

# Report to Planning and Rights of Way Committee

19<sup>th</sup> April 2022

Agenda Item: 5

#### REPORT OF CORPORATE DIRECTOR - PLACE

**GEDLING DISTRICT REF. NO.:** 

PROPOSAL: CHANGE OF USE OF SITE FROM TRUCK DISMANTLING DEPOT TO

MATERIAL RECYCLING FACILITY, ERECTION OF A CANOPY EXTENSION TO THE EXISTING OFFICE AND WORKSHOP BUILDING AND RELOCATION OF WEIGHBRIDGE. CONFIGURATION OF CAR PARKING AREA WITH DISABLED SPACES AND ELECTRIC VEHICLE CHARGING POINTS. USE OF EXISTING YARD AREA AND WORKSHOP AND STORAGE BUILDING AS PART OF THE MATERIAL

RECYCLING OPERATIONS.

LOCATION: LAND OFF HOLLINWOOD LANE, CALVERTON, NOTTINGHAMSHIRE,

**NG14 6NR** 

APPLICANT: MR MANISH CHAHWALA

# **Purpose of Report**

- 1. To consider a planning application for the change of use of an existing HGV dismantling depot to a material (plastics) recycling facility, erection of an extension to an existing industrial building and ancillary works on land off Hollinwood Lane, Calverton.
- 2. The key issues relate to the appropriateness of the development site for the use, the merits of the development proposal in the context of sustainable waste management policy, social-economic considerations and the environment effects of the development including traffic and noise effects.
- 3. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1 of the report.

#### The Site and Surroundings

4. The planning application site is located immediately to the north-east of the village of Calverton, approximately 11km north-east of the centre of Nottingham and approximately 12.4km south-east of Mansfield (See Plan 1).

- 5. The planning application site incorporates circa 32,797m<sup>2</sup> of industrial land at Hollinwood Lane, Calverton, Nottinghamshire and forms part of a larger area of industrial land developed on the former Calverton Colliery pit-head.
- 6. The planning application site incorporates part of a larger area of land which is currently occupied by R.C. Tuxfords Exports Limited and operated as an end-of-life HGV recycling/dismantling and sales facility. The site incorporates extensive areas of hardstanding used for external storage, a three-storey office and warehouse building and a smaller open fronted self-contained store building incorporating a staff welfare facility. (see Plan 2).
- 7. Within the wider Hollinwood Lane industrial area is a Household Waste Recycling Centre (HWRC) operated by Veolia Environmental Services on behalf of Nottinghamshire County Council, a private gym facility, a vehicle repair workshop, a company selling decorative dressed stone and further land used by R C Tuxfords for trailer storage (see Plan 3).
- 8. Vehicular access to the site and the wider industrial estate is from the existing private road leading from Hollinwood Lane. Hollinwood Lane connects with Main Street which in turn leads to the B6386 Oxton Road which connects to the A614 to the west and the A6097 to the east.
- 9. The Hollinwood Lane Industrial area is bordered as follows (see Plan 4):
  - To the north lies Oxton Road (B6386) which is sited at a lower level to the industrial land and is screened by a bank of mature tree planting.
     Beyond Oxton Road further to the north is the Former Calverton Colliery
     Tip which has now been restored to a grassland and woodland habitat.
  - To the north-east is an agricultural field.
  - The eastern boundary of the site is screened by a landscape bund, beyond which is a row of houses at North Green. There has recently been a commencement of a large housing allocation on land to the northeast of North Green.
  - To the east of the application site is a public footpath which provides access between North Green and Oxton Road.
  - The St. Johns Ambulance First Aid Training Centre is located on Hollinwood Lane to the east of the site.
  - To the south-east are residential properties on Hollinwood Lane. A new housing estate has recently been constructed on land to the south-east of Hollinwood Lane/Collyer Road.
  - To the west lies playing fields and the Calverton Top Club social club, beyond which is a cemetery.
  - To the north west are horse paddocks fronting onto Oxton Road.
- 10. The Gedling Borough Local Plan Proposals Map identifies the application site as being located in the built-up area of Calverton village on land designated as retained employment land. The site is outside the Green Belt. The Proposals

Map allocates extensive areas of land to the east of the application site for new residential development and further land allocated as 'safeguarded land' which is likely to be developed sometime after 2028.

# **Proposed Development**

- 11. Planning permission is sought to change the use of the site from a truck dismantling depot to a material recycling facility for the tipping, sorting and storage of non-hazardous, mixed plastics and fibrous materials (paper and cardboard that will inevitably have been mixed in with the plastic waste stream). The planning application also seeks consent for the erection of an extension to the office and workshop building and the relocation of the weighbridge.
- 12. The majority of the waste accepted at the site would be delivered from a waste transfer / treatment facility (such as a materials recycling facility) having first been processed to segregate any unsuitable wastes. The waste would be delivered in plastic wrapped bales. The remainder of plastic wastes from a variety of other sources would be accepted in accordance with the site waste acceptance procedures, with the volume of non-plastic waste not exceeding 10%, with the amount likely to be significantly lower than this.
- 13. The plastic waste would be processed within the existing workshop/office building which would be extended on its northern elevation. The existing building measures 94m long by 30m wide. The proposed northern extension would measure 30m by 30m. The extension was originally designed incorporating a canopy roof and 4m high concrete push walls to the western and northern elevations with an open construction above to eaves level and open on the eastern-facing elevation. However, following a request made by officers the design of the extension has been modified to incorporate steel cladding above the concrete push walls on the western and northern elevations and a steel-clad elevation to the eastern elevation with fast acting closure doors for access by delivery vehicles to provide complete enclose of the waste processing area and provide improved containment of litter.
- 14. The building would be used for the acceptance, storage and sorting of dry, recyclable plastic waste. The plastic waste would arrive at the site in plastic wrapped bales which would be split utilising a bag splitter, shredders and, a trommel (rotating screen). The plastic would be separated into different grades through blowing, air density separation, ballistic separation and optical sorting to manufacture recycled plastic product for re-sale as a non-waste material. Materials would be handled using forklift trucks.
- 15. The existing smaller workshop and storage building to the east of the main workshop building is to be retained and used for materials storage as well as an equipment store and maintenance workshop.
- 16. Areas of open storage would be retained to the north and east of the open yard area. All incoming plastic waste and processed materials would be stored within wrapped bales in compliance with industry standard to control the escape

of fugitive windblown litter. Materials would be stored to a maximum height of 4m in discrete stockpiles of no more than 450 cubic metres (therefore approximately 10.5m x 10.5m) with each stockpile separated from each other by a distance of 6m to ensure compliance with fire controls.

- 17. Staff car parking for 75 cars and an HGV parking area for a minimum of 10 vehicles would be provided to the frontage (east) of the existing buildings.
- 18. The site would manage a maximum of 100,000 tonnes of waste per annum although the anticipated throughput of plastic waste is anticipated to be in the region of 80,000 tonnes per annum of which non-plastic waste comprising metal, cardboard, paper and other residual materials is likely to make up a negligible proportion. These non-plastic wastes would be separated from the incoming waste stream, segregated into individual waste streams and removed from site for further treatment at a suitably permitted facility.
- 19. Operating hours for the recycling plant are proposed on a 24 hour a day, 7 day a week basis. Waste deliveries and the export of recycled plastic products is proposed between 08:00 and 18:00 Mondays to Fridays with some very limited HGV movements on Saturdays between 08:00 to 13:00 on Saturdays. No deliveries would be undertaken on Sundays, Bank or Public Holidays.
- 20. The material would be delivered to the site by curtain sided HGVs or within skips with a payload of 20 tonnes. It is anticipated the development would result in 19 HGV arrivals and 19 HGV departures per day with these vehicles being spread evenly throughout the working day. The company would utilise the plastic waste delivery vehicles to backhaul processed plastic materials and therefore the average two-way movements of HGV delivery vehicles on Hollinwood Lane connected to the use would be 38 movements a day. The transport assessment acknowledges that there is potential for some daily fluctuations in the number of deliveries and therefore the applicant suggests that a weekly limit of 116 HGVs (232 movements) based on and average 19 HGVs deliveries each day over a core Monday to Friday delivery period would provide some flexibility to account for these daily fluctuations.
- 21. It is anticipated that the operation of the site would create 50 full-time permanent jobs with the potential for the expansion of site operations creating a further 25 full-time permanent jobs. A dedicated full-time resident plant maintenance and servicing team would be based at the site and the business would create a range of positions with differing levels of skills including manual jobs, plant operation jobs and skilled engineering positions along with support and administrative jobs.

