

## **RECOMMENDED PLANNING CONDITIONS**

### **Commencement**

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 of the Town and Country Planning Act 1990 as amended.*

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

*Reason: To enable the WPA to monitor compliance with the conditions of the planning permission, and for the avoidance of doubt.*

### **Approved Plans**

3. Except where amendments are made pursuant to the other conditions in this planning permission, the development hereby permitted shall only be carried out in accordance with the following plans and documents:

- (a) Planning application forms received by the WPA on 5 November 2015;
- (b) Supporting Statement received by the WPA on 5 November 2015;
- (c) Drawing Number VES\_TD\_WCROFT\_300\_001 Revision P2 – Existing Site Plan received by the WPA on 5 November 2015;
- (d) Drawing Number VES\_TD\_WCROFT\_300\_002 Revision P3 – Proposed Site GA received by the WPA on 5 November 2015;
- (e) Drawing Number VES\_TD\_WCROFT\_300\_003 Revision P2 – Proposed Site GA Vehicle Tracking received by the WPA on 5 November 2015;
- (f) Drawing Number VES\_TD\_WCROFT\_300\_004 Revision P3 – Proposed WTS Building General Arrangement received by the WPA on 5 November 2015;
- (g) Drawing Number VES\_TD\_WCROFT\_300\_005 Revision P3 – Proposed WTS Building Elevations received by the WPA on 5 November 2015;
- (h) Drawing Number VES\_TD\_WCROFT\_300\_006 Revision P2 – WTS Building Fencing and Gate Details received by the WPA on 5 November 2015;
- (i) Drawing Number VES\_TD\_WCROFT\_300\_007 Revision P3 – Weighbridge Cabin Elevations received by the WPA on 5 November 2015;

- (j) Drawing Number ST14407-003 – Softworks Plan received by the WPA on 5 November 2015;
- (k) Drawing Ref.3408630 received by the WPA on 5 November 2015;
- (l) Environmental Noise Assessment Relating to Proposed WTS by NVC Ltd received by the WPA on 5 November 2015;
- (m) Transport Statement by BWB Consultancy received by the WPA on 5 November 2015;
- (n) Flood Risk Assessment and Conceptual Drainage Strategy September 2015 by Wardell Armstrong received by the WPA on 5 November 2015.

*Reason: For the avoidance of doubt, and to define the permission.*

### **Construction of the Waste Transfer Station**

- 4. No development shall commence until details of the contractors' access and site working arrangements have been submitted to, and approved in writing by, the WPA. The details shall specify the following:
  - (a) The size and location of the works compound(s);
  - (b) The number, size (including height) and location of all contractors' temporary buildings;
  - (c) The location(s) and means of access to the site;
  - (d) Arrangements for the use/disposal of surplus soil materials including any temporary soil storage arrangements;
  - (e) Provision for contractors' parking;
  - (f) The means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site;
  - (g) The arrangements for parking of contractors' vehicles and contractors' personal vehicles;
  - (h) Measures to minimise disturbance from noise which may include but not necessarily be restricted to the following:
    - (i) Cladding, insulation and operation of plant and machinery in accordance with manufacturers' recommendations;
    - (ii) Erection of noise attenuation bunds and fencing;
    - (iii) Additional restrictions on hours of working to those specified in Condition 18 below.

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

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

## **Construction Materials**

5. The buildings and boundary fencing/gates provided on the site shall be constructed using the following specification:

### Waste Transfer Building

- Roof

Roof Cladding – Colour: Goosewing Grey BS10A05

Combined Fascia/Soffit and Gutter System – Colour: Heritage Green RAL6002

Cladding Trimmers/Finishes – Colour: Heritage Green RAL6002

- External Walls

Cladding – Colour: Moorland Green BS12B21

Cladding Trimmers/Finishes – Colour: Heritage Green RAL6002

Precast Concrete Panels

Exposed Structural Steel Work – Galvanised Finish

- Doors

Rapid Rise Doors – Colour: Heritage Green RAL6002

Personnel Doors – Colour: Heritage Green RAL6002

### Water Storage Tank for Fire Sprinkler System

Water Storage tank – galvanised finish

Pump House Kiosk – Colour: Heritage Green RAL6002

Transformer Room Kiosk – Colour: Heritage Green RAL6002

Plant Room Kiosk – Colour: Heritage Green RAL6002

### Weighbridge Office

Blockwork foundations with steel cladding walls – Colour Moss Green RAL6005

## Site Admin/Welfare Facilities

Colour: Moorland Green

## Fencing and Gates

Galvanised steel finish

*Reason: In the interest of visual amenity and to ensure compliance with Policy W3.3 of the Nottinghamshire and Nottingham Waste Local Plan and Policy ST1 of the Ashfield Local Plan Review.*

