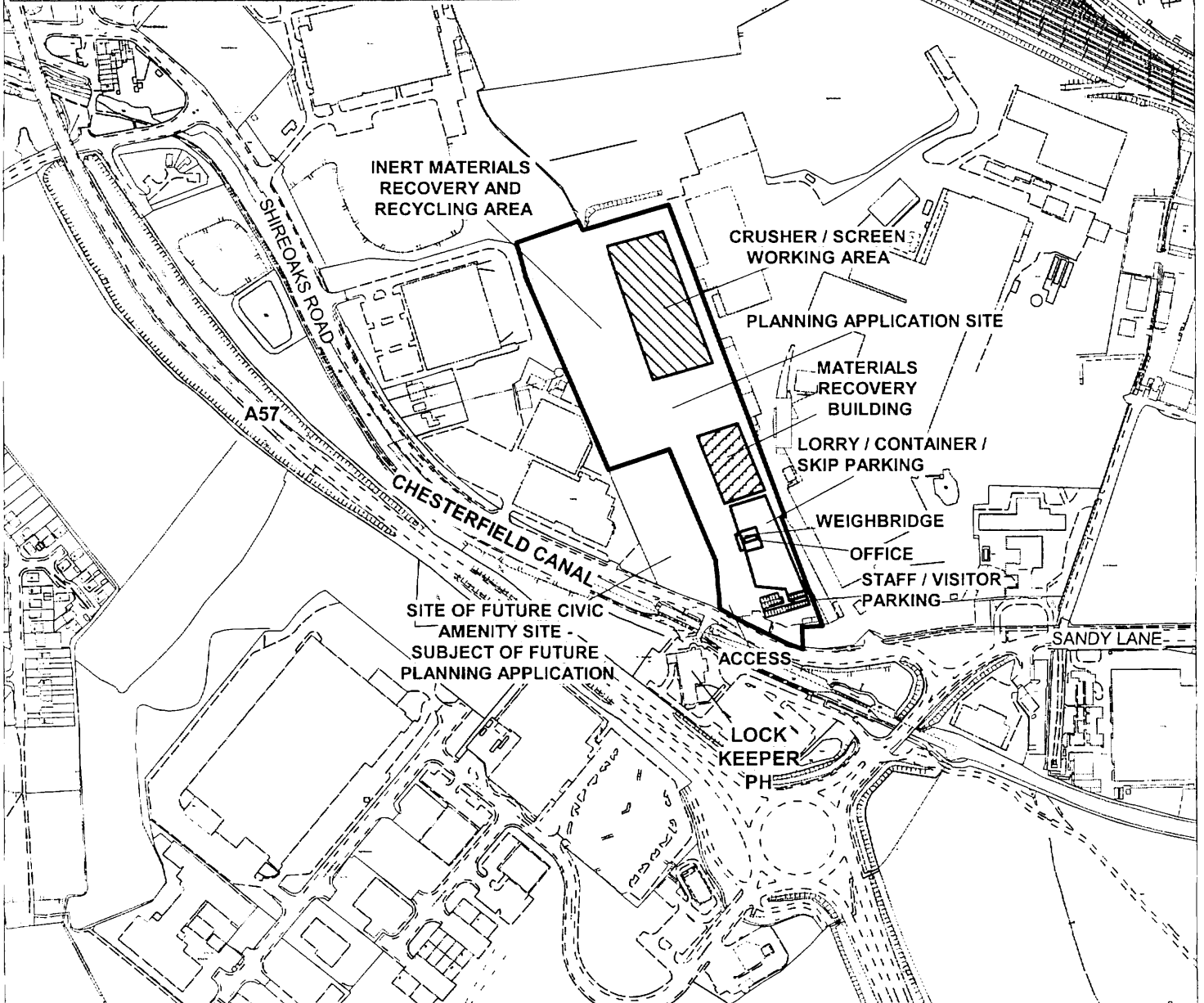
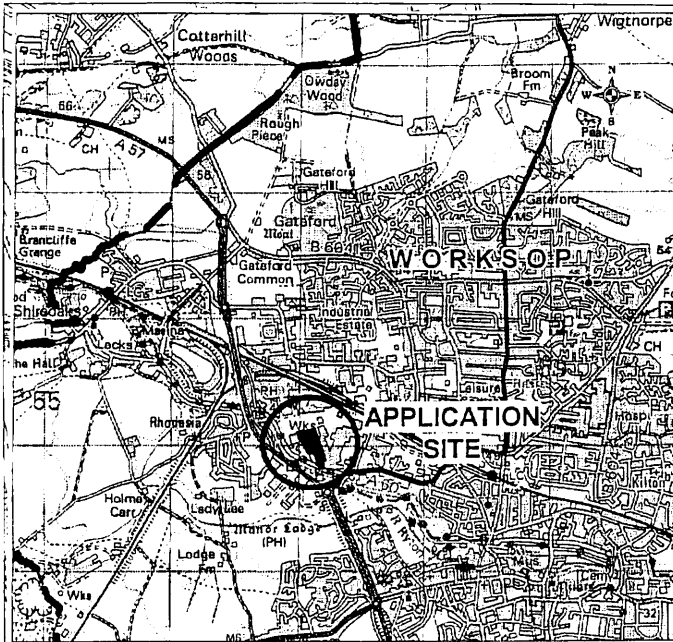
1. Letter from Central Networks dated 26th August 2005.
2. Letter from British Waterways dated 20th September 2005.
3. Letter from National Grid Company Ltd received 27th September 2005.
4. Letter to Bryan Frewin (applicants agent) from NCC dated 26th September 2005
5. Letters from the Environment Agency dated 25th September 2005 (superseded), 28th September 2005 and 26th January 2006.
6. Letters from Bassetlaw District Council dated 12th October 2005, 9th December 2005, and 24th February 2006.
7. E-mail to Bryan Frewin from NCC dated 24th October 2005.
8. Letter from Bryan Frewin to NCC dated 17th November 2005.
9. Letter from Councillor Alan Rhodes (Worksop North West Ward) dated 2nd December 2005.
10. Letter to Bryan Frewin from NCC dated 2nd December 2005.
11. Letter from Bassetlaw District Council (Environmental Health Officer-Contaminated Land) dated 9th December 2005.
12. Letter from Bryan Frewin to NCC dated 14th December 2005
13. Letter to Bryan Frewin from NCC dated 22nd December 2005.

