

## RECOMMENDED PLANNING CONDITIONS

### Scope of Planning Permission

1. The development hereby permitted is for the retention of the current operating hours with a start time of 06:00 hours Mondays to Saturdays to allow 12 pre-loaded, sheeted and pre-wheel washed outbound heavy goods vehicles (HGVs) to leave the site daily between the hours of 06:00 hours to 07:30 hours; the retention of existing Incinerator Bottom Ash, aggregate and soil recycling operations and changes to the mix of activities (storage, screening and mixing using mobile plant) across the site including the use of the eastern part of the authorised site for IBA Aggregate (IBAA) storage as shown on Site Plan titled 'IBA & IBAA Acceptance, Storage and Processing' received by the Waste Planning Authority (WPA) on 17<sup>th</sup> June 2020. For purposes of clarity, the pre-loaded, sheeted and pre-wheel washed outbound HGVs shall be parked overnight in a designated parking area shown marked in block blue on the Site Plan received by the WPA on 17<sup>th</sup> June 2020.

*Reason: To define the development hereby approved and for the avoidance of doubt.*

2. The WPA shall be notified in writing of the date of commencement of this permission at least 7 days, but not more than 14 days, of its occurrence.

*Reason: For the avoidance of doubt.*

3. The development hereby permitted shall only be carried out in accordance with the submitted application, and in the documents and plans identified below, other than where amendments are made in compliance with other conditions of the permission:

- (a) Location Plan identified as land outlined in red on the site plan entitled 'Bunny Recycling Site' Scale: 1:1500@A4 in Appendix 1 of the Section 106 legal agreement, dated 11<sup>th</sup> July 2017, to accompany planning permission 8/16/00059/CMA;
- (b) Site Plan titled 'IBA & IBAA Acceptance, Storage and Processing' received by the Waste Planning Authority (WPA) on 17<sup>th</sup> June 2020
- (c) Planning application form, Design and Access Statement and Planning Supporting Statement received by the WPA on 21<sup>st</sup> May 2012;
- (d) Drawing titled 'Water Collection Channel for IBA Storage Bays' Drawing No. MS231-9 received by the WPA on 26<sup>th</sup> November 2012;

- (e) Drawing titled 'Water Collection System' Drawing No. MS231-8A received by the WPA on 26<sup>th</sup> November 2012;
- (f) Drawing titled 'IBA Storage Bays' Drawing No. MS231-4A received by the WPA on 26<sup>th</sup> November 2012;
- (g) IBA Storage Bay Drainage Scheme titled 'IBA Storage Bay Drainage Scheme' dated March 2013 by Johnsons Aggregates & Recycling Limited, received by the WPA on 3<sup>rd</sup> September 2013;
- (h) Addendum to Noise Assessment Report, by Acute Acoustics Ltd. Reference 1524 Johnsons – Bunny NIA, dated 7<sup>th</sup> October 2015 [Rev C] and the original report by Acute Acoustics Ltd, dated 14<sup>th</sup> October 2013, received by the WPA on 5<sup>th</sup> November 2015;
- (i) Planning Application Supporting Statement received by the WPA on 5<sup>th</sup> November 2015;
- (j) Planning application form with new description as amended 13/11/2015 received by the WPA on 13<sup>th</sup> November 2015;
- (k) New description as amended: 22/4/2016 received by the WPA on 25<sup>th</sup> April 2016;
- (l) Letter dated 26<sup>th</sup> August 2016 from Bond Planning Consultancy received by the WPA on 26<sup>th</sup> August 2016;
- (m) Document titled 'HR200 v0.1 Transport and Logistics Policy' by Johnsons Aggregates and Recycling Limited received by the WPA on 26<sup>th</sup> August 2016;
- (n) Planning application form and certificates received by the WPA on 4<sup>th</sup> May 2020, except for the description of the development which was agreed in an email letter dated 20<sup>th</sup> May 2020;
- (o) Supporting Statement received by the WPA on 4<sup>th</sup> May 2020;
- (p) Dust mitigation scheme titled 'Bunny Dust Management Plan' by Johnsons Aggregates & Recycling, dated 29/09/2020 Reviewed September 2020, Document Ref: DMP, Issue 02, received by the WPA on 28<sup>th</sup> October 2020.