## **Floodlighting**

6. The development hereby permitted shall not be brought into use until floodlighting units on the site have been installed in accordance with details previously submitted to and approved in writing by the WPA. The details shall confirm that all external lighting required in connection with the operations hereby permitted shall:

- (a) Be angled downwards into the site and suitably shielded so as to minimise light pollution, spillage and glare onto adjoining land;
- (b) Not cause a nuisance to adjacent land users, sensitive habitats and users of the highway;
- (c) Only be used during the permitted hours of operation, as detailed in Condition 18 below.

The floodlighting shall be installed and maintained in accordance with the approved details.

*Reason: To protect the amenity of surrounding land and property, to protect sensitive habitats and to ensure compliance with Policy ST1 of the Ashfield Local Plan Review.*

## **Ground Contamination**

7. If unexpected ground conditions are detected during any further ground investigation work conducted as part of the detailed design of the proposed facility then the WPA shall be informed immediately and a written submission provided detailing the findings of the investigation, along with any proposed changes to the construction of the facility. Any remedial measures or changes shall be agreed with the WPA prior to their implementation. The scheme shall thereafter be implemented in accordance with the approved details.

*Reason: To ensure the site is redeveloped to an appropriate standard to protect the environment.*

## Access and Parking

8. The access shall be constructed and surfaced in a bound material (not loose gravel) in accordance with Drawing Number VES\_TD\_WCROFT\_300\_002 Revision P3 – Proposed Site GA received by the WPA on 3 November 2015 and the waste transfer station shall not be brought into use until the access has been completed in accordance with this plan.

*Reason: In the interest of highway safety and in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.*

9. No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4m x 47m are provided in accordance with details shown on Drawing Number NTT2421/101-01 SP Rev. P2 Wolsey Drive Egress – Swept Path Analysis submitted as part of the Transport Statement received by the WPA on 5 November 2015. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.

*Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general Highway safety.*

10. Details of measures to prevent the deposit of debris upon the adjacent public highway shall be submitted and approved in writing by the WPA prior to any works commencing on site. The approved measures shall be implemented prior to any other works commencing on site.

*Reason: To reduce the possibility of deleterious material being deposited in the public highway in accordance with Policy W3.11 of the Nottinghamshire and Nottingham Waste Local Plan.*

11. If the measures to prevent the deposit of debris on the adjacent public highway approved under Condition 10 above prove to be ineffective, then, within two weeks of a written request from the WPA, additional measure, which may include the provision of wheelwash facilities, shall be submitted to the WPA for its approval in writing. The additional measures shall be implemented in accordance with the approved details and maintained for the duration of the development.

*Reason: To reduce the possibility of deleterious material being deposited in the public highway in accordance with Policy W3.11 of the Nottinghamshire and Nottingham Waste Local Plan.*

12. The gates at the access point shall open inwards only and be constructed in accordance with the details on Drawing Number VES\_TD\_WCROFT\_300\_006 Rev. P2 Fencing and Gate Details received by the WPA on 3 November 2015.

*Reason: In the interest of highways safety.*

13. Within 3 months of the date of commencement, as notified under Condition 2, details of the road and footway extension on Wolsey Drive including an appropriate industrial adoptable turning facility shall be submitted to the WPA for its approval in writing. Details should include longitudinal/cross sectional gradients, turning facility, access widths, surfacing, street lighting, highway

construction specification, provision/diversion of utility services, proposed structural work and drainage/outfall proposals. All details submitted to the WPA for approval shall comply with the County Council's current Highway Design and Parking Guides and shall be implemented as approved. The road and footway extension on Wolsey Drive shall be constructed in accordance with the approved details before the waste transfer station is brought into use.