14. Letters from Mr J F Cook, Dukesfield, Shireoaks Road, Worksop dated 7th September 2005 and 16th January 2006
15. Letter from Mr Marks, Hill House, Pytches Road, Woodbridge, Suffolk dated 9th September 2005.
16. Letters from Mr and Mrs Smart, Woodlands, Shireoaks Road, Worksop dated 13th September 2005 and 16th January 2006.
17. Letter from Chesterfield Canal Trust Ltd, 4 Cornfield Close, Carlton in Lindrick, Worksop dated 23rd September 2005.
18. Letters from Phillip Barringer, 'Purearth' Plc, Balderton Hall, Newark, Nottinghamshire dated 16th September 2005 and 13th January 2006.
19. Letter to Mr Cook, 'Dukesfield', Shireoaks Road from NCC dated 6th January 2006.
20. Letter to Mr & Mrs Smart, 'Woodlands', Shireoaks Road, Worksop dated 6th January 2006.
21. Letter to Chesterfield Canal Trust from NCC dated 6th January 2006.
22. Letter from NCC to Purearth Plc dated 11th January 2006.
23. Letter to Bryan Frewin from NCC dated 10th January 2006.
24. Letter from British Waterways dated 19th January 2006.
25. Letter from Bryan Frewin to NCC dated 6th February 2006.
26. Letter from British Waterways dated 2nd March 2006.

Electoral Division(s) Affected

Worksop North

EPD.AR/ep4838
7 March 2006 (15.3.06,16.3.06)



THE ERECTION OF BUILDINGS OFFICE & WEIGHBRIDGE
TO CREATE WASTE TRANSFER / RECYCLING FACILITY.
LAND AT SHIREOAKS ROAD, WORKSOP.
REF. 1/02/05/00495.