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

4. The location of the crushing and screening plant for inert construction and demolition waste shall be restricted to that hatched yellow on Site Plan titled 'IBA & IBAA Acceptance, Storage & Processing' received by the WPA on 17<sup>th</sup> June 2020.

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

5. The reclamation, recycling and transfer of materials from industrial and commercial wastes shall only be carried out within the building identified as 'IBA Processing Building' as shown on Site Plan titled 'IBA & IBAA Acceptance, Storage & Processing' received by the WPA on 17<sup>th</sup> June 2020.

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

6. The recycling of inert construction and demolition wastes and soils shall only be carried out on the permitted area hatched yellow on Site Plan titled 'IBA & IBAA Acceptance, Storage & Processing' received by the WPA on 17<sup>th</sup> June 2020.

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

7. The receipt, storage and processing of 'raw' unprocessed Incinerator Bottom Ash (IBA) shall only be carried out in a storage bay situated in the south-eastern part of the Materials Recycling Facility (MRF) on part of the waste transfer area permitted to accommodate the storage bay and its associated operations, as shown in block orange, marked up as 'IBA Acceptance & Storage Bay' on Site Plan titled 'IBA & IBAA Acceptance, Storage & Processing' received by the WPA on 17<sup>th</sup> June 2020 and within the IBA Processing Building.

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

8. Only materials which are inert, solid, dry, non-oily, non-hazardous and non-putrescible shall be processed and stored on the site; and stockpiled on site outside the building.

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

## **Hours of operation**

9. Except in emergencies to maintain safety of the site (which shall be notified to the WPA in writing within 48 hours of their occurrence), the site shall only operate between the following hours:

Operation	Monday to Friday (hours)	Saturday (hours)	Sundays, Public & Bank Holidays (hours)
Operation of crushing and screening plant	08:00 to 17:00	08:30 to 12:30	Not at all
Waste deliveries, including acceptance of IBA waste and export of processed material; operation of any	07:30 to 18:00	07:30 to 13:00	Not at all

plant or machinery, and operations which involve the movement of materials			
IBA processing involving the internal use of the IBA processing building (excluding use of the dryer), and the use of 1 Front Loading Shovel and 1 Telehandler for IBA materials handling	08:00 to 17:00	08:30 to 12:30	Not at all
12 pre-loaded, sheeted and pre-wheel washed HGV movements outbound from the site (for purposes of clarification there shall be no loading, sheeting or wheel-washing of vehicles between 06:00 hours to 07:30 hours)	06:00 to 07:30	06:00 to 07:30	Not at all

For the avoidance of doubt, no other HGVs shall enter or leave the site except within the permitted hours detailed above.

*Reason: To safeguard the amenities of local residents in accordance with Saved Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

### **Access and wheel cleaning**

10. All heavy goods vehicles leaving the site shall use the existing wheelwash facility. No vehicles shall leave the site in a condition whereby mud, clay or other deleterious materials are carried onto the highway. In the case of the 12 pre-loaded outbound HGVs anticipated to leave the site between 06:00 hours and 07:30 hours Monday to Saturdays these vehicles shall be pre-wheel-washed the day before and at no time shall any vehicles be wheel-washed between the hours of 06:00 hours and 07:30 hours.

*Reason: In the interests of highway safety and to accord with Saved Policy W3.11 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

11. A visibility splay from the access road along the A60, shall be maintained in accordance with the details approved in writing by the WPA on 23<sup>rd</sup> November

1994. A suitable visibility splay shall be maintained to the satisfaction of the WPA at all times.

*Reason: In the interests of highway safety.*

12. Lorry departures between 6am and 7:30am shall be undertaken on a staggered basis timed a minimum of five minutes between each movement

*Reason: To avoid potential convoys of lorry movements on the public highway with resultant impacts on residential*

### **Environmental controls**

13. All vehicles to be used on site in the processing and movement of materials shall be fitted with effective silencers.

*Reason: To safeguard the amenities of nearby residents and to accord with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (Adopted December 2006).*

14. The site shall be kept clean and tidy and steps shall be provided to prevent any litter from the site being deposited on adjacent land.