*Reason: To ensure the development is constructed to adoptable standards.*

14. The site shall not become operational until such time as the car park and servicing arrangements have been appropriately surfaced, marked out, and drained such that surface water does not discharge onto the public highway to the satisfaction of the WPA.

*Reason: To ensure appropriate service and parking arrangements are available.*

## **Traffic**

15. The maximum number of HGVs arriving/departing the site shall be 95 trips (190 two-way movements) in any 24 hour period. Vehicle movements between 22:00hrs and 06:00hrs shall be restricted to a maximum of 2 HGVs trips (4 two-way movements) per hour. Written records and time-logs of daily HGV movements shall be kept by the operator and made available to the WPA within 7 days of a written request by the WPA.

*Reason: In the interest of highway safety and local amenity and in accordance with Policy W3.9 and Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.*

16. The development hereby permitted shall not be brought into use until a traffic management plan detailing measures with respect of HGV traffic routeing to and from the Waste Transfer Station Site has been submitted to and approved in writing by the WPA. The traffic management plan shall include the following details:

- (a) Details of appropriate signage to direct traffic leaving the site during night-time hours to turn left onto Low Moor Road from the junction with Wolsey Drive and to head towards the A38, and to preferentially turn left onto Low Moor Road during day-time hours;
- (b) Written instructions to be given to drivers to inform them of the appropriate route to be taken.

The traffic management plan shall be implemented in accordance with the approved details and signage shall be maintained thereafter for the duration of the development.

*Reason: In the interest of highway safety and local amenity and in accordance with Policy W3.9 and Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.*

## **Landscaping**

17. Within 3 months of the date of commencement, as notified under Condition 2, a landscape scheme shall be submitted to the WPA for its written approval. The landscape scheme shall generally accord with the details contained on Drawing Number ST14407-003 – Softworks Plan received by the WPA on 5 November 2015 except for the identified tree species and shall identify and include details of:
- (a) Measures to protect any existing trees on or adjacent to the site during the construction of the development;
  - (b) Areas to be planted/seeded within the application site, including tree and shrub planting to the southern side of the approved Waste Transfer Building, extending alongside the southern elevation of the building westwards to also include the screening of the fire water tank;
  - (c) The ground preparation and cultivation including any plant protection required for the establishment period;
  - (d) Species, planting density, size and position of trees and shrubs to be used within the landscape planting works;
  - (e) Details of wildflower seeding mixes and rate of application, including details of the different seed mixes for the wet area of the swale on the eastern boundary of the site, the drier areas of the site, and the provision of low nutrient soils (ideally subsoils and/or former colliery material) to ensure the development of a species-rich grassland sward;
  - (f) Details confirming the completion of the eradication works to remove the identified areas of Japanese Knotweed on the western part of the site.
  - (g) A maintenance schedule for the landscape planting to run for a period of five years following completion of planting and seeding. This shall include details of a proposed mowing regime for the wildflower areas.

Any retained trees shall be protected in accordance with the approved details. All planting shall be carried out in accordance with the details approved in the first planting and sowing seasons respectively following the completion of the development. The planting scheme shall be maintained in accordance with the approved maintenance scheme for a period of five years following its implementation and any plants or trees which die, are removed, or become seriously damaged or diseased shall be replaced in the following planting season with similar specimens to those originally planted.

*Reason: In the interests of visual amenity and to ensure compliance with Policy W3.4 of the Nottinghamshire and Nottingham Waste Local Plan.*

## **Hours of Operation**

18. Except in the case of an emergency when life, limb or property are in danger and such instances which are to be notified in writing to the WPA within 48 hours of their occurrence, the development hereby permitted, including site floodlighting, shall only take place within the following hours:

Mondays to Fridays

06:00hrs – 22:00hrs

Saturdays, Sundays, Bank and Public Holidays

07:00hrs – 19:00hrs

Outside of these hours, the only operations permitted shall be related to the movement of HGV bulker vehicles (and associated tipping/bulking operations within the waste transfer building, but which shall not include the operation of any RDF processing) and shall only take place at a rate of two HGV trips per hour (four movements). The only permitted operations during these hours shall be HGVs arriving and exiting the site and the loading and unloading of these HGVs which shall only take place within the Waste Transfer Building. No processing of materials shall take place.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby residential properties in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