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Scale: 1:5000
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Date: JAN 06

DRAFT PROPOSED CONDITIONS (subject to further revisions).

Commencement

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

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

2. The County Planning Authority (CPA) shall be notified in writing of the date of the commencement at least 7 days, but not more than 14 days, prior to the commencement of the development.

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

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

Reason: To ensure that the development is carried out with the approved plans.

4. The development hereby permitted relates to the construction of buildings and associated development, recycling of paper, cardboard, ferrous metals, non-ferrous metals, glass, plastic, brick, concrete, soil, and green waste as set out in the accompanying notes to the planning application received by the CPA on 19th August 2005.

Reason: To define the permission for the avoidance of doubt.

Approved plans

5. Unless otherwise agreed in writing by the CPA, the development hereby permitted shall be carried out in accordance with the following documents, unless amendments are made pursuant to the other conditions below:

- a) Planning Application forms and accompanying notes received by the CPA on 19th August 2005
- b) Drawing number BF/306/SP- Site Plan received by the CPA on 19th August 2005
- c) Drawing number WB0853AGA- Building details received by the CPA on 19th August 2005
- d) Office accommodation plan and elevation plan received by the CPA on 19th August 2005
- e) Drawing number BUR/WOR/05/1-B - Site Plan received by the CPA on 16th December 2005
- f) Landscaping Proposals and plan received by the CPA on 13th February 2006.

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

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

Prior to commencement of development

6. Prior to the commencement of development samples of the materials to be used in the construction of the external surfaces of the buildings hereby approved shall have been submitted to and been approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure compliance with Policy W3.3 of the Nottinghamshire and Nottingham Waste Local Plan.

7. Prior to the commencement of development hereby permitted, a plan detailing the precise location of the inert materials recovery and recycling area shall have been submitted to the CPA and been approved in writing by the CPA. The recycling and recovery of inert materials shall be restricted to the approved area only.

Reason: In the interests of visual amenity and to allow the CPA to monitor compliance with the conditions of the permission.

8. Prior to commencement of development, details of all plant and machinery to be used on the site shall have been submitted to and been approved in writing by the CPA. Plant and machinery used on site shall be restricted to those approved, unless otherwise agreed in writing by the CPA.

Reason: In the interests of visual amenity and to allow the CPA to monitor compliance with the conditions of the permission.

9. Prior to commencement of development, details of the surfacing materials to be provided within the site shall have been submitted to and been approved in writing by the CPA. The development shall be carried out in accordance with the approved details.

Reason: In the interests of pollution control and to allow the CPA to monitor compliance with the conditions of the permission.

10. No development hereby permitted by this permission shall take place on the site until the required 4.5m x 120m visibility splays in a westerly direction and 4.5m x site boundaries in the easterly direction have been provided at the entrance to Sandy Lane Industrial Estate.

Reason: In the interests of highway safety.

11. No development approved by this planning permission shall be commenced until:

- a) a desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses, and other relevant information. Using this information a

- diagrammatical representation (Conceptual Model) of the site for all potential contaminant sources, pathways and receptors shall be produced;
- b) a site investigation has been designed for the site using the information obtained from the desk study and any diagrammatical representations (Conceptual Model). This should be submitted to, and be approved in writing by the CPA prior to that investigation being carried out on site. The investigation must enable a risk assessment to be undertaken relating to both ground and surface waters, and impacts on land, both on and off the site which may be affected, and refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements;
 - c) The site investigation has been undertaken in accordance with details approved by the CPA and a risk assessment has been completed;
 - d) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters and on the proposed land use, using the information obtained from the Site Investigation has been submitted to the CPA. This should be approved in writing by the CPA prior to that remediation being carried out on the site. Prior to commencement of main site works, the approved remediation works shall be completed in accordance with the approved Method Statement to the satisfaction of the CPA. Appropriate validation of the remedial scheme shall be submitted to the CPA for written approval.

Reason: To ensure the site is suitable for its intended use and to protect the quality of the water environment.