*Reason: To safeguard the amenities of nearby residents and to accord with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (Adopted December 2006).*

### **Noise**

15. Noise levels associated with site operations, when measured at the northern boundary of Hillside Farm, Loughborough Road, shall not exceed 56dB(A) LA eq 1 hour at any time.

*Reason: To safeguard the amenities of nearby residents and to accord with Saved Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

16. In the event that a complaint is received regarding noise associated with the operations on site, which the WPA considers may be justified, the operator shall, within one month of a written request from the WPA, undertake and submit to the WPA for its written approval, a BS4142:1997 noise survey, to assess whether noise arising from the development exceeds the daytime criterion of 5db(A) above the existing background noise level, after the addition of the 5db(A) penalty to reflect tonal, discrete or impact noise as advised in BS4142:1997 at the nearest residential receptor (if applicable). The submitted survey shall include further measures to mitigate the noise impact so as to ensure compliance with the noise criteria. The noise mitigation measures shall

thereafter be implemented in accordance with the approved details, and the mitigation measures maintained throughout the operational life of the site.

*Reason: To safeguard the amenity of users of nearby land and the nearest residential occupiers in accordance with Saved Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

17. All mobile plant used on site shall be fitted with broadband noise reverse alarms.

*Reason: To safeguard the amenity of users of nearby land and the nearest residential occupiers in accordance with Saved Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

18. HGVs which depart the site between 06:00hrs-07:30hrs Mondays to Saturdays shall be preloaded, sheeted and pre-wheel-washed the day before, and parked overnight in the parking area shown in block blue on Site Plan titled 'IBA & IBAA Acceptance, Storage & Processing' received by the WPA on 17<sup>th</sup> June 2020, in a position which enables them to drive in a forwards motion out of the yard without the need for reversing or manoeuvring.

*Reason: To safeguard the amenity of the nearest residential occupiers in accordance with Saved Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

## **Dust**

19. Dust emissions from all waste operations shall be kept to a minimum and contained within the site. The operator shall take the following actions to ensure that dust emissions are minimised:

- (a) the use as appropriate of a dust suppression system throughout all working areas, particularly during periods of unloading/loading, crushing, storage and transfer of waste products. A suitable and sufficient water supply shall be provided to the operations at all times to enable the suppression of dust by water spray as required;
- (b) the use as appropriate of water bowsers and/or spray systems to dampen stockpiles, the site area, access roads, haul road, vehicle circulation and manoeuvring areas;
- (c) regular cleaning of all hard-surfaced areas of the site area, haul road and access onto the A60 Loughborough Road;
- (d) the temporary cessation of operations (waste importation, recycling operations and loading of recycled materials for export) in dry, windy conditions.

*Reason: To safeguard the amenities of nearby residents and to minimise dust disturbance at the site and to ensure compliance with Saved Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

20. The measures detailed in the approved dust mitigation scheme titled 'Bunny Dust Management Plan' by Johnsons Aggregates & Recycling, dated 29/09/2020 Reviewed September 2020, Document Ref: DMP, Issue 02, received by the WPA on 28<sup>th</sup> October 2020, shall be employed to ensure that dust emissions from the site are controlled and fugitive dust prevented from leaving the site, with the exception of stockpile heights which shall be maintained in accordance with the details in Conditions 25 and 26. The mitigation scheme shall thereafter be maintained throughout the operational life of the waste operations. Notwithstanding this, in the event that it is considered necessary and upon the request of the WPA, there shall be a temporary cessation of material importation, screening and crushing operations, and the movement of materials during periods of excessively dry and windy weather.

*Reason: To safeguard the amenities of nearby residents and to minimise dust disturbance at the site including the containment of IBA emissions within the site and to ensure compliance with Saved Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

## **Drainage**

21. 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 compound 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 shall be detailed to discharge downwards into the bund. There must be no drain through the bund floor or walls.

*Reason: To avoid pollution of the land and any watercourse.*

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

*Reason: To avoid pollution of the land and any watercourse and to accord with Saved Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

23. All foul drainage shall be contained within a sealed and watertight tank, fitted with a level warning device to indicate when the tank needs emptying.

*Reason: To avoid pollution of the land and any watercourse and to accord with Saved Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

24. Drainage for the IBA Storage Bay shall be maintained in accordance with the approved drainage details titled 'IBA Storage Bay Drainage Scheme' dated March 2013 by Johnsons Aggregates & Recycling Limited, received by the WPA on 3<sup>rd</sup> September 2013, and approved by the WPA in writing on 20<sup>th</sup> November 2013.

