



17th June 2014

Agenda Item:6

**REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND
CORPORATE SERVICES**

BASSETLAW DISTRICT REF. NO.: 1/14/00037/CDM

PROPOSAL: DEVELOPMENT AND OPERATION OF A RECYCLATES BULKING AND WASTE TRANSFER STATION WITH ASSOCIATED INFRASTRUCTURE INCLUDING EXTERNAL RECYCLATES BAYS, WEIGHBRIDGES, INTERNAL ROADS, WEIGHBRIDGE CABIN, WELFARE FACILITIES, PARKING AREAS, WASH BAY, SPRINKLER TANK AND ASSOCIATED PUMP HOUSE. SITE ACCESS IMPROVEMENTS, LANDSCAPING AND ANCILLARY INFRASTRUCTURE INCLUDING THE DEMOLITION OF THE EXISTING BUILDING ONSITE.

LOCATION: DUKERIES HOUSE, CLAYLANDS AVENUE, WORKSOP

APPLICANT: VEOLIA ES (NOTTINGHAMSHIRE) LTD

Purpose of Report

1. To consider a planning application for the construction and operation of a Waste Transfer Station (WTS) for the receiving, bulking and onward transportation of municipal waste and commercial and industrial waste sourced from local households and businesses, at the plot known as 'Dukeries House', Claylands Avenue, Worksop. The key issues relate to the suitability of the location for a WTS, the adequacy of the local highway network to accommodate associated HGV movements, impacts on ground contamination and groundwater and amenity impacts on local businesses and residents. The recommendation is to grant planning permission, subject to the conditions set out in Appendix 1.

The Site and Surroundings

2. Dukeries/Claylands Industrial Estate is situated on the north-west side of Worksop and is a base for a variety of distribution units, vehicle repairers, trade counters and large and small manufacturers, notably including the Premier Foods site. The estate is served by Claylands Avenue which runs east-west from its junction with Gateford Road to the Shireoaks junction on the A57.

3. The proposed development site is located towards the western end of Claylands Avenue, on its southern side, and near to the roundabout junction with the A57. A vacant workshop/office previously known as 'Dukeries House' is the sole building on site. The site location can be seen on the accompanying plan 1.
4. The general locality is characterised by the industrial estate, the A57 bypass to the west and open fields to the north. The residential areas of Gateford and Worksop lie to the north and east of the estate. The Lincoln-Sheffield Railway line runs southeast-northwest, to the south. To the west of the A57 is a small business park and the settlement of Shireoaks.
5. In terms of its immediate surroundings, directly behind (south) the application site is a substantial, modern but vacant, distribution unit, known as the Arrow site which has a car park and car access to the west of the site. A micro wind turbine is also present in this adjacent car park. Further west, between this car park and the A57 is a small group of residential properties and linked businesses, including a metal fabricator, at Tranker Lane. The neighbouring plot to the east is occupied by a building supplies company, with other businesses beyond. The north side of Claylands Avenue is largely undeveloped and in agricultural use, but there is a large commercial vehicle distributor (Scania) to the north-east and a small wooded area directly opposite the application site.
6. The site itself covers some 0.8 hectares, is rectangular in form and largely of level ground and comprises mainly open amenity grass, which is currently unmanaged, surrounding a small vacant business unit, formerly used as a civil engineering workshop/office. This unit known as 'Dukeries House' was built around the 1980s and is a two-storey brick and metal clad building. There is an existing gateway and access drive from Claylands Avenue and an area of parking. Perimeter fencing comprises steel palisades to the front and chain link fencing along the east and west. An earth bund is formed along the rear (south) boundary with the Arrow distribution unit. A couple of trees are alongside the eastern boundary.

Proposed Development

Background context

7. The proposed development has been put forward by Veolia ES (Nottinghamshire) Ltd and would, if built, form part of a network of County-wide WTSs and other waste management infrastructure which are contracted under the waste Private Finance Initiative (PFI) contract the County Council holds with the applicant. As part of this long-term contract there is the requirement for a WTS serving the Bassetlaw area in order to bulk collected wastes for onward recycling, energy recovery or disposal at more distant locations.
8. Previously, in 2012, the Waste Planning Authority granted the applicant planning permission for a WTS at a site off Shireoaks Road, Worksop, near to the existing Household Waste Recycling Centre (HWRC). However, the

applicant advises that this scheme is no longer deliverable, due to the failure to agree availability of the site with the landowner Nottinghamshire Recycling Ltd (NRL) (NRL has recently entered into administration.) and due to further access complications. The current application site has therefore been identified as an alternative location for this facility.

Summary description of built elements

9. The application seeks to construct and operate a WTS at the 'Dukeries House' site. The existing building would be demolished and a new steel portal-framed building would be constructed, together with vehicular manoeuvring yard and ancillary plant. An enlarged access is also proposed.
10. The proposed site layout and the proposed elevations can be seen in Plan 2 and Plan 3 appended to the report. In brief the built elements of the proposed development consist of:
 - A main WTS building of some 2,666sqm and measuring 38 metres by 66 metres, with a height to eaves of 11 metres and a maximum ridge height of 13 metres, sited on the eastern side of the plot, with three vehicle access doors facing west into the yard.
 - A vehicle manoeuvring and general service yard, covering the western and northern part of the site, including parking for five HGVs and seven staff cars.
 - Ancillary development including:-
 - Entrance/exit weighbridges and office/kiosk.
 - A sprinkler tank and pump house.
 - A vehicle wash bay.
 - Bunded fuel tanks.
 - External recyclates storage bays and a bay for road sweepings.