#### **Consultations**

- 22. Gedling Borough Council: Do not object.
- 23. Gedling Borough Council draw NCC's attention to the fact that the land adjacent to the application site is allocated for residential development and permission is

- in place for 20 dwellings. In assessing the planning application there would be a need to ensure that the amenity of these residential properties is not compromised through noise and disturbance.
- 24. <u>Calverton Parish Council:</u> Object to the planning application raising the following concerns:
- 25. Noise impact Assessment: The Parish consider the information provided is very "sketchy" and does not give a true reflection of the potential on-site noise, especially during the evenings/night-time. The Parish request a survey be completed by either NCC's Noise Monitoring Department or an independent surveyor to give a true reflection of the levels that could be experienced.
- 26. EIA Screening of the planning application: The Parish Council disagree with the conclusions reached by NCC in their EIA screening of the planning application regarding the magnitude of environmental impacts, specifically the parish consider there would be significant impacts from HGV exhaust emissions. The parish consider the site should be assessed as a 'sensitive' location due to its location adjacent to sports playing fields which have limited on-site car parking and result in extensive on-street car parking along Hollinwood Lane and Collyer Road creating potential hazards from children crossing the road. The village cemetery is also located on Hollinwood Lane which is due to be opened later this year. The cemetery is very quiet and a place when one can reflect and should remain so. The hedges surrounding the cemetery have a lot of wildlife habit that moves from the "Old Pit Top" to the Cemetery land/hedges and surrounding areas. The development exceeds the indicative thresholds in the planning practice guidance for waste which indicate that EIA is more likely required for waste facilities with a processing capacity in excess of 50,000tpa.
- 27. Transport Statement: The transport statement explains that the site is served by public transport, however buses do not run to Hollinwood Lane, only going as far as Park Road/Collyer Road. Access to site from the B6386 Oxton Road should be explored. The use of the Old Colliery road could be re-opened that runs to the east of the site towards Hollinwood Lane/ North Green. Materials delivered to site on Saturday morning will encounter on-street parking due to the Sports & Social club football tournaments and cause "upset" to mourners at the The Parish question the figures within the Hollinwood Lane Cemetery. Transport Statement and consider the actual numbers of visiting HGVs could be significantly higher than the quoted 19 HGVs visiting the site each day. The Parish also question the need for overnight parking of HGVs and ask whether the site would operate as a lorry park, specifically what would happen if a lorry arrives after 6.00pm and is granted access, would the vehicle stop over till the morning then unload or would it be unloaded irrespective of the time? The Parish question how processed material would go off site and the times these movements are undertaken. The Parish also raise concerns regarding the transport costs and pollution of transporting waste from further afield. The Parish question how instructions would be put in place to ensure all vehicles turn right onto Main Street and avoid travelling through the village.

- 28. The Parish raise concern that the plant would operate on a 24/7 basis including weekend and bank holidays etc, asking whether this would include Christmas Day.
- 29. The Parish raise concerns that the facility would receive more than 100,000 tonnes of waste per year and question the composition of this waste including the potential for it to include food waste. What guarantee is there that the site will only accept plastic waste and that this will not change in future years.
- 30. The site can be seen from the Old Pit Top Conservation and Wildlife Area, Collyer Road and Park Road and various bridlepaths and footpaths. Will additional screen planting by provided?
- 31. Proximity of housing: The site is located close to residential property including houses on Hollinwood Lane/Collyer Road and North Green plus the proposed small bungalow complex on the Old North Green/Pit car park for which development has already started. The nearest dwelling will be less than 30m from the boundary when the new bungalows are built on the North Green car park.
- 32. Concerns are raised about potential litter, noting that the company's facility in Kent generates significant levels of complaint regarding litter including litter from delivery vehicles. What assurances will be made that litter will be kept on site and if any litter does accumulate off site would the company be responsible for regular litter picking? If not, this will be an additional cost to Gedling Borough Council and Nottinghamshire County Council.
- 33. The Parish Council has been reconsulted in connection with the submission of the revised design of the processing building extension and the submission of supplementary supporting information, no further response has been received.
- 34. <u>Environment Agency:</u> No objection subject to a planning condition being imposed to regulate the investigation and remediation of any potentially contaminated land.
- 35. The site overlies alluvium above the Chester Formation Sandstone which is classified as a Principal aquifer. The previous use of the site as a vehicle dismantling facility presents a high risk of contamination that could be mobilised during construction to pollute controlled waters.
- 36. It is the Environment Agency's understanding that the existing permit for the scrapyard will need to be surrendered or varied and the Agency will require assurance at the surrender stage that any risks to controlled waters have been removed or mitigated against.
- 37. With a previous use of this type the Environment Agency would normally seek to add conditions requiring site investigation, risk assessment and remediation. It is anticipated that these assessments will take place during surrender of the permit/variation of the permit and a site investigation (site condition report) will be conducted to provide a baseline of conditions at the site as part of the

permitting of the new facility, but the Agency would request that a four-part planning condition is imposed to regulate a remediation strategy to deal with the risks associated with contamination of the site.

- 38. NCC (Highways): Raise no objection.
- 39. This proposal for a change of use from truck dismantling depot to plastic recycling facility is in a well-established commercial/industrial area of Calverton. The existing access to the site is off a private unadopted road and the nearest adopted highway is Hollinwood Lane. The private road also serves storage units and the household waste and recycling centre. The red lined application area includes the existing access arrangement onto the private road which is acceptable to provide access and egress to the change of use and the type and nature of vehicles that wish to utilise the proposed transfer station.
- 40. Having reviewed the Transport Assessment it is noted the existing use could generate more traffic than the proposed change of use to a plastic recycling facility during AM and PM peak hours and therefore is acceptable.
- 41. Proposed parking provision for vehicles including HGVs within the site is acceptable and there should be no displacement onto the surrounding highway as it is controlled by Traffic Regulation Orders.
- 42. It is understood that there may be times when there is conflict with HGVs to the site and vehicles queuing to access the Waste Recycling Centre, the busiest times being at the weekend. It is understood that HGVs will only operate in and out of the proposed waste transfer station Mon-Fri 8.00-18.00 and Sat 8:00-13:00 so it is anticipated that there will be less conflicts associated with the two sites. From a highways aspect the Highways Authority cannot control the traffic on the private road, and it is for the owner/occupiers to manage.
- 43. It is therefore recommended that planning permission is granted subject to a planning condition requiring the installation of parking, turning and manoeuvring facilities on the site including electric charging facilities.
- 44. NCC (Nature Conservation): No objection.
- 45. It is noted that the footprint of the developed area will not change as a result of the proposals, and therefore no direct ecological impact can be expected.
- 46. In terms of indirect impacts, noise/disturbance and lighting need to be considered. The most significant ecological receptor is the Calverton Colliery Yard Local Wildlife Site (LWS), designated for its botanical and butterfly interest. Having had a look at the Noise Impact Assessment it appears that elevated noise levels are modelled as being fairly tightly contained and noise levels above 50dBA do not appear to fall beyond the site boundary. In terms of lighting, it does not appear that any additional lighting is proposed.
- 47. On this basis, and in light of the current use of the site, it is concluded that the proposals are unlikely to give rise to a significant ecological impact, and will not have an impact on the features for which the LWS is designated.

- 48. <u>Severn Trent Water Limited</u>: Request clarification regarding the existing drainage arrangements for the site. Severn Trent Water has been reconsulted in connection with supplementary drainage details provided by the applicant, no response has been received.
- 49. The Coal Authority: No objection.
- 50. The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the planning authority for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted. If this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.
- 51. <u>Via (Noise Engineer):</u> Raise no objections subject to planning conditions being imposed to regulate noise emissions.
- 52. The Noise Impact Assessment which supports the planning application has been examined by VIA Reclamation. The noise assessment has been undertaken in accordance with the relevant British Standard (BS4142:2014) utilising the results of background noise monitoring undertaken on Hollinwood Lane/North Green and referencing noise data obtained from an identical process at an existing facility.
- 53. BS4142:2014 states: "An exceedance of the background level of around 5dB is likely to be an indication of an adverse impact, dependent on the context and a difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context."
- 54. The noise assessment of daytime noise emissions calculates predicted noise levels would be 2.1dB below existing median weekday background levels at existing properties on Hollinwood Lane, 0.3dB above background levels at proposed new residential development to the south-east and 4.7dB below at proposed new residential development to the east and therefore daytime noise emissions are concluded to be within BS4142:2014 limits which indicate noise emissions are unlikely to result in adverse impact.
- 55. The noise assessment for night-time noise emissions (23:00-07:00) calculates predicted noise emissions would be 6.0dB above median night-time background noise levels at existing properties on Hollinwood Lane, 9.0dB above background levels at proposed new residential development to the south-east and 3.3dB above proposed new residential development to the east and thus indicates levels of noise emissions which have potential for adverse impacts to the existing and the proposed future residential development, depending on the context.
- 56. As acknowledged in BS4142, where background noise levels are very low, as in this case, absolute levels might be as or more relevant than the margin by which

the rating level exceeds the background – especially at night. According to BS8233 "Guidance on Sound Insulation and Noise Reduction for Buildings"; it is recommended that noise levels in bedrooms do not exceed 30dB LAeq,t to avoid sleep disturbance. BS8233 states that a partially open window will provide approximately 15dB attenuation from external noise sources, so, the predicted internal noise levels between the 23:00 – 07:00 will be well below the 30dB threshold for sleep disturbance in bedrooms during the night-time. Consideration has also been given to the potential for impact on external amenity areas in the evenings which has not been assessed separately in the noise assessment. However, the predicted absolute noise levels are low (max 36.4dB) and as such are unlikely to cause any annoyance at the nearest existing and future receptors.