## Noise

19. Noise levels from the site will not exceed the background noise level (L90) at any nearby receptor when assessed in accordance with BS4142:2014. The noise level will include any penalties as required in BS4142.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby occupiers in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

20. In the event of a justifiable noise complaint received by the WPA, the applicant shall conduct a noise survey to determine compliance with the above condition. In the event the noise level is exceeded the applicant shall submit a scheme of noise mitigation for approval to the WPA within 30 days. Once approved the applicant shall install any agreed mitigation within a further 30 days.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby occupiers in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

21. Vehicles under the operators control shall be fitted with broadband type (white noise) reversing alarms

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby occupiers in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

22. Doors to the WTS building shall be closed between 18:00hrs and 07:00hrs unless opened temporarily for entry and exit of vehicles in an emergency or for maintenance.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby occupiers in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

23. Vehicle washing shall be limited to between the hours of 09:00hrs and 18:00hrs.



*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby occupiers in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

24. The WTS building shall be clad using materials with the following properties:

- (a) Eastern and southern building facade Min composite  $R_w=35\text{dB}$
- (b) Building roof min composite  $R_w=35\text{dB}$
- (c) All other facades min composite  $R_w=25\text{dB}$

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby occupiers in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

25. Before the development hereby permitted is brought into use, a noise management plan, outlining best practice management controls to be implemented by the operator onsite to control noise emissions, shall have been submitted to and approved in writing by the WPA. The site shall be operated in accordance with the approved noise management plan thereafter and for the duration of the development.

*Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby occupiers in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.*

## **Odour**

26. Measures shall be employed to ensure that operations associated with the development hereby permitted do not give rise to any malodours. Such measures must include but not necessarily be limited to the following:

- (a) There shall be no outside loading or unloading of waste vehicles nor shall there be any outside storage of waste, recyclables or other malodorous waste materials;
- (b) The removal of unprocessed waste materials from the Waste Transfer Station as soon as possible and in any event within 72 hours of its receipt at the site;
- (c) Waste shall be regularly rotated within the waste transfer building to ensure that material is circulated on a regular basis thus ensuring that waste is not allowed to decompose;
- (d) The regular cleaning of all areas within the waste transfer building;
- (e) The fitment, use and regular maintenance of fast acting rapid-rise doors to the frontage (western elevation) of the waste transfer building. The doors shall remain shut at all times, other than to allow passage of waste delivery/collection vehicles into/out of the building for unloading. For the avoidance of doubt the doors shall be shut at all times during waste vehicle loading/unloading operations;

- (f) The use of masking agents where necessary to neutralise any malodours;
- (g) No parking of any vehicles loaded with waste materials outside the waste transfer building overnight or outside the permitted hours of working;
- (h) All vehicles transporting waste materials either to or from the site shall be fully enclosed or sheeted.

In the event that these measures prove inadequate, then within one week of a written request from the WPA, additional steps or measures shall be taken in order to prevent the release of odours from the site, the details of which shall have previously been submitted to, and agreed in writing by the WPA.

*Reason: To minimise potential nuisance from odour in accordance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.*

### **Litter and Dust**

27. Measures shall be employed to ensure that litter and dust generated within the site during the operational phase are kept to a minimum and contained within the site. These measures shall include, but not necessarily be restricted to:
- (a) The use as appropriate of a dust suppression system throughout all working areas;
  - (b) The storage of waste materials within dedicated storage bays/areas inside the waste transfer building;
  - (c) The use as appropriate of water bowzers and/or spray systems to dampen the vehicle circulation and manoeuvring areas;
  - (d) The regular sweeping and cleaning of all internal and external hard surfaces;
  - (e) The vehicle wash bay shall be maintained in working order at all operational times;
  - (f) Ensuring that the fast acting rapid-rise doors are maintained in good operational order at all times;
  - (g) The sheeting of all unenclosed waste carrying vehicles accessing and leaving the site.