The proposed development also includes:

- An enlarged access onto Claylands Avenue.
- Foul and surface water drainage systems.
- Replacement fencing, gates and boundary landscaping.
- External pole and building-mounted lighting.
- The demolition of the existing building.

Proposed operations

11. The WTS consists of an enclosed facility in which different waste streams can be delivered and tipped, before the waste is bulked up onto larger vehicles for onward transportation to a recycling/reprocessing facility or to an appropriate final disposal site. Typically this would entail local authority refuse collection vehicles and vehicles carrying various skips delivering to the site, and 'bulker'

HGVs then leaving. Incoming vehicles would first be weighed at the proposed weigh bridge/office, before reversing into the WTS building. Waste would be tipped into holding areas, before it is loaded onto larger bulk carriers for onward transfer. The building would have the capacity to store around three days equivalent of collected waste, though it is intended that waste materials would only be stored for a short time, before being exported. Between 14 and 24 bulker vehicles would leave the site on a typical day, these would be directed to the A57.

12. Waste materials would be contained within the WTS building with the exception of some inert recyclable wastes, notably glass, which would be tipped into outside recycling bays at the rear of the yard area. Such outside activities would typically take place between 0900 and 1500 hrs. An outside bay for street sweepings is also planned adjacent to the southern end of the proposed WTS building. Various items of mobile plant would be used on site including a 360° loader and shovel loader, however there would be no processing or sorting equipment.
13. In total the WTS would accept a maximum of 65,000 tonnes of waste per year, comprising of mainly kerbside collected waste from the Bassetlaw area, both in terms of residual and dry recyclables. The recyclables could arrive either mixed or in separated form, comprising typically paper, card, glass, cans, textiles and plastics. Also in the mix would be residual waste collected from local HWRCs, local authority street sweepings and also up to 10,000 tonnes per year of commercial and industrial waste. The applicant also wishes the WTS to potentially accept green waste, either from the HWRCs or from any future kerbside collection arrangements in Bassetlaw, although there are no current plans to accept this material. The indicative split between sources of materials (minus any potential green waste) and subsequent export and the expected levels of vehicle trips is set out in the tables below.

Table 1: Waste inputs

	Tonnes per annum	Vehicle loads per day
Kerbside collected residual waste (e.g Bassetlaw green bin)	35,337	20
Kerbside collected dry recyclables (e.g Bassetlaw blue bin)	7,709	4
Residual waste from local Household Waste Recycling Centres	7,094	5
Street sweepings from the local authority	1,950	4
Commercial and industrial waste	10,000	13
Sub-total	62,090	46

Table 2: Waste outputs

	Tonnes per annum	Vehicle loads per day
Residual wastes (Green bin+ HWRC residual + C+I waste)	52,431	14-24
Kerbside collected dry recyclables (Bassetlaw blue bin)	7,709	2
Street sweepings	1,950	1
Sub-total	62,090	17-27

14. In total the proposed development would generate up to 73 HGV trips or 146 two-way movements per normal working day. Peak hours would be between 10.00 and 15.00hrs when collection vehicles would be returning from their rounds. At least three full-time positions would be directly created on-site, whilst supporting associated driving positions on bulker vehicles.
15. The application proposes operating hours of between 06.00 to 22.00hrs Monday to Friday and between 07.00hrs to 19.00hrs Saturdays and Sundays. Such hours would provide operator flexibility, however the applicant advises that typical working hours would be between 06.00 to 17.00hrs Monday to Friday and 07.00 to 13.00hrs Saturdays/Sundays.

Detailed description of WTS elements

- The WTS building

16. The main building would consist of a steel-framed hall, sited on a concrete floor base, providing 2,666sqm of floor space and would measure some 38 metres on its north and south sides by 66 metres on the west and east sides. Approximately one-third of site would be taken up by the building, which is proposed to be set back from the road frontage. The walls would consist of a lower course of fair faced concrete (circa 3 metres high), above which would be vertical steel cladding finished in 'Moorland Green' up to the eaves height of 11 metres and up to the top ridge heights of 13 metres on the north and south gable ends. A shallow pitched roof would be clad in 'Goosewing Grey' and would have rows of translucent rooflights. Various fascias, soffits, guttering and doors would be finished in a contrasting 'Heritage Green'.
17. Access into the building from the external yard would be via three vehicular openings on the west elevation and these would comprise of automatic fast action roller shutter doors operated by sensor. Separate pedestrian doors would be provided adjacent to these main doors.
18. Internally a series of concrete push walls and bays would be created to aid the stockpiling and segregation of waste streams.