- 57. A transport assessment has considered the impact associated with the number of vehicle movements connected with the proposed development. This indicates that any changes in the number of vehicles movements are insignificant and therefore there is not anticipated to be any notable change in road traffic noise levels associated with the new development.
- Planning conditions are therefore recommended to regulate the level of noise emissions from the site and ensure noise emissions do not exceed 42dB(A) during the daytime and 39dB(A) during the night-time, for a procedure to be put in place to deal with any noise complaints, the use of broadband type (white noise) reversing alarms on vehicles and mobile plant, restrictions on the delivery of waste and export of recycled plastic products to only take place between 08:00 and 18:00 Mondays to Fridays and 08:00-13:00 on Saturdays, and the preparation of a noise management plan.
- 59. <u>Via (Reclamation):</u> Do not object subject to a planning condition to regulate ground remediation.
- 60. There is potential for significant contamination to be present within the ground, related to the use of the site as a truck dismantling depot. Contamination, such as fuels, can enter the ground through leaks in drains, interceptors and underground or above ground storage tanks, as well as through cracks and seams in the hardstanding.
- 61. Although the proposed development will be located on the current hardstanding, with limited ground works required, the applicant has a responsibility to ensure that the site is not contaminated land, as defined in Part IIA of the Environmental Protection Act.
- 62. In order to demonstrate this, the applicant needs to provide, as a minimum, a Phase 1 geo-environmental desk study. If the desk study cannot reasonably demonstrate that there are no significant potential source-pathway-receptor linkages present, a geo-environmental ground investigation may be required.
- 63. The desk study should consider the potential risks from ground contamination, groundwater contamination and ground gas at the site to human health, controlled waters and other environmental receptors including mine gas

- migrating into the existing buildings in their current condition and following development of the proposed canopy extension, as well as risks to any other retained or new structures on the site.
- 64. There are also some questions regarding the proximity of historical mine shafts to the site and the mine gas treatment plant. The findings of the coal mining report indicate that a more detailed coal mining assessment is required. This should be undertaken by a qualified consultant and consultation with the Coal Authority may be required.
- 65. It is recommended that the submission of these details is regulated through planning condition.
- 66. <u>Western Power Distribution:</u> Do not object, but the company advise that they have electrical network in the vicinity of the development site.
- 67. NCC (Flood Risk): No objection subject to the imposition of a planning condition requiring the submission of a drainage scheme for the development site.
- 68. <u>Cadent Gas Limited Company Number:</u> No representation received. Any response received shall be orally reported.

# **Publicity**

- 69. The application has been publicised by means of site notices, the publication of a press notice in the Nottingham Post and posting neighbour notification letters to the occupiers of the nearest residential properties on Hollinwood Lane, North Green and Toothill Close and surrounding businesses in accordance with the County Council's adopted Statement of Community Involvement.
- 70. 37 proforma template objection letters and 12 individual letters of representations have been received.
- 71. The 37 signed proforma template letters raise objections to the development based on concerns in relation to:
  - The site will operate 24 hours a day 7 days a week including bank holidays giving no respite on noise.
  - The site will generate 19 20 tonne lorries accessing and leaving the site daily including Saturdays. What controls are there to stop these lorries travelling through Calverton. A new access should be constructed from Oxton Road.
  - Damage to roads.
  - The site is too close to children's sports pitches and a cemetery.
  - The smell from rotten waste stored on the site. Concerns regarding flies.
  - Visual impact of the site.
  - Industry should be kept away from villages and housing estates.

- Concerns relating to litter.
- Questions are asked as to whether the jobs can only be available to Calverton residents.

#### 72. The 12 individual letters of objection raise the following concerns:

- a. Traffic Issues, specifically:
  - The development will generate too many HGVs and cars on the local roads resulting in noise and disturbance affecting the enjoyment of houses, particularly at unsociable hours and disturbance to sleep.
  - Hollinwood Lane is unsuitable for HGVs with the junction from the industrial land onto Hollinwood Lane considered to be dangerous.
  - HGVs will damage roads and footpaths, resulting in water damage to property, increasing the upkeep costs for redecoration, render damage, damp and window cleaning / replacement.
  - The amenity of the new cemetery on Hollinwood Lane will be adversely impacted by HGVs using Hollinwood Lane.
  - Access to the site should be obtained from Oxton Road (B6386).
  - There are already safety concerns at weekends due to the number of cars parked on Hollinwood Lane associated with the use of the sports pitches at the Calverton Top Club which restricts access and raises safety concerns for HGVs accessing the proposed development site.
  - The existing HWRC has problems with traffic management, particularly during the summer and weekends.
  - There are hundreds of houses being built which has resulted in extra traffic on Hollinwood Lane.
  - Will the number of HGVs accessing the site from Hollinwood Lane and the delivery hours be restricted and how will this be monitored/ enforced?
  - Concerns are raised that the haulage vehicles will not prevent the escape of litter.
  - The traffic survey should be undertaken over a longer-term period including an assessment at weekends.

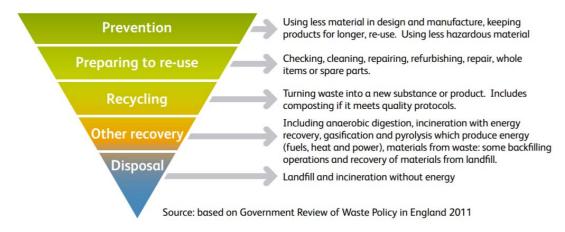
#### b. Noise emissions, specifically:

- There will be an increase in noise pollution and there are concerns if the plant is running 24 hours with concerns raised that the facility will be intrusive at night and exceed the noise levels predicted in the planning application.
- The noise assessment shows one location for the noise receptor in Figure 4.1 which is close to properties on the North Green. Further noise assessments should be undertaken including consideration of noise impacts at allocated/safeguarded future housing allocations in the surrounding area.
- The industrial traffic will be intrusive to residential property.
- Concerns that the noise assessment does not adequately assess bangs and crashes and their potential to cause disturbance to local residents.

- Concerns raised that the 9db at night noise level will impact local residents who wish to open their windows for ventilation, or sit outside at night, but may be unable to do so because of the noise. The current proposals the figures show the level of noise will cause an unacceptable disturbance to local residents.
- Why would the facades on the porch extension not be enclosed to contain as much of the noise as possible?
- Does the plant have to run for 24 hours a day 7 days a week or can it run business hours, for example 08:00 to 18:00 a day, taking into account the local residential area, when it will not, as it currently appears, cause a noise nuisance through the night to local residents?
- c. Visual intrusion and concerns the new canopy will be an eyesore.
- d. Odour concerns, specifically, the potential for acrid smells and smoke.
- e. Dust and concerns regarding abrasive dust releases which could damage vehicle paintwork.
- f. Concerns that the development may result in particles such as BPA (Bisphenol A) which has been identified as a possible carcinogen?
- g. Increased litter and concerns that the boundary fencing will not control the escape of litter.
- h. The facility should be developed on any alternative site, suggestions include other brownfield sites including the highways depot in Newark, on the former Calverton Colliery pit tip, or a site remote from housing.
- i. It is questioned whether the occupiers of the new housing being built by Persimmon and Belway have been notified and whether the development could devalue these houses leaving occupiers in negative equity. Specifically, Persimmon Homes object that they have not been notified of the planning application.
- j. Potential for water pollution and a request to construct a bund around the site to contain any contaminated surface water run-off.
- k. Not enough information has been provided.
- I. Potential for light pollution.
- m. Fire risk and potential effects to the health of surrounding residents.
- n. Increased vermin specifically rats and birds.
- 73. Councillor Boyd Elliott is supportive of the development, specifically the employment benefits that would be derived from the project.
- 74. The issues raised are considered in the Observations Section of this report.

#### **Observations**

- 75. Waste management legislation, policy and targets driven by European, national and local policy aim to deliver more sustainable waste management. Specifically, paragraph 1 of the National Planning Policy for Waste (NPPW) advises that waste planning authorities should plan positively to deliver new waste management infrastructure which assists in delivering waste management at a higher level in the waste hierarchy.
- 76. Nottinghamshire and Nottingham Waste Core Strategy (WCS) Policy WCS1 (Presumption in favour of Sustainable Development), sets out the starting point as to how all waste management planning applications should be assessed. The main aim of this policy is to achieve a positive approach to development that reflects the presumption in favour of sustainable development contained in the NPPF. Policy WCS1 requires that when planning applications accord with the policies of the WCS (and, where relevant, with polices in other plans which form part of the Development Plan) they should be approved without delay, unless material considerations indicate otherwise.
- 77. The principles of sustainable waste management are underpinned through the application of the Waste Hierarchy. The waste hierarchy incorporates an order of preference, from the top down which gives top priority to preventing waste in the first place. When waste is created, it gives priority to preparing it for re-use, then recycling, then recovery, and last of all disposal (e.g. landfill). Figure 2.1 of the Nottinghamshire and Nottingham Waste Core Strategy (WCS) identifies the waste hierarchy and is set out below.



- 78. WCS Policy WCS3 (Future Waste Management Provision) seeks to ensure that planning decisions are made in the context of the waste hierarchy and accord with the overall aim of the plan to achieve 70% recycling or composting of all waste by 2025. To deliver this aim Policy WCS3 gives priority to the development of new or extended waste recycling, composting and anaerobic digestion facilities over other waste recovery and disposal facilities.
- 79. The development proposals will secure a significant capital investment for the establishment of a state-of-the-art plastics recycling facility, allowing plastics to be recycled into reusable materials, diverting these waste streams from energy

recovery facilities or landfill disposal and assist in achieving the 70% recycling target set out in Policy WCS3. The plastic waste managed within the proposed Calverton facility would therefore be managed at a high level within the waste hierarchy and contribute to the transition from a linear economy to a circular economy consistent with the UK Government's Circular Economy Package policy statement published in July 2020.

- 80. The proposed Calverton facility is therefore considered to be consistent with WCS Policy WCS3 insofar that it would deliver more sustainable waste management at a higher level in the waste hierarchy. The benefits provided by the development in the context of delivering sustainable waste management are given significant positive weight in the overall planning balance.
- 81. On the 7<sup>th</sup> February 2022 the Council commenced a consultation on a new draft Nottinghamshire and Nottingham Waste Local Plan (the consultation period running until 4th April 2022). Since the new draft Waste Local Plan is at an early stage of preparation, NPPF Paragraph 48(a) advises that very limited weight should be given to the policies of the new draft plan and the decision on this planning application should be made in the context of the policies of the adopted development plan.

