

RECOMMENDED PLANNING CONDITIONS

Scope of Planning Permission

1. The development hereby permitted is for:
 - (a) The storage of reclaimed aggregates arising from the processing of Incinerator Bottom Ash (IBA) and inert construction and demolition waste at the Bunny materials recycling facility, for a temporary period expiring on 31st August 2015, as shown in red on Plan titled 'Temporary Storage Area' Drawing Reference No. MS231-11 received by the Waste Planning Authority (WPA) on 26th November 2014. At the end of this period the use shall cease and the stockpiles of reclaimed aggregates shall be removed from the site and;
 - (b) The processing of IBA waste within the processing building on the Bunny materials recycling site, as shown on land edged in blue on Drawing Reference No. MS231-11 received by the WPA on 26th November 2014 between the hours of 08:00 hrs to 20:00 hrs, on weekdays only (Mondays to Fridays, excluding Bank and Public Holidays) for a temporary period expiring on 31st August 2015.

Reason: To define the development hereby approved and in recognition of the applicant's request that the planning permission only be granted for a temporary duration.

2. During the extended evening hours of IBA processing set out in Condition 1b, the materials handling shall only be carried out by one front end loading shovel and one telehandler, and the only static plant to be operated shall be that located in the left 2 bays of the processing building as viewed from the south. At no times during the extended evening hours shall any other plant or machinery be used including the crusher, screener, picking station and dryer. No other operations or works other than IBA processing within the processing building shall be carried out during the extended evening operations.

Reason: For the avoidance of doubt as to the development hereby approved.

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) Planning application form, received by the WPA on 26th November 2014;
 - (b) Block Plan No. BUNNY05 received by the WPA on 26th November 2014;
 - (c) Site Location Plan No. BUNNY06 received by the WPA on 26th November 2014;

- (d) Plan titled 'Temporary Storage Area' Drawing Reference No. MS231-11 received by the WPA on 26th November 2014;
- (e) Plan titled 'Temporary Storage Area Layout' Drawing Reference No. MS231-12 received by the WPA on 26th November 2014;
- (f) Noise Assessment Report, by Acute Acoustics Ltd. Reference 1524 Johnsons – Bunny NIA, dated 26th November 2014, received by the WPA on 26th November 2014, and the Appendix to Report by Acute Acoustics Ltd, dated 28th November 2013, received by the WPA on 29th November 2013;
- (g) Supporting Statement received by the WPA on 7th January 2015.

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 maintained in the position shown on Drawing No. SSW/CS15596/003 Revision B received by the WPA on 8th July 1996.

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 on the permitted area edged in red on Drawing No. SSW/CS15596/01 Revision B received by the WPA on 8th July 1996, and on land, as shown in hatched red on Drawing No. MS231-2B received by the WPA on 26th November 2012.

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 edged in red on Drawing No. 3a received by the WPA on 13th May 1994.

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

- 7. The wood shredder shall be located in the position shown on Drawing No. SSW/CS15596/003 Revision B received by the WPA on 8th July 1996.

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

Hours of operation

- 8. Except in emergencies to maintain safety of the site (which shall be notified to the WPA in writing within 48 hours of their occurrence), or unless the WPA has agreed otherwise in writing, the site shall only operate between the hours of 07:30 hrs to 20:00 hrs on weekdays and 07:30 hrs to 13:00 hrs on Saturdays. There shall be no working on Sundays, Public or Bank Holidays. Within these times, the site shall only be operated in accordance with the time periods specified below:

Operation	Monday to Friday	Saturday	Sundays, Public & Bank Holidays
Operation of crushing and screening plant; and wood shredding operations	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 plant or machinery, and operations which involve the movement of materials	07:30 to 18:00	07:30 to 13:00	Not at all
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 20:00	07:30 to 13:00	Not at all

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 wheelcleaning

9. 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.

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).

10. All on site vehicular movements shall be carried out in accordance with the approved vehicular routing and turning arrangements as shown on Plan Drawing No. SSW/CS15596/04 Revision A, received by the WPA on 26th June 1997, as approved in a letter from the WPA dated 21st November 1997.