- *External elements*

19. Outside, the majority of the site would be completed as a concrete hardstanding and manoeuvring yard. Within the yard would be a pair of weighbridges with a small site office/staff mess facility between them. This building would be a two-storey unit finished in 'Moorland Green' cladding on a brick base and would have external access steps. Vehicles would receive instructions and paperwork processed from this office.
20. To the front of the site an area of HGV parking would allow for overnight HGV parking and also provide additional holding areas during the day. Parking is also provided for 7 staff cars and a motorcycle.
21. Adjacent to the parking area would be sited a bunded area for fuel tanks which would be used to refuel the applicant's HGV fleet and mobile plant.
22. Between the fuel tanks and the building would be a vehicle wash bay with a 3.5m high screen, finished in 'Moorland Green'. Drainage would be provided. A small plant room would also be built.
23. In the southern part of the yard would be an area of external storage bays for certain recyclables such as glass and for street sweepings. These would be formed by pre-cast concrete blocks and would be connected to the on-site drainage system.
24. To the rear (south) of the WTS building would be sited a large water sprinkler tank, 10 metres high, finished in galvanised steel and its associated pump house, which would be a Glass Reinforced Plastic (GRP) kiosk, finished in 'Moorland Green', together providing a fire-retardation system.
25. A system of foul and surface water drainage is proposed on site within the concrete yard area. Foul water would be drained from the external storage bays, via a silt trap and join any runoff from a collection channel at the entrance to the WTS building. Foul water from the vehicle wash bay (with a silt trap) and from the welfare office would also join this network before the combined flow is directed to an existing foul sewer in Claylands Avenue. General surface water drained from within the yard, parking areas and from the roof would be directed through a buried interceptor and into an attenuation tank, before discharge into a street sewer.
26. External lighting is proposed to illuminate all outside working areas. These would be mounted on three 8m high poles at the front of the site and along the northern and western building elevations.
27. The existing access junction onto Claylands Avenue is proposed to be widened to provide adequate turning and visibility.
28. Revised plans have been provided to replace the existing chain link fencing with steel palisade fencing, as per at the front. Adjustments to this fence and the provision of new gates would be made at the front.

Consultations

29. **Bassetlaw District Council – Objection raised on the following grounds:**

A lack of available information regarding the Environment Agency permitting regime and what matters this would control.

The hours of operation are too lengthy, offering no respite to existing or future residents.

The true ecological impact upon the prospective Special Protection Area (pSPA) and other sensitive nature conservation sites is unknown.

A minimum number of jobs (three FTE) would be created compared to other potential employment occupiers of the site.

The large number of vehicle movements and the impacts upon the local highway network and lack of on-site parking.

Insufficient information relating to how vermin would be controlled and how contaminated waste would be dealt with.

Negative visual impact on the built environment.

The detraction to future employment and residential developments in the immediacy, as proposed in the Bassetlaw Site Allocations Document and the potential loss of existing businesses if dust, odour and noise cannot be adequately controlled

Negative impact on residential amenity of both existing and future residents and businesses.

30. **Bassetlaw District Council (Environmental Health Manager) – No objection**

The Principal Environmental Health Manager does not wish to make any comments with regards to matters of air quality; extraction/ventilation; lighting; pollution prevention/control; contaminated land; food hygiene or health and safety. The noise report by Noise and Vibration Consultants Ltd has been reviewed and no comments are made at this stage.

31. **Shireoaks Parish Council – Object**

The Parish Council wishes to raise a strong objection to the proposed development.

The site is considered unsuitable for a WTS and is too close to existing and proposed housing and employment land. The impact of rubbish, vermin and smells emitted would be detrimental to the health of the local community.

The traffic which would be generated by both the WTS and other proposed developments would be detrimental and cannot be accommodated. Roads around Shireoaks are noted to be in a poor state of maintenance and

increased heavy goods traffic through the village will make these worse. Congestion is experienced in the village when the railway crossing gates are down.

A similar facility in the locality has caught fire around six or more times over the last six months, creating a health and environmental hazard. Concern is raised that another facility could suffer similar instances, with impacts on nearby residents. Such fire instances can also lead to road closures, which could necessitate the A57 being closed.

The development of a WTS would not be conducive to local efforts to promote tourism and recreation in the area, such as along the Chesterfield Canal.

32. Rhodesia Parish Council –Object

Concern is raised over the increase in traffic and HGVs in particular, resulting from the proposed development. It is also noted that planning applications for new housing have been submitted to Bassetlaw District Council on sites near to the proposed WTS, which could lead to an increase in local traffic.

Local businesses in the area would be affected as they have been near to the existing WTS on Sandy Lane. Recent fires [at the NRL site] have led to local road closures.

33. Environment Agency – No objection

The planning application and its Site Investigation Report has been reviewed from the perspective of controlled water protection.

The site overlies the Edlington Mudstone and Edlington Mudstone and Sandstone which are classified as secondary B and A aquifers respectively. The site is also partially underlain by a principal aquifer associated with the Lenton Sandstone. The site also lies within a Source Protection Zone II.

Previous uses of the site included vehicle maintenance and repair. Fuel related contamination has been identified in the shallow ground water beneath the site and further additional site investigation has been identified and which is deemed satisfactory by the Agency. There is therefore no objection, subject to a condition requiring the additional work to be undertaken including a detailed risk assessment and remediation strategy so to protect the underlying secondary and principal aquifer from contamination associated with the site's former uses.

The WTS would also require an Environmental Permit in order to operate.

34. NCC (Highways) Bassetlaw – No objection

The Highways Authority is satisfied that the traffic which would be generated by the proposed development would not be particularly significant to warrant further transport assessments or junction improvements to the A57 as it would generate less than the 30 two-way peak hour vehicle trips DfT threshold.

The submitted transport statement suggests that the junctions on the A57 operate within capacity. However the Bassetlaw Transport Study has identified potential congestion on the A57 between Sandy Lane and Claylands Avenue and north of Gateford Road from the year 2026, taking into account the planned local growth. In response junction improvement schemes are proposed including at the A57/Claylands Avenue roundabout.

A lorry routeing agreement, along with suitable signage is recommended, so that with the exception of local trips within Worksop, all HGVs would be routed to and from the A57.