#### Need for Facility

- 82. The applicant states that waste contracts are not currently in place to identify the origins of the waste feedstock which would be managed within the Calverton facility acknowledging that commercial contracts are often not agreed until a very late stage in the process of establishing this type of facility and often only when a facility is available and 'on-stream' within a competitive waste market.
- 83. The applicant cannot therefore readily identify the specific origins of the waste feedstock at the planning application stage but states that it is not unreasonable to assume that the facility would secure most of its waste from local waste producers on the basis that these will have lower transport costs.
- 84. Whilst the applicant's observations regarding the influences that transport costs have on the proximity of waste origins are reasonable, it is acknowledged that the Calverton facility would operate as a merchant facility and is likely to source a proportion of its waste from outside the Nottinghamshire and Nottingham area.
- 85. Policy WCS12 (Managing non-local waste) supports the development of new waste infrastructure which would be likely to treat waste from areas outside Nottinghamshire and Nottingham where it is shown that it makes a significant contribution to the movement of waste up the waste hierarchy (criterion a), or there are no facilities or potential sites in more sustainable locations (criterion b), or there are wider social, economic and environmental benefits to clearly support the proposal (criterion c).
- 86. Since the facility will assist with the recycling of plastic waste it will contribute towards waste management at a higher level in the waste hierarchy and is

therefore consistent with and supported by Policy WCS12 criterion a. A decision to refuse planning permission for the development on the basis that the origin of the waste feedstock cannot be identified would have the effect of limiting the availability of waste recycling facilities potentially resulting in the plastic waste being managed within a recovery or disposal facility at a lower level in the waste hierarchy contrary to the aims of sustainable waste management.

#### Socio-economic and employment implications

87. Chapter 6 of the NPPF incorporates planning policy in relation to the socioeconomic effects of development. Specifically, NPPF paragraph 80 states that:

'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'.

- 88. NPPF paragraph 7 confirms that achieving sustainable development is the primary objective of the planning system with NPPF paragraph 8 confirming the importance that the economic role of development has in delivering sustainable development.
- 89. The applicant's supporting statement identifies that the implementation of the development would result in a significant capital investment into the local economy and create approximately 50 permanent full-time jobs on the commencement of the planned operations with potential for a further 25 permanent full-time jobs within 2 years of the commencement of the application proposals. The applicant has confirmed that the job opportunities will be available for local residents.
- 90. The job creation and investment into the local economy are considered beneficial and supported by the emphasis provided in the NPPF. The NPPF advises that significant weight should be given to these economic benefits and their contribution to delivering sustainable development.

# Location of development in context of the development plan policy

- 91. The WCS does not allocate specific sites for waste development, however Policies WCS4 (Broad Locations for Waste Treatment Facilities) and Policy WCS7 (General Site Criteria) set out the broad principles that are used to narrow down future site choices using a criteria-based approach to show the locations that are likely to be suitable for different types and size of waste management facilities.
- 92. WCS Policy WCS4 alongside Appendix 2, Table 8 (Indicative size of waste treatment facilities) promotes a spatial pattern of development in relation to developing waste facilities across the county based on their scale and size. The

indicative thresholds incorporated in Appendix 2 confirm that the proposed Calverton installation would be classed as a large-scale facility based on its annual throughput of 100,000 tonnes per annum and site area of 3.279 hectares.

- 93. WCS Policy WCS4 states that large-scale waste treatment facilities will be supported in or close to the built-up areas of Nottingham and Mansfield/Ashfield, the boundaries of which are identified on Plan 4 within the WCS. This plan confirms that the Calverton site is located outside of, but midway between these built up areas.
- 94. The hierarchy approach to site selection incorporated within Policy WCS4 assumes benefits are derived by locating waste facilities within the main larger areas of population so that waste produced in these locations is managed locally, reducing the distance that waste is transported and making communities more responsible for their own waste management.
- 95. The applicant readily acknowledges in their planning submission that the Calverton plastics recycling facility would serve a wider County/Regional need and thus even if the facility was sited within the main built-up area of either Nottingham or Mansfield/Ashfield it would still take waste from other areas therefore significantly diminishing many of the assumed benefits that would be derived by following the spatial approach advocated by Policy WCS4. It is acknowledged that the Calverton site is located midway between the two areas and thus has the ability to receive waste from both these major areas of population without incurring significant distance of transport movement.
- 96. Overall, it is evident that the development of the plastics recycling facility at Calverton is not fully consistent with the spatial policy approach set out within WCS Policy WCS4. However, this policy does not go as far to explicitly prohibit the construction of large scale waste treatment facilities outside the Nottingham & Mansfield/Ashfield areas and the location of the Calverton site midway between these two areas has the ability to serve both areas without generating significant increased journey distances. The location of the development site therefore is considered to not be in conflict with WCS Policy WCS4.
- 97. WCS Policy WCS7 (General Site Criteria) sets out the broad principles that are used to narrow down future site choices for waste development using a criteria-based approach to identify the types of locations that are likely to be suitable for different types of waste management facility. In the context of recycling/materials recovery facilities, Policy WCS7 is supportive of siting these facilities on employment land which may either be allocated within district plans, or already used for employment uses and the re-use of previously developed land. This approach is consistent with Paragraph 4 of the NPPW which prioritises the re-use of previously developed land as appropriate locations for new waste management facilities.
- 98. The Gedling Borough Local Planning Document (GLP) Policies Map (Adopted July 2018) confirms that the former Calverton Colliery Pit Head area including the planning application site is designated as employment land. GLP Policy LPD

- 44 (Retention of Employment: Former Calverton Colliery) is specifically relevant to the future development of the site. This policy seeks to retain the industrial land at Calverton in employment use within Use Classes B1 B8 and sui generis uses of a similar nature and is supportive of the further expansion of these sites for employment purposes subject to there being no unacceptable environmental and amenity impacts. The application site is also previously developed land.
- 99. The site is also identified in the Calverton Neighbourhood Plan as an existing employment area. Policy G4 of the plan seeks to control the change of use of the employment areas to non-employment uses.
- 100. It is therefore concluded that the development is positively supported by WCS Policy WCS7 which clearly promotes the development of waste recycling facilities on industrial land, subject to there being no unacceptable environmental impacts.

#### Consideration of the Environmental Effects of the Development

- 101. NPPF paragraph 180 states that the focus of the planning decision should be to ensure that the new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 102. Both the NPPF and NPPW reference the fact that it is the pollution control organisation's responsibility to control processes or emissions, and that planning authorities should assume that these regimes would operate effectively.
- 103. Whilst acknowledging that the day to day control of environment emissions from the process are regulated and enforced by the Environment Agency through an Environmental Permit, there is an obligation in the assessment of this planning application to have an understanding of the level of environmental releases from the process to enable the planning authority to determine the effect these emissions would have on the amenity of occupiers of adjacent properties and this approach is reflected in GLP Policy LPD10: Pollution and WCS Policy WCS13: Protecting and Enhancing our Environment. WCS Policy WCS13 supports the development of a network of waste management facilities which maintain and where possible enhance environmental quality. The policy is set out below:

# Policy WCS13 Protecting and enhancing our environment

New or extended waste treatment or disposal facilities will be supported only where it can be demonstrated that there would be no unacceptable impact on any element of environmental quality or the quality of life of those living or working nearby and where this would not result in an unacceptable cumulative impact. All waste proposals should seek to maximise opportunities to enhance the local environment through the provision of landscape, habitat or community facilities.

- 104. Supporting paragraph 7.61 acknowledges that the detailed impacts will be controlled through the saved policies of the Nottinghamshire and Nottingham Waste Local Plan (WLP) and relevant policies from the District Councils' Local Development Frameworks.
- 105. Appendix B of the NPPW incorporates further guidance on the potential environmental issues associated with waste development, advising that particular consideration should be given to protection of groundwater, instability, landscape and visual impacts, nature conservation, conserving the historic environment, traffic and access, air emissions including dust, odours, vermin and birds, noise, light and vibration, litter, and potential land use conflict.