12. Prior to commencement of development, a landscape management plan and schedule of maintenance for the landscaping measures set out under Condition 5 shall have been submitted to and been approved in writing by the CPA. The landscape management and maintenance shall be carried out in accordance with the approved schedule.

Reason: In the interests of visual amenity and in accordance with Policy W3.4 of the Nottinghamshire and Nottingham Waste Local Plan.

13. All drivers of vehicles importing and exporting waste from the site shall be instructed to exit the site turning left and then right onto the A57 ring road and when entering the site from the A57, turning left onto Shireoaks Road and right into the site, and not to use Sandy Lane heading east towards Worksop, unless making a local delivery. A copy of these instructions shall be submitted to the CPA for their records.

Reason: In the interests of highway safety

Lighting

14. No external lighting shall be erected or installed or used to illuminate the site except in accordance with details which have been submitted to the CPA and been approved in writing by the CPA prior to their installation.

Reason: To safeguard the amenities of the area and to ensure the satisfactory working of the site (in accordance with Policies W3.3 and W3.4 of the Nottinghamshire and Nottingham Waste Local Plan).

Control of vehicle numbers

15. Unless otherwise agreed in writing by the CPA, the number of vehicles entering the site in connection with the development hereby permitted shall not exceed a maximum of 200 vehicle movements per day (100 in and 100 out of the site). The operator shall keep records of all vehicle movements to the site each day and such records shall be supplied to the CPA within two weeks of a written request for such records being made.

Reason: in the interests of highway safety.

Buildings, Fixed Plant and Machinery

16. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order, or subsequent amending legislation, no permanent plant, machinery or buildings, other than those indicated within this application, shall be erected or placed on the site without the prior written approval of the CPA.

Reason: To ensure the satisfactory working of the site (in accordance with Policies W3.6 – W3.9 of the Nottinghamshire and Nottingham Waste Local Plan).

Operational Details

17. The crushing and screening of materials shall only take place within the areas identified on drawing BUR/WOR/05/1-B dated December 2005 and received by the CPA on 16th February 2006, unless otherwise agreed in writing.

Reason: To safeguard the amenities of the area and to ensure the satisfactory working of the site (in accordance with Policies W3.3 and W3.4 of the Nottinghamshire and Nottingham Waste Local Plan).

18. With the exception of the designated areas shown on the drawing BUR/WOR/05/1-B dated December 2005 and received by the CPA on 16th February 2006, there shall be no open storage of waste materials on the site.

Reason: To safeguard the amenities of the area and to ensure the satisfactory working of the site (in accordance with Policies W3.3 and W3.4 of the Nottinghamshire and Nottingham Waste Local Plan).

19. There shall be no processing or sorting of waste materials on any open parts of the site other than in the delineated areas shown on the drawing BUR/WOR/05/1-B dated December 2005 and received by the CPA on 16th December 2006. All waste storage shall be restricted to the designated bays/areas, skips and stores.

Reason: To safeguard the amenities of the area and to ensure the satisfactory working of the site in accordance with Policies W3.3 and W3.4 of Nottinghamshire and Nottingham Waste Local Plan.

20. Unless otherwise agreed in writing by the CPA, all stockpiles of waste material shall be no more than 5 metres in height.

Reason: To safeguard the amenities of the area and to ensure the satisfactory working of the site in accordance with Policies W3.3 and W3.4 of Nottinghamshire and Nottingham Waste Local Plan.

21. Notwithstanding the requirements of Condition 20, the height of any stockpile of waste material shall not exceed the height of the walls of the bay in which it is to be stored.

Reason: To ensure the satisfactory working of the site in accordance with Policies W3.6-W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

22. No material shall be stored within the main transfer bay for any longer than four days, and any tree/shrub/plant waste imported to the site shall be processed and removed from the site within a period of two weeks from the date of importation.