In order to cater for the size of the lorries accessing the site it is proposed to increase the size of the site access. Due to the high proportion of HGVs and the industrial nature of Claylands Avenue, an enlarged visibility splay of 2.4m x 47m is requested.

Question was raised regarding the submitted vehicle swept path tracking exercise which indicated a conflict with opposing traffic for HGVs turning into and out of the site. This exercise has subsequently been re-modelled and the Highways Authority are content with the junction design and improved visibility splay.

Conditions are recommended to cover wheel washing facilities, a traffic management plan, and the delivery of the improved access.

35. NCC (Noise Engineer) - No objection

Satisfied that the applicant has adequately considered the noise impact of the proposed development on nearby receptors, there is therefore no objection subject to the inclusion of suggested conditions.

Noise impact has been predicted at three nearby receptors involving baseline noise recording at these locations and in procedural accordance with BS4142:1997- Method for rating industrial noise affecting mixed residential and industrial areas.

Potential noises associated with the proposed development include; HGV movements in the yard; HGV door slamming; reversing alarms; and glass tipping. The noise impacts have been assessed as being of less than marginal significance to the receptors. Further clarification has been sought on the predicted noise from the vehicle wash bay, on site mobile plant, the type of building cladding and on operational matters.

An assessment of the cumulative impact of WTS operations and HGV movements has been assessed as being neutral to negligible and subjectively barely perceptible.

A further assessment of predicted LAmax noise levels has also been compared with LAmax levels recorded at each receptor. The calculated levels are predicted to remain significantly below those already experienced at the receptor properties and below ambient noise levels generally and therefore are not considered to be significant.

An assessment has been made relating to the construction noise impact. Predicted noise levels at receptors would be below existing noise levels and therefore are considered not to be significant.

The impact of increased road traffic noise on the local road network is assessed as 'neutral'.

With regards to the potential mixed housing/employment development north of Claylands Avenue [currently subject to an outline planning application and separate consultation for a proposed land use allocation], it is considered unlikely that the proposed WTS development would generate any justifiable noise complaints. Noise levels at the nearest properties can be estimated at 40 dBL_{Aeq}, 1hr, which compares to the lowest average daytime background (L90) noise level of 53dB LA_{90,t}. (as presented in the noise assessment supporting the outline application to Bassetlaw District Council).

36. NCC (Reclamation) - No objection

The Phase 1 Data Review and Land Contamination Assessment and Phase 2 Intrusive Site Investigation Reports supplied by the applicant provide a comprehensive appraisal of the site's development history, assessing potential contamination impacts, present site conditions and developing a site risk assessment and conceptual site model.

The conceptual site model identified a series of potential risks to both site workers, future site users and the wider environment. A Phase 2 Investigation was able to disprove a number of potential contaminant sources and recommend implementation of mitigation measures to deal with those proven. There remain however, identified issues related to Polycyclic Aromatic Hydrocarbons (PAH) and PAH contamination in shallow groundwater beneath the site, believed to be a legacy of prior development.

The applicant has proposed further investigation, groundwater monitoring and modelling to specifically address the existing and potential groundwater impact from this proven contaminant source. There is therefore no objection to the proposed development providing conditions are made to secure additional intrusive ground investigations, groundwater monitoring, and revised risk assessments and a remediation/mitigation scheme as recommended by the Environment Agency.

37. NCC (Planning Policy) - No objection

The proposal is supported in policy terms against national and local policy considerations. This is subject to satisfactory environmental and amenity impacts in line with Policy WCS13 of the Waste Core Strategy (WCS) and the saved policies of the Waste Local Plan (WLP).

The applicant's Planning Supporting Statement is considered to be a comprehensive review of the relevant policy context.

Sustainable development is the main driver of the National Planning Policy Framework (NPPF), whereby proposals that accord with the development plan should be approved without delay or where policy is absent, silent or out-of-date, permission should be granted subject to the policies in the NPPF and adverse impacts not outweighing the benefits.

Planning Policy Statement 10 (PPS10) and the National Waste Management Strategy include the concept of the waste hierarchy. The proposed development would aid in moving waste up this hierarchy.

Local waste policy is contained in the WLP and WCS.

Policy WCS3 seeks to provide sufficient waste management capacity for the County and aims to achieve a 70% recycling rate by 2025. Although not a recycling operation in itself, the proposed development is considered as an important element in the delivery of a sustainable network of waste management facilities around the County, through facilitating the recycling of both municipal solid and commercial and industrial waste collected in Bassetlaw.

An important consideration in terms of WCS policy is establishing the 'size' of the facility. Under the criteria set out in Appendix 2 of the WCS, the proposed WTS would be classed as a 'large facility' judged by its capacity but as a 'medium' facility by its area. As a medium sized facility, Policy WCS4 would lend support to the proposal in the built up area of Worksop, but as a large facility it would not be supported. It is however made clear in the supporting text that the sizes are indicative and should not be treated as absolute. The policies in the plan should also be read as a whole.

General site criteria policy is set out in Policy WCS7 which supports WTSs on employment land. It is evident that the site and its surroundings can be classed as employment land.

Further support for the proposal is gained in terms of sustainable transport and Policy WCS11. Although the proposal includes no use of alternative modes of transport than by road, part of the purpose of the WTS is to minimise the amount of journeys undertaken in managing waste as a whole. Although not directly reducing distances, the proposal would reduce the net distance travelled through the reduction in overall movements i.e by the bulking of materials. This also minimises emissions with climate change implications.