Reason: To ensure the satisfactory working of the site.

11. A visibility splay from the access road along the A60, shall be maintained in accordance with the details approved by the WPA in a letter dated 23rd 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.

Environmental controls

12. 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).

13. 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

14. 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).

15. In the event that a complaint is received regarding noise from the processing of the IBA on the 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).

16. All mobile plant used on site, including that used on the temporary extension site shown in red on Plan titled 'Temporary Storage Area' Drawing Reference No. MS231-11 received by the WPA on 26th November 2014, 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).

Dust

17. The measures detailed in the approved Dust Mitigation Scheme titled 'IBA Storage Bay Dust Mitigation Scheme' by MEB Design Solutions' dated March 2013, received by the WPA on 13th November 2013, as approved in a letter sent by the WPA on 15th November 2013, shall be employed to ensure that dust emissions from the site, which for purposes of clarity consists of the materials recycling facility, which is shown as land edged in blue on Plan titled 'Temporary Storage Area' Drawing Reference No. MS231-11, received by the WPA on 26th November 2014, and the temporary extension site shown in red on Drawing Reference No. MS231-11, received by the WPA on 26th November 2014, are controlled and fugitive dust prevented from leaving the site. 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 and to ensure compliance with Saved Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).

Drainage

18. 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.

19. 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).

20. 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).

Operational matters

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

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

22. Within the Materials Recycling Facility site as shown in blue on Drawing Reference No. MS231-11 received by the WPA on 26th November 2014, except for within the IBA storage bay, 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).

23. Stockpiles of reclaimed aggregates shall not exceed 7 metres in height above ground level on the temporary extension area, as shown in red on Drawing Reference No. MS231-11 received by the WPA on 26th November 2014.

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).

24. During the times whilst the wood shredder is being used, within the operating hours set out in Condition 9 above, the three middle roller shutter doors on the southern elevation of the building shall be kept closed.

Reason: To safeguard the amenities of nearby residents and to accord with Saved Policies W3.9 and W3.10 of the Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002).

25. 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 8th 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).

26. 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

27. 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 26th June 1997, as approved in a letter from the WPA dated 21st 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).

28. 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

29. The number of HGV's 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).

Ecology

30. The area of retained vegetation/undisturbed ground, on the eastern part of the extension site, shall continue to be pegged out, to the satisfaction of the WPA. The pegged out area shall be maintained for the duration of the permission and this area shall not be traversed by machinery or used for storage of material. In the event that the approved pegged out area is required for inert aggregate (including IBA) storage, then prior to its use, an ecological survey and a scheme of mitigation shall be submitted to the WPA for its written approval. Prior to the area being brought into use for inert aggregate (including IBA) storage, the approved scheme of mitigation shall be implemented. Thereafter, the mitigation measures shall be retained on site for the duration of the works/operations.

Reason: To ensure that the habitat for a protected species is suitably protected in accordance with the National Planning Policy Framework (March, 2012).

Annual throughput

31. The temporary extension in working hours to permit an increase in IBA processing within the IBA Processing Building, Mondays through to Fridays,

(excluding Bank and Public Holidays) and the temporary use of land shown in red on Plan titled 'Temporary Storage Area' Drawing Reference No. MS231-11 received by the WPA on 26th November 2014 for aggregate storage, shall not result in the total throughput of all waste materials (inert construction and demolition waste, and non-hazardous commercial and industrial waste, including IBA waste) received at the site exceeding 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

32. 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 IBA.

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 comments of the County Council's Nature Conservation Officer, who has advised that in the event that there is any further expansion onto land to the north of the temporary storage area (former Bunny Brickworks), appropriate ecological assessment/surveys for reptiles and potentially other notable and protected species, would need to be carried out, as this land has the potential to support reptiles.
2. The Environment Agency has drawn attention to the fact that IBA and associated aggregates are a controlled waste and subject to Duty of Care Controls (as defined by the Environmental Protection Act). If any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably permitted facility. For further advice and information the applicant is advised to contact the Environment Management Team at Trentside Office, on 0115 8463725 or refer to guidance on their website at www.environment-agency.gov.uk/subjects/waste