*Reason: To minimise disturbance from windblown litter and dust in accordance with Policy W3.8 and Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan.*

28. The development hereby permitted shall not be brought into use until details showing the siting of the proposed palisade perimeter security fence and gates (including access to the Welbeck Ecology Site) have been submitted to and approved in writing by the WPA. The perimeter fencing shall thereafter be erected in accordance with the approved details prior to the site first

receiving waste and thereafter be maintained in a secure condition during the operational life of the site.

*Reason: To minimise disturbance from windblown litter in accordance with Policy W3.8 of the Nottinghamshire Waste Local Plan, and to ensure satisfactory enclosure of the site.*

## **Vermin**

29. Measures shall be employed to ensure that vermin is controlled at the site. In the event that these measures prove unsuccessful, then upon the written request of the WPA the applicant shall, within 7 days of such a request, submit for approval in writing an action plan specifying the steps proposed to control vermin. The vermin action plan shall thereafter be implemented immediately in accordance with the approved measures.

*Reason: To ensure satisfactory environmental management at the site.*

## **Capacity of the Site**

30. The maximum amount of waste material accepted at the site shall not exceed 75,000 tonnes per annum in total. A written record shall be kept by the site operator of the amounts of waste accepted and it shall be made available to the WPA within 7 days of a written request from the WPA.

*Reason: To ensure impacts arising from the operation of the site do not cause unacceptable disturbance to local communities in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan*

## **Surfacing and Drainage**

31. Within 3 months of the date of commencement, as notified under Condition 2, a detailed surface water and foul water drainage scheme shall be submitted to and approved in writing by the WPA. The surface water drainage system shall be designed to accommodate a 1 in 100 year storm event (including an allowance for climate change). The scheme shall include details of the swale profile, construction and any outflow. The drainage scheme shall thereafter be implemented in accordance with the approved details before the development is first brought into use, and thereafter maintained in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the WPA.

*Reason: To protect ground and surface water from pollution in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.*

32. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound shall be at least equivalent to the capacity of the tank plus 10% or, if there is more than one container within the system, of not less than 110% of the largest container's storage capacity or 25% of the aggregate

storage capacity of all storage containers. All filling points, vents and sight glasses must be located within the bund. There must be no drain through the bund floor or wall.

*Reason: To protect ground and surface water from pollution in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.*

33. Inspection manholes shall be provided for the drainage system, with foul and surface water manhole covers marked red and blue respectively to enable easy recognition.

*Reason: To enable water pollution incidents to be more readily traced and in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.*

### **Closure of the Site**

34. In the event that the use of the site for the importation of waste shall cease for a period in excess of seven days then, within seven days of a written request from the WPA, the site shall be cleared of all stored waste and recycled materials.

*Reason: To minimise potential nuisance from odour in accordance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.*

### **Informatives/Notes to applicant**

1. The activities associated with this development will require an Environmental Permit under the Environmental Permitting Regulations 2010, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 08708 506 506 for further advice and to discuss the issues likely to be raised. Additional Environmental Permitting Guidance can be accessed via <http://www.environment-agency.gov.uk>
2. Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003. Attention is drawn to the fact that the applicant may not build close to, directly over or divert a public sewer without consent; and as such is advised to contact Severn Trent Water to discuss these proposals. Severn Trent Water will then assist in obtaining a solution, which protects both the public sewer and the proposed development. Severn Trent Water can be contacted on 0116 234 3834 or [net.dev.east@severntrent.co.uk](mailto:net.dev.east@severntrent.co.uk)

### **Section 278 Agreement (Highways Act 1980)**

3. In order to carry out the off-site works required the applicant will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which the applicant has no control. In order to undertake the works the applicant will need to enter into an agreement under Section 278 of the Act. Please contact Highways Development Control on 01623 520711 or via e-mail [north@nottsc.gov.uk](mailto:north@nottsc.gov.uk) for more details. Please also see the current 6C's Design Guide for information

on working on the existing highway [http://www.leics.gov.uk/index/6csdg/highwayreq\\_development\\_part6.htm](http://www.leics.gov.uk/index/6csdg/highwayreq_development_part6.htm)

Prevention of mud on the Highway

4. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such the applicant should undertake every effort to prevent it occurring.