These supporting policies in combination are considered a more important factor than debating the indicative site sizes in Policy WCS4. The suitability of the location in terms of its role in delivering the movement of waste up the hierarchy is of prime importance. The principle of the development is therefore supported.

In addition to assessing the principle of the development, the environmental and amenity impacts are equally important and should be assessed against Policy WCS13. The design of the proposed development should also be of a high standard in accordance with Policy WCS15.

38. **NCC (Nature Conservation) – No objection**

The application is supported by an up-to-date Ecological Survey which finds that the proposed development site is of low nature conservation value, comprising common and widespread habitats and there is no evidence of protected species (including, no evidence of bats within the existing building). The proposed development would not affect any designated nature conservation sites in the locality.

The site lies within the 5km buffer zone around the 'prospective' Sherwood Special Protection Area (SPA). However, it would appear that the number of HGV movements which would arise would not give rise to a significant increase in traffic emissions which could potentially impact on such sensitive sites. Specifically the Design Manual for Road and Bridges identifies an 'affected road' (where it lies within 200 metres of a European site) as one where, amongst other things, the HGV (HDV) flows will change by 200 AADT (Average Annual Daily Traffic) or more. In this case, the proposals will give rise to up to 146 two-way movements of which 89% will route along the A57 (which runs within 150m of part of the 'Indicative Core Area' upon which any future SPA designation is likely to be based).

It is recommended that a landscaping plan should be produced to deliver native tree/shrub planting and wildflower grassland, so as to maximise the biodiversity value of the site. Suitable locations for bird boxes are also identified.

Conditions are recommended relating to resurveying for bats should any development be delayed and that any vegetation clearance is undertaken outside of the bird breeding season.

39. **NCC (Landscape) – No objection**

The site lies within an established industrial park and there is no objection to the proposed development on landscape or visual impact grounds. It is however unclear whether landscaping is proposed along the site frontage to Claylands Avenue. Planting should be included along this boundary to screen the proposed development.

The plans appear to show all surface water being directed into the piped system in the road. There is potential to include detention/infiltration basins which would have some biodiversity benefits to offset the loss of grassland.

40. **Severn Trent Water Limited, Western Power Distribution, National Grid (Gas) and Anglian Water Services Limited** have not responded. Any response received will be orally reported.

Publicity

41. The application has been publicised by means of seven site notices, a press notice in the Worksop Guardian and nine neighbour notification letters sent to the nearest commercial and residential occupiers in accordance with the

County Council's adopted Statement of Community Involvement. The neighbouring Parish Councils at Shireoaks and Rhodesia have also been consulted.

Four representations objecting to the proposed development have been received.

- (a) A Ward Member for Bassetlaw District Council objects to the proposed siting of a WTS on the application site.

The Member notes that the industrial estate is a recognised employment site and the siting of a WTS would not be conducive to future employment development and established businesses on Claylands Avenue would be blighted. Alternative sites should be considered such as former colliery sites- Welbeck or Bevercotes for example.

Concern is raised that increased traffic, which would be generated by the proposed development, would be near to a new housing development planned for the area. Concern is also raised that the current poor air quality would be exacerbated causing problems for local residents.

The member notes that there is already one WTS off Sandy Lane which could, if run correctly, satisfy the needs of Bassetlaw.

- (b) A letter of objection has been received from a Worksop resident. It states that the proposed site is totally wrong for this type of development and that the town is becoming the waste capital of the North.

Concern is raised over the range of waste materials/streams which would be accepted through the proposed facility, which would go beyond dry recyclables to include household and HWRC residual waste, commercial and industrial waste and street sweepings.

More detail regarding the geographic sources of waste is sought and whether it would just originate from Bassetlaw or from further afield. A question is also raised about the composition of commercial and industrial waste and also whether this would include clinical waste.

Consideration should be given to the risk of smells, odour, vermin, dust and increased lorry movements, with a possible impact on the nearby Premier Foods site in terms of food hygiene. Consideration should also be given to local wildlife and habitats such as at the Chesterfield Canal, Tranker Woods and High Ground Woods. Consideration should be given to local residents within 200m of the site.

The proposed development would directly conflict with the District Council's Site Allocations [preferred options consultation] Plan for the area.

- (c) A letter of objection has been received from an agent acting on behalf of a landowner promoting the land to the north of the site as part of the

emerging Bassetlaw District Council Site Allocations Local Plan document.

It states that significant weight should be given to the views of adjoining landowners and to Bassetlaw District Council's emerging Site Allocations Policy Document. Notes that the Site Allocations 'Preferred Options' was published for public consultation during the course of the planning application, setting out the District Council's preferred sites for potential housing and employment growth for the next 14 years.

Attention is drawn to the site MU2 (Mixed Use Site 2- "Gateford Common") under the ownership of the client objector and which is identified for residential and office development. [A planning application has now been submitted.] The District Council wishes to promote the area for high quality and prestigious office development. It is considered that the siting and operation of a WTS is inconsistent with these aspirations for the area and would limit its attractiveness (and that of the future office development) to potential new high tech/office occupiers.

In terms of waste policy, question is raised as to whether the proposed facility should be classed as a 'large' or 'medium' sized facility. The proposed 65,000 tonnes per annum of waste throughput appears to identify that the proposed facility should fall under the 'large' classification, in which case such a facility is not identified for Worksop in the Waste Core Strategy.