# **Traffic and Access**

- 106. WLP Policy W3.14: Road Traffic states that planning permission will not be granted for waste management facilities where the vehicle movements likely to be generated cannot be satisfactorily accommodated on the highway network or where such movements would cause unacceptable disturbance to local communities.
- 107. GLP Policy LPD 57: Parking Standards seeks to ensure that new developments are served by appropriate off-street car parking provision. Policy LPD 61: Highway Safety seeks to ensure that development proposals do not have a detrimental effect on highway safety, patterns of movement and the access needs of all people.
- 108. Calverton Neighbourhood Plan Policy ISF1: Sustainable Transport seeks to maximise the use of sustainable transport within development. Policy ISF2: Car Parking requires new development to provide appropriate parking provision. Policy ISF3: Highway Impact encourages the payment of developer contributions to minimise and mitigate adverse highway impacts.
- 109. The planning application is supported by a transport statement which provides a quantified assessment of the maximum levels of operational traffic associated with the development and assesses the capacity of the surrounding road network to accommodate the projected traffic levels, taking into account issues of safety and general site accessibility.
- 110. The transport statement incorporates a calculation of the number of trips that are likely to be generated by the development based on waste throughput of

100,000 tonnes per year delivered in 20 tonne loads. The transport statement also provides an assessment of employee vehicle numbers. The results are set out below:

Unit	Trips -	Total Vehicles	Daily				
	AM Peak Hour		PM Peak Hour		Arrivals	Danastonas	
	Arrivals	Departures	Arrivals	Departures	Arrivais	Departures	
All Vehicles	21	2	2	22	68	68	
OGV/HGV	2	2	2	2	19	19	

- The traffic calculation shows that the operation of the site would generate an 111. average of 19 HGV deliveries of plastic waste and 19 HGV collections of processed materials each day. Since the facility would utilise the same delivery vehicles to backhaul processed materials this level of delivery traffic equates to an average of 38 HGV delivery movements each day. The applicant acknowledges that the precise number of HGV vehicle movements is likely to fluctuate from day to day by up to 20% either side of this average daily number and therefore advises that any limit on HGV numbers would most appropriately be regulated over a weekly period (116 HGV deliveries or 232 HGV movements) which would average any daily fluctuation. It is recommended that this figure is regulated through planning condition to ensure compliance with WLP Policy W3.14. In terms of staff transport, the operation of the site is anticipated to create an average 98 two-way car movements a day including weekend traffic, but it is not proposed to regulate these vehicle movements as part of the planning decision.
- 112. The traffic flows associated with the existing use of the site for lorry dismantling have been surveyed, acknowledging that site is not currently working at full capacity and therefore the existing traffic flows associated with this use are lower than historic traffic levels. The results are set out below:

Type of Vehicle	Weekday AM Peak Hour (08:00 to 09:00)			M Peak Hour to 18:00)	Daily		
	Arrivals	Departures	Arrivals	Departures	Arrivals	Departures	
All Vehicles	10	3	1	4	69	62	
OGV/HGV	1	10	0	1	13	9	

113. For comparative purposes, the traffic assessment also incorporates an assessment of the trip generation of an alternative use of the site incorporating an industrial and warehousing development consistent with the allocated use of the former Calverton Colliery Employment Area within the GLP. To determine the level of traffic this alternative use would generate the industry standard TRICS database has been referenced to obtain average anticipated trip rates associated for these alternative uses of the site, and this data is shown below:

Type of Use	Type of Vehicle	Weekday AM Peak Hour (08:00 to 09:00)			M Peak Hour to 18:00)	Daily		
	venicie	Arrivals	Departures	Arrivals	Departures	Arrivals	Departures	
Industrial Unit	All Vehicles	113	18	7	83	368	350	
	OGV/HGV	4	2	0	2	30	46	
External Storage	All Vehicles	20	13	16	19	347	299	
	OGV/HGV	6	7	9	5	102	1281	
Existing Use Total	All Vehicles	133	32	24	102	716	648	
	OGV/HGV	10	9	9	6	132	174	

114. The net trip generating potential of the scheme has been calculated by reviewing the number of trips that could be generated by the proposed use of the site and then comparing these traffic flows to the existing survey data and the anticipated traffic flows from the site being fully operational and occupied by another similar industrial/warehouse use. The net traffic generation data is set out in the table below.

		Trips - Total Vehicles Per Hour (Weekday)				Daily	
	Unit	AM		PM		Arr	Don
		Arr	Dep	Arr	Dep	Aff	Dep
Net Trip Generation	All Vehicles	-122	-33	-23	-83	-717	-642
Based on TRICS	OGV/HGV	-9	-17	-7	-5	-126	-164
Net Trip Generation	All Vehicles	11	-1	1	18	-1	6
Based on Survey Data	OGV/HGV	1	-8	2	1	6	10

- 115. An analysis of the traffic data demonstrates that the development would result in a small increase in daily traffic flows over the existing lorry dismantling use of the site, albeit acknowledging that this existing site is not working at full capacity, but the traffic volumes in the morning and peak period would be lower. The analysis of the traffic flows in the context of potential alternative industrial and warehousing use indicates that the proposed new waste facility does not generate particularly high volumes of traffic in comparison to alternative industrial/commercial uses of the site.
- 116. Access to the application site and the wider former Calverton Colliery employment area is obtained from Hollinwood Lane and in turn Main Street and Oxton Road (B6386) via priority-controlled crossroad junctions. This is an established access route to the former Calverton Colliery Employment Area and since the proposed development would not result in a significant uplift in vehicle movements accessing the site, no significant adverse highway impacts are anticipated as a result of the proposed development. No personal injury accidents have been reported on Hollinwood Lane over the most recently available five-year period which indicates that both the site access and access to the recycling centre are currently operating safely. The effect of the predicted traffic on the wider highway network would not be perceptible. NCC Highways have reviewed the traffic assessment and do not raise any objections to the development.
- 117. Whilst WLP saved Policy W3.15 provides scope to impose lorry routeing restrictions, in this instance access into Calverton village for HGVs is prohibited by environmental weight restrictions on Main Street and Collyer Road to the

east. HGV access to the application site can therefore only lawfully be obtained from Main Street and Oxton Road to the west thus ensuring these vehicles do not travel through the village centre. It is therefore concluded that formal lorry routeing controls imposed as part of the planning permission are not required in this instance.

- 118. Swept path analysis of the site has been undertaken which demonstrates the movements of a worst case 16.5m HGV can be accommodated within the site. 75 car parking spaces would be provided including 5 disabled parking spaces and 5 electric vehicle parking spaces. In addition, parking is proposed for the overnight parking of HGVs. A planning condition is recommended to regulate the installation and retention of these car and HGV parking facilities. In line with paragraph 104 of the NPPF a planning condition is recommended to ensure the proposed electric vehicle charging points are installed and maintained to encourage the take-up and use of electric and ultra-low emission vehicles, thus ensuring compliance with GLP Policy LPD57 and Calverton Neighbourhood Plan Policy ISF2.
- 119. The core operating hours for the delivery and receipt of materials would be Monday to Friday 08.00–18.00 and Saturday 08:00–13:00, with no operations on Sundays or Bank Holidays. It is recommended that these delivery hours are regulated by planning condition to ensure the amenity of surrounding properties are not adversely impacted by HGV movements at unsociable hours and thus ensure compliance with WLP Policy W3.14.
- 120. WCS Policy WCS11 (Sustainable Transport) seeks to make the best use of the existing transport network by minimising the distances travelled in undertaking waste management and maximising the use of alternatives to road transport. The location of the site at Calverton is located between the main population centres of Nottingham and Mansfield/Ashfield and therefore could manage waste from both of these major built up areas without incurring excessive travel distances. In terms of the accessibility of the site for staff, Calverton Village Centre is located approximately 1.7km to the south-east and therefore within an acceptable walking distance along existing footpaths. The site is also accessible by cycles from the wider village along guiet roads. In terms of public transport, the nearest bus stops are located approximately 550m walking distance to the south-east of the site along Collyer Road with buses serving the wider village of Calverton as well as Nottingham via Arnold with an average of 3-4 services during peak hours and runs between approximately 6am-12pm Monday-Saturday with a reduced service on Sundays. It is therefore concluded that the development proposals do not preclude the use of more sustainable transport options and thus is consistent with WCS Policy WCS11 and Calverton Neighbourhood Plan Policy ISF1.
- 121. Representations received from the local community and the Parish Council have requested that an alternative access to the site should be constructed direct from Oxton Road to replace the existing HGV access from Hollinwood Lane. This matter has been raised with the applicant who has confirmed that they have investigated the potential for a new access onto Oxton Road to the north east of the site or along the existing public right of way to the north of the

- site. The applicant has concluded that a safe access point cannot be formed without significant re-alignment works along Oxon Road to improve visibility along this 50mph road with several bends which restrict visibility. The applicant estimates that the costs associated with constructing an access from Oxton Road to the site could be in the order of the mid to high hundreds of thousands of pounds, if not millions of pounds and the financial cost is not viable to the business. NCC Highways have also reviewed the potential for a new access onto Oxton Road, concluding that it would not be deemed safe due to the bends in the road restricting visibility and the speed limit on the road.
- 122. In terms of concerns expressed by local residents regarding the condition of Hollinwood Lane and potential for damage to properties from HGVs travelling over the alleged poor road surface, NCC Highways have confirmed that the road is an adopted highway and therefore receives ongoing maintenance. Contact details have been provided to the local resident should they wish to discuss specific issues regarding the condition of the road.
- 123. Concerns have been raised by the local community regarding potential conflict between vehicles accessing the development site and HWRC traffic, specifically on occasions when the HWRC is busy and vehicles que on the private industrial access road. These busy periods generally occur over the weekend and Bank Holidays and do not generally coincide with the times identified in the planning submission when HGVs would access the site which include weekdays and Saturday mornings. The development does not alter the existing access into the HWRC and the application site from the private industrial access road. It is acknowledged that the uses have co-existed without cause for significant conflict over the last 15 years.
- 124. In terms of local concerns raised in respect of potential conflict between traffic accessing the industrial estate and cars parked on Hollinwood Lane associated with the weekend use of the sports field, it is noted that vehicle parking on Hollinwood Lane is prohibited between 8am and 6pm 7 days a week. It would be unreasonable to restrict the lawful passage of vehicles along Hollinwood Lane in connection with accessing a designated industrial estate because of illegal car parking on this road. This matter would most appropriately be tackled by enforcing the parking restrictions.
- 125. The concerns regarding perceived harmful impacts to mourners using the cemetery and HGVs travelling along Hollinwood Lane to access the application site are acknowledged, however, it is not considered reasonable to restrict this longstanding lawful access to the planning application site because of these perceived concerns.
- 126. It is therefore concluded that the vehicle movements likely to be generated can be safely accommodated on the highway network and would not cause unacceptable disturbance to local communities.