Reason: To safeguard the amenities of nearby residents (in accordance with Policies W3.6- W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

23. There shall be no burning of materials on the site.

Reason: To safeguard the amenities of nearby residents (in accordance with Policies W3.6- W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

Hours of operation

24. Unless in an emergency, which shall be notified in writing to the CPA within 48 hours of its occurrence, or as otherwise previously agreed in writing by the CPA, there shall be no waste vehicle movements into or out of the site, or within the site, no processing, sorting or movement of waste, or operation of plant except between the hours of 07.30am to 5.30pm on Monday to Friday and 07.30am to 1.00pm on Saturdays. No waste will be accepted on site outside these hours, and no working shall be carried out on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of nearby residents (in accordance with Policies W3.6- W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

Waste and Litter

25. Measures shall be employed to ensure that waste and litter are not allowed to leave the designated areas. This shall include, but not be restricted to, the following :-

- (a) netting of waste piles, skips and stores
- (b) netting in open picking sheds;

- (c) provision of catch fencing on bay edges;
- (d) minimising drop heights;
- (e) temporary cessation of operations if weather conditions render control of wastes and litter impossible.

Reason: to safeguard the amenities of nearby residents in accordance with Policies W3.6- W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

Dust

26. All possible measures shall be employed to ensure that dust emissions from the site are minimised and controlled for the benefit of the continuing enjoyment of the neighbouring landowners and users. This shall involve taking any or all of the following steps as appropriate to the satisfaction of the CPA:

- a) the use of a sprinkler system within the recycling facility building to suppress dust within;
- b) the use of efficient sprinkler systems to dampen hard surfaces including access roads, the general site area, and any exposed materials;
- c) the use of a road sweeping vehicle;
- d) sheeting of lorries;
- e) upon the request of the CPA the temporary cessation of waste importation, recycling operations and loading of materials in the event that the foregoing on-site measures fail to control dust.

Reason: To safeguard the amenities of nearby residents (in accordance with Policies W3.6- W3.9 of the Nottinghamshire and Nottingham Waste Local Plan).

Noise

27. All possible measures shall be used to ensure that noise is minimised. All vehicles, plant and equipment to be used on site in the processing and movement of materials shall incorporate noise abatement measures and be fitted with effective silencers and maintained in accordance with the manufacturer's specifications.

Reason: To safeguard the amenities of nearby residents in accordance with Policies W3.6- W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

28. No reversing warning device shall be used on any mobile plant except in accordance with details to be agreed beforehand by the CPA.

Reason: To safeguard the amenities of nearby residents in accordance with Policies W3.6- W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

29. In the event of noise complaints being received by the CPA regarding this proposal which, in the considered opinion of the CPA, are justified, the applicant shall, within one week of a written request from the CPA carry out a noise impact assessment. The noise impact assessment shall be submitted to the CPA within 1 month of the initial written request for the noise assessment, and shall detail mitigation measures to control noise from the site such that levels at any noise sensitive property do not

exceed 5dBA above background levels when measured over a 15 minute sample period. The mitigation shall be implemented as proposed.

Reason: In the interests of amenity.

Protection of surrounding roads

30. Suitable measures shall be employed to prevent the deposit of any deleterious materials upon the public highway. Such measures shall include as appropriate, sweeping and cleaning of the access road, provision and use of wheel cleaning facilities. In the event that these measures prove inadequate, then within one month of the written request of the CPA additional steps or measures shall be taken in order to prevent the deposit of materials upon the access road and junction with Sandy Lane.

Reason: To prevent mud and other deleterious material contaminating the highway in accordance with Policy W3.11 of the Nottinghamshire and Nottingham Waste Local Plan.

Odour

31. Measures shall be employed to ensure that odour is controlled at the site. In the event that the CPA considers these measures prove unsuccessful, then upon the written request of the CPA, the applicant shall, within 7 days of such a request, submit for approval in writing, an action plan specifying the steps proposed to control odour. The approved steps to control odour shall be implemented within 7 days of approval and thereafter at all times.

Reason: To minimise odour generation and to ensure compliance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.

Parking and Access

32. The proposed car parking spaces shown on Drawing number BUR/WOR/05/1-B shall be surfaced and marked out in permanent materials before the development hereby approved is first brought into use. The car parking spaces shall thereafter be retained at all times and be made available for parking in connection with the use of the site.

Reason: In the interests of road safety.