The site selection procedure has not been sufficiently robust to justify the proposed location. There is a lack of clarity and reason for dismissing the previously consented site at Nottinghamshire Recycling Ltd (Shireoaks Road) and which is obviously more appropriate for the development.

Concern is raised that, despite controls on waste containment (within and outside the proposed building), that household waste will escape into the surrounding area on the prevailing wind.

The proposed development would generate insignificant employment (three full time positions) and is not remote from residential properties.

Concern is also raised that the application cannot be objectively considered by the Authority due to the 'inherent connection' between the applicant (Veolia) and the County Council, by means of the long term waste contract in place between the two.

- (d) An objection from a resident of Shireoaks has been received which comments that the site is inappropriate for the type of use. Whilst it is on an industrial estate, the type of industry is clean and the planned use may potentially lead to businesses moving away. This would potentially outweigh the three new jobs which would be created by the proposed development.

Given the residential developments planned locally, it is questioned as to who would want to purchase a home in close proximity to a WTS given

the planned hours of operation and the relevant problems associated with these types of facilities and potential impacts on health and wellbeing.

It is questioned who would monitor the facility to ensure it is operating correctly.

It is argued that it would seem that Worksop is programmed to receive the waste despite many other possible locations within the County and anger is expressed that Worksop shouldn't have to take waste the rest doesn't want.

- 42. The Local Member, Councillor Sybil Fielding, has been notified of the application.
- 43. The issues raised are considered in the Observations Section of this report.

Observations

Background to local waste management and rationale for the development

- 44. This application proposes the construction and operation of a Waste Transfer Station (WTS) to deal with residential and a certain amount of commercial and industrial wastes arising from the Bassetlaw area, so that such waste can be bulked up for transportation to more distant final locations, whether that being for recycling, energy recovery or landfill. The WTS would form part of a network of such sites across the County, which are being developed by the applicant as part of the Waste PFI contract held with the County Council.
- 45. This application for a WTS is made as an alternative development to that previously permitted at a site on Shireoaks Road on part of the Nottinghamshire Recycling Ltd (NRL) landholding. Members will be aware the adjoining waste management facility, until recently operated by NRL has suffered several fires in recent months. Notwithstanding the fact that Veolia ES (Nottinghamshire) Ltd have a valid permission for a WTS on part of NRL's landholding, the applicant explains that agreement could not be reached over the clearing of waste material from the development site and that there is a need to deliver the WTS infrastructure in a timely manner. The shared access arrangements were also deemed to be less than ideal.
- 46. Bassetlaw District Council as the Waste Collection Authority (WCA) currently operates a twin bin system for households, one for mixed recyclable materials (blue bin) and one for any residual waste (usually green bin), collected on an alternating basis each week. The contents of the blue bin are sent to the Mansfield Materials Recovery Facility (MRF) also forming part of the contracted facilities. The District currently recycles or composts 22% of municipal household waste.
- 47. Whilst currently a significant volume of residual waste from Bassetlaw is sent to landfill locally, such as at Daneshill, in the future it is envisaged that, alongside greater portions of recycling and composting, future residual waste will have to be taken further afield from the District for disposal. In particular

the applicant and the County Council as the Waste Disposal Authority envisage transporting waste to an energy from waste facility in Sheffield as part of the Draft Revised Project Plan resulting from the refusal of planning permission for the Rufford Energy Recovery Facility scheme. The establishment of a WTS would therefore aid in transporting this waste to that particular facility, but also to other destinations such as other landfill sites, or reprocessors. The WTS would also deal with the stream of recyclable waste, with materials continuing to be transported in bulk form to the Mansfield MRF.

Principle of the development against waste policy

48. The proposed WTS is made in the context of increasingly tighter European, national and local legislative and policy moves to reduce the amount of biodegradable wastes sent to landfill and to increase the levels of waste recycling. A number of developments and changes to waste operations are therefore being delivered locally through the waste contract and in partnership with District, Borough and City Councils.
49. Planning policy at a national level is contained within the National Planning Policy Framework (NPPF) and for waste, within Planning Policy Statement 10 (PPS10) (Planning for Sustainable Waste Management).
50. PPS10 seeks to deliver sustainable waste management through driving waste up the waste hierarchy, whereby waste is disposed of as a last option and is instead treated as a resource, thereby supporting National and European targets and legal obligations. Another key objective is that the recovery or disposal of waste should not harm human health or the environment and to enable the disposal in one of the nearest appropriate facilities.
51. The NPPF seeks to enable a planning system which delivers sustainable development, in terms of an economic, social and environmental function. The 'presumption in favour of sustainable development' directs that development proposals which accord with the development plan should be approved without delay, unless specific policies in the NPPF indicate otherwise. The framework also seeks to support sustainable economic development and the provision of infrastructure to support new business and homes, and support the nation's transition to a low carbon future by reusing resources and previously developed land. Both PPS10 and the NPPF are material considerations to the determination of the application.
52. The relevant Development Plan consists of the newly adopted Nottinghamshire and Nottingham Replacement Waste Local Plan- Part 1: The Waste Core Strategy (WCS) which sets out the locally strategic policies guiding waste development and the saved policies of the Nottinghamshire and Nottingham Waste Local Plan (WLP) covering environmental impacts.
53. The WCS has a 'headline' target for the County that by 2025 70% of all waste (or the equivalent amount produced in the County) will be recycled or composted. This is set out in Policy WCS3 (Future Waste Management Provision). In order to cater for the envisaged waste and to work towards this target, new facilities are needed to be delivered in line with the waste

hierarchy enshrined in legislation and broadly repeated under this policy. Priority is given to new recycling, composting or Anaerobic Digestion facilities, over the development of energy from waste solutions, which are both prioritised over traditional disposal.

