

RECOMMENDED PLANNING CONDITIONS

Commencement /notification

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 by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

- a) the commencement of the development hereby permitted and
- b) the commencement of material importation operations.

Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.

Approved details

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

- c) Completed planning application form and certificates.
- d) Letter of explanation and Flood Risk Assessment Statement.
- e) Protected Species Survey by EMEC Ecology, dated August 2015.
- f) Drawing 15001-06 'Muskham Lakes Site Location Plan Rev D', dated 16th April 2015.
- g) Drawing titled 'Cross Section of Bund A-A' dated 1st August 2015.
- h) Details of stock ponds; plan view; Section A-A and Section Bank.

All received by the WPA on 28th October 2015.

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

4. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment Statement and in particular the height of the new embankment in Bridge Lake shall not exceed the height of ground levels surrounding the lake and shall be no higher than the lowest point of the bank between Bridge Lake and the River Trent. On completion of the construction of the new embankment a topographical survey shall be submitted to the WPA to confirm its final levels are in compliance with the Flood Risk Assessment Statement.

Reason: To ensure there would be no loss of flood storage capacity or impediment to flood water flow in accordance with Policy W3.13 of the Nottinghamshire and Nottingham Waste Local Plan.

5. With the exception of any final landscaping (which may be agreed under condition 16) works to construct the bank within Bridge Lake shall be completed within 18 months of the date of commencement of material importation operations as notified under condition 2b.

Reason: In the interests completing the development in a timely manner and in the interests of local amenity in accordance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part1-Waste Core Strategy.

Construction Management

6. No materials shall be imported to the site until details of the method of working during the construction phase, in the form of a Construction Environmental Management Plan have been submitted to and approved in writing by the WPA. All construction shall be undertaken in accordance with the approved details. The details shall specify the following:
- a) Details of written instructions to be provided to HGV drivers ensuring that HGVs adhere to suitable routes and in particular do not use Trent Lane/Kelham Lane which is subject to a 7.5t weight limit.
 - b) Details and location of a wheel wash facility. The approved facility shall be maintained in working order at all times until the conclusion of HGV movements and shall be used by HGVs before leaving the site so that no mud, dirt or other debris is carried on to the highway.
 - c) Materials certification so that nothing other than uncontaminated materials is imported onto the site; comprising of soils, clays, rubble, hardcore and other inert waste.
 - d) Details and location of any contractors' compounds.
 - e) Locations of any temporary stockpiles.
 - f) A method statement to prevent the spread of invasive New Zealand pygmyweed and any other invasive species during the course of works.
 - g) A methodology for ensuring there is soil capping of the embankment.
 - h) A method statement to protect reptiles and amphibians identifying mitigation measures which may include, but not limited to; vegetation management to displace reptiles/amphibians from the working areas (which shall comply with the requirements of condition 10 below); the provision of any temporary fencing to limit the working areas; and the creation of hibernaculae. Site operatives shall be made aware of their potential presence.
 - i) A survey to identify suitable existing marginal vegetation around Chestnut Lake to be retained during improvement works and their means of protection.

The CEPM shall be implemented in accordance with the approved details and all site operatives shall be made aware of its content.

Reason: In the interests of highway safety, local amenity, biodiversity and in accordance with Policies W3.3, W3.15, W3.11, W3.21 of the Nottinghamshire and Nottingham Waste Local Plan and Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part1-Waste Core Strategy.

HGV movements

7. No HGVs importing materials shall be permitted to enter the site except between the months of March to August inclusive.

Reason: In the interests of minimising impacts to local amenity from the haulage campaign in accordance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part1-Waste Core Strategy and Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.

8. No more than 40 HGVs importing materials shall be permitted to enter into the site per day (80 two-way movements).

Reason: In the interest of local amenity in accordance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part1-Waste Core Strategy.

Hours of works

9. 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), or with the prior written approval of the WPA, all construction works and importation of materials shall take place within the hours specified below:

- 07.00 hours to 18.00 hours Mondays to Fridays.
- No construction works or importation of materials shall take place on Saturdays, Sundays and Public or Bank Holidays.

Reason: In the interests of the amenity of nearby residential occupiers and to accord with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan and Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part1-Waste Core Strategy.

Ecology

10. Operations that involve the removal and destruction of vegetation shall not be undertaken during the months of March to August inclusive except with the prior written approval of the WPA which shall only follow the submission of a report to the WPA confirming that the vegetation to be removed has been checked for nesting birds by a suitably qualified ecologist and that any necessary mitigation measures to protect active nests have been (or shall be) put in place, and

provides for a further check immediately prior to the vegetation being removed following the WPA's approval in writing.