*Reason: To ensure that the development is provided with a satisfactory means of drainage and to minimise the risk of pollution in accordance with Saved Policy W3.5 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

### **Operational matters**

25. Within the Materials Recycling Facility site, except for within the IBA storage bay as shown on Drawing titled 'IBA Storage Bays' Drawing No. MS231-4A received by the WPA on 26<sup>th</sup> November 2012, stockpiles of raw materials shall not exceed 7 metres in height above ground level; and stockpiles of recycled materials shall not exceed 6 metres in height above ground level.

*Reason: To safeguard the amenities of nearby residents and to accord with Saved Policies W3.3 and W3.4 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

26. The maximum storage height of IBA (un-processed and processed) stored in the storage bay shall be 4.5metres. At no time shall stockpile heights exceed the height of the storage bay, as shown on Drawing titled 'IBA Storage Bays' Drawing No. MS231-4A received by the WPA on 26<sup>th</sup> November 2012.

*Reason: In the interests of visual amenity and to control dust to ensure compliance with Saved Policies W3.3 and W3.10 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

27. The internal lining of the Waste Transfer Building in concrete blocks on the northern, eastern and western elevations, shall be maintained in accordance with the details shown on Drawing No. SSW/CS15596/003 Revision B, received by the WPA on 8<sup>th</sup> July 1996.

*Reason: To safeguard the amenities of nearby residents and to accord with Saved Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

28. All external lighting required in connection with the operations hereby permitted shall be angled downwards into the site and suitably shielded so as to minimise light pollution.

*Reason: To prevent light pollution and to safeguard the amenities of the area in accordance with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (adopted December 2006).*

### **Boundary Treatment**

29. The approved boundary treatment, including the means of materials containment within the site, shall be maintained at all times in accordance with the approved details as shown on Plan Drawing No. SSW/CS15596/04 Rev. A, received by the WPA on 26<sup>th</sup> June 1997, as approved in writing by the WPA on 21<sup>st</sup> November 1997.

*Reason: To safeguard the amenities of the area and to ensure the satisfactory working of the site and to accord with Saved Policy W3.4 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

30. The existing hedge screen that runs along part of the northern boundary shall be retained and protected from any damage to the satisfaction of the WPA.

*Reason: To safeguard the amenities of the area and to ensure the satisfactory working of the site and to accord with Saved Policy W3.4 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

### **Traffic movements**

31. The number of HGVs entering or leaving the site for the purposes of depositing or collecting waste material/reclaimed aggregates shall not exceed an average of 100 movements per day measured over any week period and subject to a maximum of 550 such vehicle movements in any week. A record of all daily vehicle movements shall be kept at the site, which shall be made available to the WPA in writing within one week of a written request.

*Reason: In the interests of highway safety and to protect surrounding residential amenity and to accord with Saved Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

### **Annual throughput**

32. The total throughput of all waste (inert construction and demolition waste, and non-hazardous commercial and industrial waste, including IBA waste) materials into the site shall not exceed 100,000 tonnes per annum. A written record of the tonnages of the waste materials shall be maintained by the developer. Records of the tonnages recorded shall be made available to the WPA in writing within two weeks of a written request from the WPA.

*Reason: To safeguard the amenity of users of nearby land and the nearest residential occupiers in accordance with Saved Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

### **Buildings, fixed plant and machinery**

33. No buildings, fixed plant or machinery, other than that approved by this permission and any other relevant planning permissions, shall be erected or placed on the site in association with the outdoor storage and processing of waste.

*Reason: To enable the WPA to control the development and to minimise its impact on the Green Belt and amenity of the local area, in accordance with Saved Policy W3.3 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).*

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

1. The applicant's attention is drawn to the Environment Agency's advice dated 29<sup>th</sup> October 2020, which states that the permit for the site may need to be varied, and the relevant permitting contact should be contacted to discuss this further.
2. The Section 106 legal agreement dated 11<sup>th</sup> July 2017 to accompany planning permission 8/16/00059/CMA to impose controls over early morning lorry routing, shall be rolled forward as a variation to the original permission.