Landscape and Visual Impact

- 127. Paragraph 7 of the NPPW seeks to ensure that waste management facilities are well-designed, so that they contribute positively to the character and quality of the area in which they are located.
- 128. WLP Policy W3.3 (Plant and Buildings) seeks to minimise the visual impact of waste management facilities by siting them in locations which minimise impacts to adjacent land, providing appropriate screening and minimising building and storage heights. Similarly, WLP Saved Policy W3.4 (Screening) seeks to secure both the retention and protection of existing features which have value in terms of screening and landscaping to minimise visual impacts, including earth mounding, fencing, and/or tree and shrub planting. WCS Policy WCS15 (Design of waste management facilities) states that all new or extended waste management facilities should incorporate high standards of design and landscaping, including sustainable construction measures.
- 129. Calverton Neighbourhood Plan Policy BE1: Design and Landscaping seeks to ensure that all development on the edge of Calverton must provide soft landscaping on the approach into the village.
- 130. In terms of landscape effects, the development primarily seeks to change the use of the existing buildings and land from a lorry dismantling facility to a plastics recycling facility with a comparatively small extension to the existing building. Areas of structural landscaping around the perimeter of the former Calverton Colliery Employment Area would be retained, providing soft landscaping on the approach to the village in accordance with the objectives of Calverton Neighbourhood Plan Policy BE1. The development proposals therefore do not change the landscape character of the site which will retain its industrial character and therefore the development would have a minimal impact on the existing landscape character.
- WLP Policy W3.3 encourages the siting of waste transfer facilities in locations 131. which minimise impacts on adjacent land, acknowledging the benefit that siting facilities adjacent to existing buildings has in reducing visual impacts. The main visual change relates to the building extension. The extension provides a 30m extension to the existing workshop/office building and has been designed to maintain the existing eaves and ridge levels of the building and would be constructed using similar materials. The extension is centrally located within the employment area and benefits from the existing perimeter landscape planting around the wider employment area consistent with WLP Policy W3.4. Notably, the building sits at a lower level to existing and new residential properties to the south and east and thus this difference in level ensures the extended building would not be visually prominent when viewed from residential property in The design and siting of the extended building is therefore Calverton. considered appropriate in the context of WLP Policy W3.3 and WCS Policy WCS15.
- 132. The proposed plastics recycling facility would incorporate areas of external storage and vehicle parking in similar locations to the existing vehicle dismantling facility. These activities will not add to the visual prominence of the site. The applicant has confirmed the maximum storage height for externally

stored materials would be 4m. It is recommended this storage height be regulated by planning condition.

# **Noise**

- 133. WLP Policy W3.9 (Noise) encourages the use of planning conditions to regulate and reduce the potential for noise emissions from waste facilities. The policy encourages restrictions over operating hours, sound proofing plant and machinery, alternative reversing alarms, stand-off distances, and the use of noise baffle mounds to help minimise noise impacts.
- 134. The planning application is supported by a noise assessment which gives consideration to the level of noise emissions from the operation of the plastics recycling facility and the potential for noise emissions to affect the amenity of the occupiers of nearby residential properties. The noise assessment gives consideration to the level of noise emissions at both existing residential property and proposed new residential properties which are allocated for development in the Gedling Local Plan.
- 135. The noise assessment calculates the level of noise emissions based on 24 hours a day 7 days a week operation of the recycling plant with waste deliveries of recycled plastic being carried out between the core hours of 08:00 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. The noise assessment has been prepared in line with technical guidance contained in British Standard BS4142:2014+A1:2019, 'Methods for rating and assessing industrial and commercial sound'.
- 136. The noise assessment has taken recordings of background noise levels from a monitoring position adjacent to the nearest residential properties on North Green during both the daytime and night-time periods. The background monitoring identifies that the daytime noise environment is influenced by traffic noise, industrial activity originating from the industrial land and distant construction noise but evening and night-time background noise levels are much lower with industrial uses largely absent and only very sporadic road traffic noise. Levels of noise emissions have been calculated by referencing an existing operational facility and measuring the noise sources of each piece of plant operated within the facility.
- 137. The noise assessment of daytime noise emissions (07:00 23:00) calculates predicted noise levels would be 2.1dB below existing median daytime background levels at existing properties on Hollinwood Lane, 0.3dB above background levels at proposed new residential development to the south-east and 4.7dB below at proposed new residential development to the east. Based on guidance within BS4142:2014 an exceedance of the background level of around 5dB is likely to be an indication of an adverse impact, dependent on the context and a difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context. The noise assessment shows that the proposed daytime operations are within BS4142:2014 limits and

- would have a negligible/low noise impact therefore leading to the conclusion that the daytime operations are unlikely to result in adverse noise impact.
- 138. The noise assessment for night-time noise emissions (23:00-07:00) calculates predicted free field noise emissions would be 6.0dB above median night-time background noise levels at existing properties on Hollinwood Lane, 9.0dB above background levels at proposed new residential development to the south-east and 3.3dB above background levels at proposed new residential development to the east.
- 139. Although these noise levels exceed the 5dB level identified in BS4142:2014 which indicates when noise emissions may have an adverse impact, these levels of noise emissions need to be assessed in their context. BS4142:2014 acknowledges that where background noise levels are very low, as in this case with night-time noise, absolute levels might be as, or more relevant than the margin by which the rating level exceeds the background. According to BS8233 "Guidance on Sound Insulation and Noise Reduction for Buildings"; It is recommended that noise levels in bedrooms do not exceed 30dB LAeq,t to avoid sleep disturbance. BS8233 states that a partially open window will provide approximately 15dB attenuation from external noise sources, so, the predicted internal noise levels between the 23:00 07:00 will be well below the 30 dB threshold for sleep disturbance in bedrooms during the night-time and therefore it is concluded that the predicted level of night-time noise emissions are within acceptable limits and are unlikely to result in adverse noise impact.
- 140. Consideration has also been given to the potential for impact on external amenity areas in the evenings (7pm to 11pm). The predicted absolute noise levels are low (max 36.4dB) and as such are unlikely to cause any annoyance at the nearest existing and future receptors.
- 141. A transport assessment has considered the impact associated with the number of vehicle movements connected with the proposed development. This indicates that there is no significant change in the number of vehicles accessing the site or change in time profiles of vehicle movements and therefore there is not anticipated to be any notable change in road traffic noise levels associated with the new development.
- 57. In accordance with the policy approach set out within WLP Policy W3.9, planning conditions are recommended to regulate the level of noise emissions from the site and ensure noise emissions do not exceed 42dB(A) during the daytime and evening (07:00 to 23:00) and 39dB(A) during the night-time (23:00 07:00), for a complaints procedure to be put in place, the use of broadband type (white noise) reversing alarms on vehicles and mobile plant, restrictions on the delivery of waste and export of recycled plastic products to only take place between 08:00 and 18:00 Mondays to Fridays and 08:00-13:00 on Saturdays and the preparation of a noise management plan. Any noise emissions from construction works would be temporary and regulated through a Construction Environmental Management Plan (CEMP).

142. It is therefore concluded that the facility would not result in any significant adverse noise impacts to nearby existing or proposed new residential properties in the area surrounding the development site and that, subject to recommended planning conditions, the development accords with WLP Policy W3.9.

# Odour

- 143. WLP Policy W3.7 (Odour) seeks to reduce the impact of unpleasant odours from waste management facilities, encouraging the use of planning conditions to limit the level of odour emissions from site activities.
- 144. NPPF paragraph 185 confirms that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area. The level of odour emissions is therefore relevant to this planning decision in terms of whether the location of the site and in particular its proximity to residential property is appropriate having regard to the anticipated level of odour emissions from the site activities.
- NPPF paragraph 189 confirms that the focus of planning decisions should be on whether development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes) and that planning decisions should assume that these regimes will operate effectively.
- 146. The primary regulatory control in relation to odour emissions from waste management facilities is through the Environmental Permitting Regulations issued and enforced by the Environment Agency. The Environmental Permit requires the operator to demonstrate that they have taken all reasonable measures to minimise odour emissions from the waste management facility but does not necessarily legislate for zero emissions at the site boundary. Some potential for residual odour emissions from site activities cannot therefore be ruled out.
- 147. In terms of the level of odour emissions from site activities, the primary function of the site is to manage plastic waste which is not putrescible in character and has a minimal risk of odour releases. The applicant confirms that they will seek to source waste streams with minimal contamination but acknowledge that there is potential for imported waste to incorporate some non-plastic materials including paper, cardboard, metal and other residual materials which have greater potential to be odorous. The applicant has acknowledged this potential in their planning submission and provided a method statement for dealing with odour which would include the following actions:
  - Any odorous waste delivered to the site will be rejected and not unloaded.

