

## RECOMMENDED PLANNING CONDITIONS

### Scope of the temporary planning permission

1. The development shall be deemed to have begun on the date of issue of the decision notice.

*Reason: To take account of the fact that the development is retrospective and to comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.*

2. This permission shall be for a temporary period only, expiring on 31 December 2019. By this date the use shall have ceased and all processed and unprocessed waste materials associated with the development along with all plant, machinery and equipment, and any structures that have been provided for the purpose of noise attenuation shall have been removed from the site.

*Reason: To tie the development to the Newark Waste and Water Improvement Project to which it is directly linked.*

3. The development hereby approved shall only be carried out in accordance with the following documents:
  - a) Completed planning application forms and certificates received by the Waste Planning Authority (WPA) on 5 June 2017.
  - b) Location Plan received by the WPA on 5 June 2017.
  - c) Planning Supporting Statement dated June 2017 and received by the WPA on 5 June 2017.
  - d) Transport Assessment dated June 2017 and received by the WPA on 5 June 2017.
  - e) Dust and East Coast Mainline Assessment dated June 2017 and received by the WPA on 15 June 2016.
  - f) Report on Acoustic Noise Levels, version 2, dated 11 October 2017 and received by the WPA on 16 October 2017
  - g) Letter and accompanying plan from Anthony Northcote dated 20 November 2017.

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

### Noise mitigation and hours of operation

4. No processing operations shall be undertaken until noise mitigation measures have been erected to an effective height of 4m broadly at the positions and to the extents detailed in the letter dated 20 November 2017 approved under Condition 3g. The noise mitigation shall be constructed from a combination of

pre-processed spoil and hay bales and will be free from gaps and be maintained for the life of the development until material processing is completed. The precise location of the hay bales shall be agreed through a meeting on site with the WPA. The noise mitigation measures shall be deconstructed and removed off-site by 31 December 2019 or within 2 months of the cessation of processing operations, whichever is sooner.

*Reason: To minimise noise associated with the operation of the site, and in the interests of local amenity 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.*

5. No processing operations shall take place except between the hours of 8am-6pm Monday Friday with no processing permitted on Weekends or Bank Holidays.

*Reason: To minimise noise associated with the operation of the site, and in the interests of local amenity 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.*

6. No deliveries shall take place except between the hours of 07:30-19:00hrs.

*Reason: To minimise noise associated with the operation of the site, and in the interests of local amenity 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.*

7. Free-field noise levels (LAeq,1hr) measured a minimum of 3.5m from the nearest available façade of any nearby occupied property shall not exceed the background noise level (L90) by greater than 10dB when assessed in accordance with BS4142:2014, inclusive of all penalties for tonal/impulsive/intermittent noise during material processing operations.

*Reason: To minimise noise associated with the operation of the site, and in the interests of local amenity 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.*

8. In the event of the WPA receiving a noise complaint which it considers to be justifiable, the applicant shall undertake a BS4142:2014 assessment to determine compliance with noise levels approved under condition 7 and submit the assessment to the WPA for approval within 14 days of an instruction to undertake the assessment being made by the WPA. If the assessment indicates that the approved noise limit is being exceeded, then the operations resulting in this exceedance shall cease to take place and the applicant's assessment shall include mitigation measures for approval. Where approved the additional mitigation shall be installed prior to the operations resulting in this exceedance recommencing.

*Reason: To minimise noise associated with the operation of the site, and in the interests of local amenity 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.*

### **Highways/transport matters**

9. The number of HGVs accessing the site shall not exceed 25 per week. A written record shall be kept by the site operator of the number of HGVs entering and leaving the site and it shall be made available to the WPA in writing within 7 days of a written request from the WPA

*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.*

10. All HGVs entering and leaving the site shall do so using only a forward gear. Adequate turning space shall be provided at all times within the site.

*Reason: In the interests of highway safety and in accordance with the requirements of Policy W3.15 of the Nottinghamshire and Nottingham Waste Local Plan.*

11. No HGVs shall leave the site by turning right. A sign shall be erected at the exit to the site instructing drivers to turn left only and shall be retained and maintained throughout the life of the development.

*Reason: In the interests of highway safety and in accordance with the requirements of Policy W3.15 of the Nottinghamshire and Nottingham Waste Local Plan.*

12. All vehicles leaving the site shall be thoroughly cleaned to prevent the deposit of mud, silt and other deleterious material on the public highway and the access bell mouth shall be maintained in a clean state.

*Reason: In the interests of highway safety and in accordance with the requirements of Policy W3.11 of the Nottinghamshire and Nottingham Waste Local Plan.*

### **Railway safeguarding**

13. No materials, plant and machinery shall be stored within 10m of the boundary of the operational railway and an exclusion zone shall be established and demarked by means of fencing and an earth bund as set out in the 'Dust and East Coast Mainline Assessment' approved under Condition 3e.

*Reason: In the interests of maintaining the safety and operational integrity of the mainline railway.*

## **Dust**

14. Measures shall be employed to ensure that dust emissions from the site 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 dust suppression fitted to the crusher/screener and maintenance of such equipment together with a ready supply of clean water;
  - b) The use as appropriate of a water bowser and spray system to dampen stockpiles, surfaces, vehicle manoeuvring areas and maintenance of such equipment on site together with a ready supply of clean water;
  - c) Minimal drop heights when handling materials;
  - d) The temporary cessation of activities during periods of extreme dry and windy weather;
  - e) The sheeting or enclosure of all vehicles under the control of the applicant carrying loose waste either to or from the site and the issuing of such instructions to drivers.

*Reason: To control fugitive dust in the interests of local amenity and the safety and operational integrity of the railway and in accordance with Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan.*

## **Protection of the ground environment**

15. 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 above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

*Reason: To prevent pollution of the water environment in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.*

## **Closure of the site**

16. In the event that the use of the site for the importation of waste should cease for a period in excess of six months then, within one month of a written request from the WPA, the site shall be cleared of all stored waste, recycled materials and any structures that have been provided for the purpose of noise attenuation.

*Reason: To ensure satisfactory restoration of the site in accordance with Policy W4.1 of the Nottinghamshire and Nottingham Waste Local Plan.*

**Notes to applicant.**

- (1) This development may require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency, unless an exemption applies. The applicant is advised to contact [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk) to discuss the issues likely to be raised.
- (2) The site lies within the River Trent at North Muskham Flood Warning Area and it is advised for the safety of onsite personnel that the flood alert service is utilised as part of onsite emergency procedures. Further details can be found at <https://www.gov.uk/sign-up-for-flood-warnings>
- (3) You must have regard to the advice of Network Rail (a copy of which will be provided) with respect to safe working near to the operational railway.