54. The proposed WTS does not fall under this policy, as it would act as an intermediate transfer facility, which would feed a mix of final disposal destinations and whilst the facility would not involve a sorting operation, different waste streams would be segregated, thereby enabling recyclable materials to be bulked up for efficient transfer to the Mansfield MRF.
55. Policy WCS4 (Broad locations for waste treatment facilities) seeks to promote a pattern of development of such facilities across the County in terms of their scale and size and with the help of Appendix 2, Table 8 (Indicative size of waste treatment facilities), defines small, medium and large facilities.
56. Under Policy WCS4, smaller and medium sized waste facilities are supported in or close to the built up areas of Nottingham, Mansfield/Ashfield, Newark, Retford and Worksop. However large scale facilities are only supported in or close to the built up areas of Nottingham and/or Mansfield/Ashfield, thereby directing appropriately sized facilities to deal with locally produced waste.
57. The size and form of the proposed WTS has been designed to deal with Bassetlaw's household waste arisings, but also seeks to handle a portion of commercial and industrial (C&I) waste collected from private contracts the applicant has with businesses. The WTS would handle up to 65,000 tonnes per annum (tpa) of waste, of which up to 10,000 tpa could be C&I waste. These levels are considered to be maximum and optimistic.
58. Appendix 2 of the WCS identifies 'large' transfer stations as ones with a capacity of 50,000 tpa or greater or one with an area between 1 and 1.5 hectares. 'Medium' sized transfer stations are classed as those with a capacity between 11,000 and 49,000 tpa or with an area range between 0.51 and 0.9 hectares.
59. Taking these 'indicative' thresholds in Appendix 2, the proposed WTS would at 65,000 tpa fall as a 'large' facility by capacity/throughput, but as a 'medium' sized facility by its area of 0.8 hectares. As a 'large' facility there would be no explicit policy support from WCS4 for such a sized facility in Worksop, however a 'medium' sized facility would be supported.
60. In assessing the application against WCS4, whilst the appendix 2 thresholds are indicative, it is apparent that the proposed WTS can be considered as a 'large' facility by its proposed capacity. The policy does not explicitly restrict such large facilities in Worksop, but it is acknowledged that the spirit of the policy is to direct such facilities to larger and denser populated areas with a concentration of employment land and good transport links.
61. The applicant states that in selecting the Worksop location, alternatives have been looked at in Retford, Harworth, and Steetley, however Worksop was favoured as it is the main source of waste arisings in the Bassetlaw area. A thorough review of employment sites was undertaken with assistance from the

District Council's regeneration team. There is a stated need for further waste management infrastructure in the area in order to support future growth and particularly to deal with waste in a more sustainable manner, by facilitating the bulk transport of materials to final destinations.

62. Representations contending that Worksop is becoming a focus for waste type development in the County are noted, however the application is a substitute development for the WTS approved at the Shireoaks Road site and other possible developments in the town by other operators would be subject to planning assessments on their own merits. The proposed WTS is sized to deal with Bassetlaw's domestic waste arisings (plus an element of C&I waste) and is therefore a local facility dealing with mainly local waste. From a sustainability viewpoint there is merit in siting a facility designed principally to accept waste generated within Bassetlaw within the centre which is the main source of arisings within the district.
63. Whilst limited policy conflict with WCS4 is identified, the individual policies in the WCS should not be read in isolation and the merits of the site location should be assessed.
64. In finding a suitable site for the proposed WTS, the application has been guided and should be assessed against Policy WCS7 (General Site Criteria), which directs different types of waste development to certain land characteristics. WTSs are identified as being suitable for development on employment land, and derelict and other previously developed land. The supporting text states that such facilities will need good road access and are well suited to industrial estates and business parks, especially alongside other storage and distribution uses.
65. Further principal support is gained from local planning policy at the District level as part of the Bassetlaw Core Strategy and Development Management Policies Development Plan Document which identifies the industrial estate as within the Worksop urban area, which is a sub-regional centre and is expected to cater for 45% of the District's future employment land provision.
66. Policy DM7 (Securing Economic Development) states that all existing, or vacant former, employment sites will be protected for economic development purposes and sets out how non-economic uses of such sites would be assessed. Although not specifically identified for waste developments, it is considered that waste developments such as the proposed WTS make an increasingly important contribution to local economic sustainability, therefore the principle of a sui generis waste use on employment land is considered to accord with Policy DM7.
67. Objection from Bassetlaw District Council on the basis that minimal employment would be generated is noted, however the objection does not reference any observed departure from Policy DM7 and in the report to the District Planning Committee, the officer states that the re-use of a former employment site for other employment uses (as this is) is acceptable under this policy. Because of this land use compliance there is therefore no mechanism to direct or favour certain more employment intensive uses to this site and no policy reason for refusing the proposed WTS on this ground.