- All wastes will be treated inside the existing building including its proposed extension in order to minimise the potential for the ingress of water to the wastes and for the generation of fugitive odour emissions.
- Any non-conforming materials such as paper, cardboard, metals and other non-plastic wastes will be stored in sealed containers in order to minimise the potential for the ingress of water to the wastes and for the generation of fugitive odour emissions.
- All waste vehicles leaving the site containing light and/or potentially malodorous wastes will be securely sheeted or enclosed at all times.
- Daily odour monitoring will be undertaken around the entire site perimeter with action taken in the event that odour is observed.
- 148. Overall it is concluded that the composition of waste delivered to the site would have a generally low odour risk. The odour management practices set out in the planning submission are considered appropriate and will operate alongside the requirements of the Environmental Permit to ensure that the site utilises 'best available techniques' to limit the level of odour release. The operation of the facility would not create any smoke.
- 149. With these environmental controls in place it is concluded that the level of odour emissions from the development would be satisfactorily controlled and the operation of the site would not release significant levels of odour which would be harmful to the amenity of the occupiers of nearby residential property. A planning condition to require odour management in accordance with the details set out in the planning submission is recommended to ensure the development is compliant with the requirements of WLP Policy W3.7.

#### Dust

- 150. WLP Policy W3.10 (Dust) identifies that dust emissions from waste processing facilities are capable of being managed and reduced by implementing appropriate dust mitigation practices. Measures include the siting of facilities remote from sensitive receptors and the enclosure of dust generating operations within buildings and enclosed areas.
- 151. The composition of the waste streams received by the facility comprising mainly of plastic waste has low potential for dust generation. These materials would be handled and processed within an enclosed building thereby containing potential dust releases.
- 152. External storage of waste is limited to baled processed materials with minimal risk of dust. Furthermore, the external servicing areas within the site are hard surfaced to minimise dust generation associated with movement of vehicles.
- 153. Planning conditions are recommended in accordance with WLP Policy W3.10 to regulate the level of dust emissions from the site including controls relating to the location of waste storage on the site, the sheeting of delivery lorries, and the cleaning of hard surfaces and storage bays. Subject to these controls it is

concluded the development would not give rise to significant dust issues and thus the development is compliant with WLP Policy W3.10.

#### Mud

154. The external servicing areas within the site would be hard surfaced to minimise mud generation associated with movement of vehicles, and to prevent any arisings of mud and debris and thus ensure the development complies with WLP Policy W3.11 (Mud).

# <u>Litter</u>

- 155. WLP Policy W3.8 (Litter) seeks to control litter generation on waste management facilities by the imposition of planning conditions and controls over operating practices.
- 156. Given the nature of wastes accepted at the site (i.e. light plastic wastes and including the potential for non-conforming paper/cardboard), there is a risk of litter escaping the site boundary and therefore careful management is required to reduce the risk. The main litter control relates to the unloading and processing of waste streams which would be undertaken in the building on site. As part of the processing of the planning application, the design of the building extension has been modified to incorporate a fully enclosed structure with fast-acting roller shutter door closures instead of the originally proposed canopy structure. This change to the design of the building would significantly reduce the potential for windblown litter to escape the process into the wider environment. Litter control would also be provided by the perimeter fence and regular (minimum twice daily) inspections of the site boundary with operatives instructed to collect the litter and place it in a skip for disposal/recovery.
- 157. Further clarification has been provided in terms of the arrangements for external storage and litter control, confirming that any external storage would be only for strictly baled waste in accordance with controls that will be required as part of the Environmental Permit. The baling process ensures that wastes are triple wrapped in stretch film type plastic wrap in order that the waste can be stored and handled as a solid mass, without any unacceptable risk of litter generation. Deliveries of waste to the site will generally be pre-baled and delivered on sheeted lorries and therefore minimise the risk of fugitive litter releases from transport operations.
- 158. Subject to planning conditions to regulate these matters, it is concluded the proposed development would not give rise to any significant litter concerns and would be compliant with WLP Policy W3.8.

#### Vermin

159. The main controls to limit nuisance from vermin (rodents, flies and birds) would be imposed through the Environmental Permit issued by the Environment

- Agency, and in line with the NPPF and NPPW direction, the planning authority would not be seeking to duplicate these controls.
- 160. The permitting regime would control site operations, and in particular would ensure the regular throughput of incoming waste and its rapid turnaround, which would limit the potential for vermin nuisance.
- 161. Efficient operational practices would seek to minimise the potential for vermin and pests. Mitigation measures would include the delivery and processing of waste materials within the confines of the building. The site will be inspected daily for the presence of vermin and the results of the inspection noted in the site diary or site inspection form. If any occurrences are noted, a pest controller will be called to site to eradicate the problem.
- 162. Subject to the implementation of the measures detailed above and the rigorous application of the Environmental Permit, vermin would be suitably controlled and the proposals should not give rise to any associated problems.

#### Lighting

- 163. The potential for light pollution is a material consideration. The NPPW makes reference to the potential for light pollution at Appendix B (locational criteria) and the need for this aspect to be considered along with the proximity of sensitive receptors.
- 164. The site benefits from floodlighting which is regulated through planning condition to require the lighting units to be angled and shielded to avoid light spillage and glare to surrounding residential property and the adjoining public highway. The floodlights have been operational for around 15 years without generating complaint. The floodlights would be utilised by the plastic recycling facility and therefore it is considered appropriate to reimpose this planning condition as part of any subsequent planning permission.

#### Flood Risk

- 165. Planning policy relating to the management of flood risk is incorporated in the NPPF and its supporting Planning Practice Guidance Note concerning flood risk and coastal change. NPPF paragraph 159 encourages development to be undertaken in low flood risk areas and directs development away from areas at highest risk. NPPF Paragraph 167 advises that when determining planning applications planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 166. GLP Policy LPD 3 Managing Flood Risk is consistent with NPPF policy insofar that it seeks to direct development away from flood risk areas. WLP Policy W3.5: Water Resources states that planning permission will not be granted for waste management facilities where the development affects the integrity or

- function of floodplains unless the harm can be mitigated by engineering measures and/or operational management systems.
- 167. The planning application is supported by a flood risk assessment which confirms that the development site is located within Flood Zone 1 which is the lowest category of flood risk and means the site has a less than 0.1% chance of flooding in any year (1:1,000-year chance). The flood risk assessment demonstrates that the development does not pose any significant risk from flooding or will increase the risk of flooding elsewhere. It is therefore concluded that the development is compliant with NPPF and GLP/WLP in respect of managing flood risk associated with development.

#### Management of Surface Water

- 168. WLP Policy W3.6: Water Resources encourages the use of planning conditions to protect surface and groundwaters, supporting the use of impermeable hardstandings where waste is stored, handled or treated and the use of separate drainage systems for clean and dirty site water run-off. GLP Policy LPD 4 Surface Water Management requires all development proposals to proactively manage surface water including the use of appropriate surface treatments and sustainable drainage systems in order to minimise the risk of flooding on the development site without increasing flood risk elsewhere.
- 169. With the exception of the landscaped areas round the perimeter of the site there is no uncovered ground within the site which does not drain to either the existing surface or foul water drainage systems. These drainage systems direct uncontaminated surface waters to a drain to the north of Oxton Road and foul water towards the foul water drain in Hollinwood Lane. These drainage arrangements would be retained and used to service the new development. The guttering for the roof area over the new canopy extension would be joined to the existing workshop and office building and direct water to the existing downpipes at the northern end of the existing building. The existing surface and foul water drainage system for the site complies with the current environmental permit controls and minimises the risk of pollution from drainage flows across the site.
- 170. Planning policy encourages the use sustainable drainage systems within new development where it does not create pollution risks. As the site comprises former colliery land there is potential for the presence of contaminated substances within the ground strata. The addition of a new sustainable drainage system to replace the existing drainage arrangements would bypass the existing impermeable surfacing and drainage system and increase the potential for surface waters to migrate any existing ground contamination into the wider water environment. The potential for the inclusion of new sustainable drainage features within this development is therefore significantly limited to the use of some rainwater harvesting to the downpipes of the existing buildings to enable this water to be used for non-potable use such as dust suppression and damping-down site surfaces so as to conserve water resources.

171. The continued use of the existing drainage system for this new use of the site is considered appropriate in terms of managing potential pollution risks and is assessed as being compliant with the policy tests set out within GLP Policy LPD 4 and WLP Policy W3.6.

# **Ground Contamination**

- 172. The NPPF strongly supports the re-use of land that has been previously developed, identifying that when re-development proposals come forward for previously developed land, opportunities should be taken to remediate and mitigate the despoiled, degraded, derelict condition of the land, address any contamination issues and ensure the land is suitably stable.
- 173. GLP Policy LPD 7 Contaminated Land identifies that planning permission will be granted for development on land potentially affected by land contamination provided effective and sustainable measures are taken to assess, treat, contain or control the contamination so as to ensure that it does not expose the occupiers of the development and neighbouring land users to any unacceptable risk, threaten the structural integrity of any building built on or adjoining the site and/or compromise the operation of utilities infrastructure, cause or allow the contamination of any watercourse, water body or groundwater, or cause or allow the contamination of adjoining land. The policy encourages the use of planning conditions to ensure that appropriate assessment, remediation and verification of contaminated land is undertaken.
- 174. The operational area of the site is entirely surfaced with concrete which discharges surface waters into an engineered drainage system. These facilities were originally installed to serve the former colliery use of the site and were subsequently modified and improved in the early 2000's to serve the lorry dismantling use of the site.
- 175. This existing surfacing and drainage would be retained to serve the proposed development, providing a barrier to prevent rainfall interacting with potentially contaminated substances which may be present in the ground beneath the concrete surface at the site.
- 176. As part of building the proposed extension it will be necessary to cut into the existing concrete pad to fix the stanchions resulting in the excavation of a small volume of ground material. Following installation of the stanchions the concrete surfacing will be re-instated to minimise the potential for the leaching of any substances which may be present in the underlying ground. Material excavated as part of the construction of the extension will be tested and removed from site for treatment at a suitably authorised facility. No other excavations or ground disturbances are proposed as part of the development. It is recommended that these matters be regulated by planning condition including measures to ensure that should any unexpected contamination be encountered during groundworks then this is appropriately managed.