Landscaping

33. All landscaping works approved under Condition 5 above shall be carried out in accordance with the approved details. The works shall be carried within the first planting and seeding seasons following the substantial completion of the development, unless otherwise agreed in writing with the CPA. Any trees which die or are removed or become seriously damaged for any reason or fail to become established within five years of the initial planting shall be replaced during the following planting season with others of similar size and species.

Reason: In the interests of amenity.

Surface water drainage and pollution control

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

Reason: In the interests of pollution control.

35. There shall be no discharge of foul or contaminated drainage from the site either into groundwater or any surface waters, whether direct or via soakaways.

Reason: To avoid pollution of the land and any watercourses (in accordance with Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan.

36. All foul drainage from the site shall be contained within sealed and watertight tank(s), fitted with a warning device to indicate when the tank(s) need to be emptied.

Reason: To avoid pollution of the land and any watercourses (in accordance with Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan.

Temporary Cessation of Working

37. In the event that the use of the site for a materials recycling facility should cease for a period in excess of 6 months the operator shall, upon the written request of the CPA, clear the site of all waste, processed materials, plant and machinery associated with the use.

Reason: In the interests of visual amenity and to ensure compliance with Policy W3.3 of the Nottinghamshire and Nottingham Waste Local Plan.

Notes to applicant

1. The applicant is advised to contact Cate Bassett of the Environment Agency on 0115 8463755 regarding the need for a waste management licence.
2. There is a discharge/abstraction pipe which lies between the canal and the site. The applicant will need to ensure that the pipe is satisfactorily sealed to prevent pollution of the Chesterfield Canal. You are advised to contact Helen Edwards of British Waterways regarding this on 01636 704481.
3. The applicant is advised that a Section 278 Agreement under the Highways Act is required for works to the access.

4. In securing the visibility splays nothing above 1m in height should be placed or grown in the splays.

KEY FACTS SHEET

SITE:	Land at Shireoaks Road, Worksop
APPLICANT/OPERATOR:	Nottinghamshire Recycling Limited
PROPOSAL:	APPLICATION FOR ERECTION OF BUILDINGS, OFFICE AND WEIGHBRIDGE TO CREATE WASTE TRANSFER/RECYLCING FACILITY, AT LAND AT SHIREOAKS ROAD, WORKSOP, NOTTINGHAMSHIRE.
TOTAL SITE AREA (ha):	3.4ha.
CURRENT USE:	Vacant Industrial.
PROPOSED WASTE TYPES:	Importation, sorting and storage of: paper, cardboard, ferrous metals, non-ferrous metals, glass, plastic brick, concrete, and soil removed from the building and screened to produce a soil product and hardcore. Wood.
PROPOSED OPERATIONS:	Brick, concrete and soil will be removed from the building and screened to produce a soil product and hardcore. The soil will be used as an agricultural/ horticultural growing medium. Brick and concrete will be used as primary and secondary aggregates in the construction and building industries. Wood will be shredded on site and sold on for the use in various recycled wood products. Paper, cardboard, ferrous metals, non-ferrous metals, glass, plastic will be sorted on site and then removed from site for processing.
PLANT AND EQUIPMENT:	Crushing and screening externally. Chipping of wood within building.
WASTE INPUT RATE:	50,000m ³
TRAFFIC:	100 HGV movements each way=200 movements
VEHICLE ROUTING:	Leave site onto Worksop Ring Road 1) A57 to M1 J31, 2) A57 to A1, 3) A60 to M1 J30.
HOURS OF OPERATION:	Proposed initially by applicant as 07.30 am to 7.00pm on Mon-Sat, but see report for further restrictions.
EMPLOYMENT:	10 plus 5 admin.
KEY PLANNING POLICIES:	<u>Nottinghamshire Waste Local Plan (Adopted January 2002):</u> Policy W2.1, Policy W3.3, Policy W3.4, Policy W3.6, Policy W3.8, Policy W3.9, Policy W3.10, Policy W3.15, Policy M3.14, Policy W5.5, Policy W9.1 <u>The Basalt Local Plan, Deposit Draft 1995: Policy 2/13.</u>
KEY ISSUES:	Potential impact on amenity and local highway network

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7 March 2006 (15.3.06, 16.3.06)