Reason: In the interests of avoiding disturbance to birds, their nests and eggs which are protected by the Wildlife and Countryside Act 1981 (as amended).

11. Any deep excavations associated with the development shall be closed or covered during the night or after works have ceased for the day. Alternatively, suitable ramps should be placed to allow animals to escape.

Reason: In order to ensure the protection of wildlife and in the interests of nature conservation by preventing mammals becoming trapped.

Controls on noise

12. In accordance with BS5228-1:2009 (Code of practice for noise and vibration control on construction and open sites – Part 1: Noise) the total free-field noise level including noise from construction activities on site, measured as an LAeq,1hr shall not exceed the ambient noise level (in the absence of construction) by more than 5dB subject to a minimum cut-off level of 65dB LAeq,1hr when measured at the nearest receptor.

Reason: In the interests of protecting residential amenity from excessive construction noise in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan and Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan: Part 1- The Waste Core Strategy.

13. In the event of a noise complaint being received by the WPA which in its opinion is justifiable indicating the noise level in Condition 12 above is exceeded, the applicant shall within a period of 7 days, submit to the WPA for approval, a scheme of noise mitigation to ensure the continued compliance with the requirements of condition 12 above. The approved scheme shall then be implemented on site within 7 days of being approved by the WPA.

Reason: In the interests of protecting residential amenity from excessive construction noise in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan and Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan: Part 1- The Waste Core Strategy.

14. All mobile plant shall be fitted with effective silencers and maintained in accordance with manufacturers' recommendations.

Reason: In the interests of protecting residential amenity from excessive construction noise in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan and Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan: Part 1- The Waste Core Strategy.

Additional controls on mud and dust

15. In addition to condition 6b) requiring details of a wheel wash, measures shall be employed to ensure that mud/detritus and fugitive dust from the site and from

any associated vehicle movements is controlled. These shall include taking all or any of the following steps as appropriate:

- a. Regular environmental site inspections to monitor conditions in and around the site and access road.
- b. The cleaning and sweeping of the access road.
- c. The sheeting or enclosure of all vehicles carrying loose materials to the site.
- d. Minimal drop heights when handling materials.
- e. The use of water suppression equipment (e.g water bowsers or sprays).
- f. Deployment of a road sweeper as may be necessary.
- g. Any additional steps or measures as requested by the WPA, should these measures prove inadequate.

Reason: To reduce the possibility of deleterious material being deposited on the public highway, in accordance with Policy W3.11 of the Nottinghamshire and Nottingham Waste Local Plan and to minimise potential dust emissions in accordance with Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan.

Landscaping details

16. Within 3 months from the commencement of the development hereby permitted and as notified under condition 2a) above a landscape scheme shall be submitted to the WPA for its approval in writing. The scheme shall include the following details:
 - a. Planting or seeding proposals showing species, mixes, cultivation or establishment methods and maintenance regimes to landscape the new embankment and affected peripheral areas around Bridge Lake and Chestnut Lake and around the two new stock ponds. The scheme shall make use of appropriate locally native species.
 - b. A timetable for implementation of the planting and/or seeding works.

The approved landscaping works shall be carried out within the first planting and sowing seasons following the completion of the development and thereafter maintained in accordance with the approved details.

Reason: To provide a satisfactory restoration in the interests of visual amenity and biodiversity in accordance with Policy WCS13 Nottinghamshire and Nottingham Replacement Waste Local Plan: Part 1- The Waste Core Strategy.

Notes to applicant

1. If during construction works any common amphibians (toads and frogs) are found within the affected areas, these can be carefully moved to an unaffected areas of scrub or a hedge bottom in the vicinity. If newts are encountered then the advice of a qualified ecologist should be sought if there is any doubt about their identification before works are cleared to resume.

2. The deposit of materials may require a permit or exemption from the Environment Agency. This will depend on the nature of the materials and further advice should be sought by the appointed contractor. The imported materials should be from known sources and have a chemical provenance that proves the material to be inert. Consideration should also be made to the chemical composition from the imported materials; a Waste Acceptance Criteria (WAC) testing regime would identify such and allow comparison with appropriate water quality standards to assess suitability.
3. In considering any future tree planting on the site, reference should be made to the list of native tree and shrub species deemed appropriate for the Trent Valley Landscape Character Area, a copy of which is attached.
4. As part of future enhancement measures at the site, there may be opportunities to create some simple wildlife ponds to increase the biodiversity of the site.