- 177. There is potential for contamination to be present within the ground related to the use of the site as a truck dismantling depot. Contamination, such as fuels, can enter the ground through leaks in drains, interceptors and underground or above ground storage tanks, as well as through cracks and seams in the hardstanding.
- 178. Although the proposed development will be located on the current hardstanding, with limited ground works required, the applicant has a responsibility to ensure that the site is not contaminated land, as defined in Part IIA of the Environmental Protection Act.
- 179. In order to demonstrate this both the Environment Agency and Via Reclamation recommend a planning condition is imposed to require the applicant to provide a Phase 1 geo-environmental desk study and if necessary a geo-environmental ground investigation.
- 180. The desk study should consider the potential risks from ground contamination, groundwater contamination and ground gas at the site to human health, controlled waters and other environmental receptors including mine gas migrating into the existing buildings in their current condition and following development of the proposed extension as well as risks to any other retained or new structures on the site.
- 181. Subject to the imposition of a planning condition as recommended it is concluded that the new use of the site utilising the existing site facilities does not pose a significant risk to human health and controlled waters and is consistent with policies within the NPPF and GLP Policy LPD 7 which encourages the reuse of a previously developed sites where ground contamination legacy issues are satisfactorily addressed.

#### **Ecology**

- 182. Planning policy in relation to biodiversity is incorporated within Section 15 of the NPPF. The policy seeks to prioritise development towards areas of low ecological value whilst aiming to provide appropriate mitigation and compensation for any ecological impacts that may result from undertaking development.
- 183. In terms of the ecological value of the development site, the site comprises of industrial hard surfaced land and does not incorporate any ecological features which would be affected by the proposed development. The site therefore is considered to have a low ecological value and is appropriate for the development proposed in the context of NPPF Section 15. The existing landscape areas around the perimeter of the site have potential to provide some habitat value. These areas will be retained as part of the development.
- 184. The Calverton Colliery Yard Local Wildlife Site (LWS) lies on the northern side of Oxton Road which is in turn adjacent to the northern boundary of the site. The LWS is identified as being ecological important for its acidic grassland flora

and butterfly/herpetofauna (amphibians and reptiles) interest. In terms of indirect impacts, noise/disturbance and lighting need to be considered. With regard to noise, elevated noise emissions which exceed 50dBA do not appear to fall beyond the site boundary and no new lighting is proposed. No significant adverse ecological impacts to the Calverton Colliery Yard Local Wildlife Site are therefore anticipated.

#### Other Issues

- 185. Concern has been expressed by local residents regarding the potential fire risk of the facility. Responsibility in respect of managing fire risk at operational waste management facilities is primarily a function of the Environmental Permit. The applicant has confirmed that the configuration of the site including all treatment and storage areas will be the subject to a detailed fire prevention plan which will be agreed with the Environment Agency before the issue of any environmental permit for the site. As part of the fire prevention plan it will be ensured that the site layout will include adequate separation between stockpiles of combustible wastes such as plastics and adequate supply of water on site to extinguish any stockpile fires on site.
- 186. Local concern has been raised regarding bisphenol a (BPA), an industrial chemical that has been used to make certain plastics and resins and a potential link that it can seep into food and containers which are made from the chemical and enter the human body by ingestion. The use of BPA is and has been for considerable time the subject of significant restrictions through European and UK legislation. Certain products such as babies' bottles are required by law to be free from BPA, other less sensitive products are required to have their leachable BPA content restricted to a very low concentration. acknowledging the controls over the use of BPA in food packaging, the plastic treatment operations proposed at Calverton would be undertaken within plant housed in enclosed buildings and separated from residential receptors to ensure that there is no significant risk of plastics emissions in general which may be inhaled, ingested or come into oral contact with surrounding residents. It should also be acknowledged that the Environment Agency will not issue an environmental permit for the site unless it is satisfied that the treatment of plastic waste can be undertaken without posing an unacceptable risk to human health, including at any nearby residential receptors.
- 187. Calverton Parish Council have questioned the validity of the EIA Screening process carried out by NCC. Specifically, the Parish Council state that the development should require EIA because the capacity of the proposed facility exceeds the 50,000tpa indicative threshold listed in the Planning Practice Guidance Note. The Parish Council also challenge NCC's conclusion that the development would not have significant environmental impacts. In response to these matters, it should be noted that the indicative thresholds identified in the Planning Practice Guidance Note should not be read as absolute limits but should be used as indicative thresholds with the final decision in terms of the need for EIA made after having regard to the magnitude of environmental effect and the environmental sensitivity of the site. The terminology referencing

'significant' impacts in the context of the EIA Regs has a specific legal definition which has regard to both the scope of environmental effect and the sensitivity of the receptor which experiences the environmental effect. Officers remain satisfied that the original conclusion reached that the development does not have a significant impact on the environmental and therefore does not require EIA is the correct conclusion.

# **Other Options Considered**

188. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly, no other options have been considered.

# **Statutory and Policy Implications**

189. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and sustainability and the environment, and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

# Crime and Disorder Implications

190. The proposed plastic recycling facility would be located within an existing industrial site which is secured by a perimeter security fencing and security gates and has CCTV. There would be 24-hour operations on the site and therefore the site benefits from surveillance by staff at all times.

# **Data Protection and Information Governance**

191. Any member of the public who has made representations on this application has been informed that a copy of their representation, including their name and address, is publicly available and is retained for the period of the application and for a relevant period thereafter.

# Financial Implications

192. None arising.

#### **Human Resources Implications**

193. None arising

#### **Human Rights Implications**

194. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6.1 (Right to a Fair Trial) are those to be considered and could potentially be affected by the operation of the plastics recycling facility. The proposals have potential to result in some emissions of noise, dust, odour, and additional traffic and visual impacts, however the magnitude and significance of these emissions and impacts is assessed as being minor and any harms need to be balanced against the wider benefits the proposals would provide by enabling waste to be managed at a higher level in the Waste Hierarchy and diverted from disposal/energy recovery facilities. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

# Public Sector Equality Duty Implications

195. The consideration of the planning application has been undertaken in compliance with the Public Sector Equality duty. Potential direct, indirect and cumulative impacts from the proposal have been considered equally to all nearby receptors and resulting from this there are no identified impacts to persons with a protected characteristic.

# Safeguarding of Children and Adults at Risk Implications

196. None arising

#### Implications for Service Users

197. None arising

#### Implications for Sustainability and the Environment

198. These have been considered in the Observations section above.

# Conclusion

199. The development will provide a significant capital investment for the establishment of a state-of-the-art plastics recycling facility enabling these materials to be recycled into reusable materials and diverting these waste streams from energy recovery facilities or landfill disposal. The facility will therefore assist in the management of the waste at a higher level in the waste hierarchy in accordance with WCS Policy WCS3 and contribute to the transition from a linear economy to a circular economy consistent with the UK Government's Circular Economy Package policy statement published in July

- 2020, delivering more sustainable waste management consistent with WCS Policy WCS1 and the presumption in favour of sustainable development contained in the NPPF.
- 200. The economic investment into the local economy and the creation of 50 new jobs are beneficial and should be given significant weight in the planning assessment.
- 201. The site is allocated as an existing employment area in both the Gedling Local Plan and the Calverton Neighbourhood Plan and therefore the site is considered a preferred location for the development of new waste recycling facilities under WCS Policy WCS7 and the priority given in the NPPW to the development of new waste facilities on previously developed land.
- 202. The environmental effects of the development have been assessed against WCS Policy WCS13, the saved environmental protection policies within chapter 3 of the WLP and the relevant policies of the GLP and Calverton Neighbourhood Plan. Specific consideration has been given to traffic and access, landscape and visual effects, noise, odour, dust, mud, litter, vermin, lighting, flood risk and surface water, ground contamination, and ecology where it is concluded that there would not be any significant harmful effects to the environment. Emissions to the environment would be strictly managed at the site with appropriate regulation provided by the recommended planning conditions set out in appendix 1 and through the Environmental Permit.
- 203. It is therefore concluded that the plastics recycling facility represents sustainable development compliant with national and local waste management policy, is sited in an appropriate location and would not result in any significant adverse environment effects and therefore is compatible with the surrounding residential and commercial uses.

#### **Statement of Positive and Proactive Engagement**

204. In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by entering into pre-application correspondence; assessing the proposals against relevant Development Plan policies; all material considerations; consultation responses and any valid representations that may have been received. This approach has been in accordance with the requirement set out in the National Planning Policy Framework. The applicant has been given advance sight of the draft planning conditions.

#### **RECOMMENDATIONS**

205. It is RECOMMENDED that planning permission be granted subject to the conditions set out in Appendix 1. Members need to consider the issues set out in the report and resolve accordingly.

#### **ADRIAN SMITH**

#### **Corporate Director – Place**

# Constitutional Comments [RHC 04/04/2022]

Planning & Rights of Way Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

# Financial Comments (SES 22/03/2022)

There are no specific financial implications arising directly from this report.

# **Background Papers Available for Inspection**

The application file is available for public inspection by virtue of the Local Government (Access to Information) Act 1985 and you can view them at: www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=F/4351

# Electoral Division(s) and Member(s) Affected

Calverton Councillor Boyd Elliott

Report Author/Case Officer
Mike Hankin
0115 9932582
For any enquiries about this report, please contact the report author.

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