68. It must also be recognised that the proposed development would also reuse what is a vacant plot (and has been vacant for several years) which currently has only a small building on site, surrounded by amenity grass. The WTS would make more of an effective and efficient use of the site, utilising a greater portion of the plot. The reuse of previous developed land accords with the aims of the NPPF and PPS10.
69. In assessing the suitability of the proposed site, it is evident that the site is an established employment site (albeit currently vacant) within the Claylands Avenue/Dukeries Industrial Estate. Surrounding uses include a substantial speculative distribution centre of some 28,000sqm, to the south, marketed as the 'Arrow', a building materials supplier to the east and a commercial vehicle agent to the north-east. Claylands Avenue is a spine road serving the estate and which joins the A57 Worksop bypass approximately 200m west of the application site and offers good access to destinations beyond the locality. Against Policies WCS7 and DM7 the proposed site is therefore considered a suitable location for a WTS in principle terms, subject to highway/transport, amenity and environmental evaluations.

Highways, Traffic, Access issues

70. The proposed WTS would act as a road-serviced depot for the receiving of waste, before it is bulked up for onward transport. A key characteristic of its operation would therefore be the levels and patterns of HGV traffic entering and leaving the proposed site.
71. The application is accompanied by a 'Transport Statement' which sets out the maximum likely numbers of vehicle arrivals and departures based on the operation of similar sites operated by the applicant and based on the estimated throughput or capacity needed to serve the area. An outline traffic management plan has also been drawn up to direct the majority of waste carrying vehicles via the A57.
72. The operation of the proposed WTS would generate up to 73 HGV trips (146 two-way movements) on a typical weekday. These would comprise up to 46 HGVs (including Waste Collection Authority refuse vehicles) entering the site with various wastes and between 17 and 27 bulker HGVs exiting the site. In addition there would also be some car trips associated with on-site staff and drivers. This is estimated to be for three full time staff and up to five HGV drivers.
73. Objections have been received from Bassetlaw District Council, Shireoaks Parish Council and Rhodesia Parish Council on grounds of traffic impact. With regards to impact on the two Parishes, there is no reason for associated HGVs to enter these settlements with the exception of the usual Local Authority refuse collection vehicles or any private commercial waste collection.
74. Assessment by the local Highways Authority indicates that the traffic which would be generated can be accommodated on the local road network and that further assessments are not required. As the great majority of HGV traffic would utilise the A57, particular focus has been given to the capacity of this

road. The Highways Authority notes that the junctions currently operate within their designed capacity, but are expected to require improvement schemes in the future as the planned local growth is built out.

75. The Highways Authority recommend a mechanism to direct HGVs via the A57, so avoiding the main built up areas in Worksop. The applicant has confirmed in a draft traffic management plan that bulkers and vehicles under their own control will be instructed to access the WTS via the A57. However it is expected that a small number of refuse collection vehicles will approach the site from the east along Claylands Avenue after servicing local residential and commercial areas. This is estimated to be around eight of such vehicles per day or 11% of the total inbound trips. Clearly the site benefits from easy access on to the A57 and this avoids sensitive residential areas or less suitable roads for the type of vehicles. Claylands Avenue itself is a suitably designed spine road on the industrial estate.
76. It is also noted that the typical working arrangements envisaged at the WTS would result in a peak period for deliveries and exports during the middle of the working day, between 10.00 and 15.00hrs, thereby avoiding peak periods on the local road network. Up to 26 two-way movements would occur between 11.00 and 12.00hrs at the busiest period. Only one HGV arrival/departure would be generated during the am and pm peak periods between 08.00-0900hrs and 1700-1800hrs. The three members of staff and up to five drivers (in cars) could be expected to arrive and depart in the peak periods.
77. Policy WCS11 (Sustainable Transport) of the WCS is relevant to the proposed development. It seeks to encourage the use of more sustainable means of transport for waste, however for the WTS operation, it is considered that non-road transportation is not a feasible option, given the multitude of sources and final destinations for waste materials and the need for flexibility in managing waste sustainably. The operation of a WTS would however enable the bulking up of waste materials onto larger bulk carrier vehicles, thereby making best use of the existing transport network and minimising vehicle trips. With or without the operation of such a WTS, it is likely that residual waste in particular would still have to travel greater distances to final treatment or disposal locations in the future. A WTS would therefore aid and mitigate the impact of transporting waste materials, with consequent benefits for vehicle emissions and climate change implications. This would accord with Policy WCS14 (Managing Climate Change).
78. In terms of direct access onto the site, the application proposes to widen the existing access onto Claylands Avenue, providing a turning radii of 10m, which is in accordance with the 6Cs Design Guide and suitable for the types of HGVs which would access the site. Vehicle tracking or modelling has been undertaken on the proposed layout in order to demonstrate that both the junction design and internal manoeuvring areas would provide sufficient room for the types of HGVs envisaged and so that they can safely access and egress the public highway. This modelling exercise has been repeated to clarify and confirm that HGVs would be able to turn left out onto Claylands Avenue and left into the site without swinging out into the opposing traffic lane.

79. At the request of the Highways Officer the visibility splay at the proposed access has been lengthened from 43m by 2.4m to 47m by 2.4m. The resulting design is considered to be acceptable to the Highways Authority and is subject to the recommended condition No. 4.
80. A point of objection from Bassetlaw District Council is that there would be insufficient on-site parking for HGVs which could lead to queuing on the highway. The proposed site layout shows that the location of the weighbridge would be set back from the site entrance allowing for a HGV to wait before being directed into the facility. There is ample provision in the yard area to accommodate waiting HGVs and also there would be five HGV parking bays (with separate provision for seven staff cars) which could be used to hold HGVs if needed.
81. The busiest period is indicated to be likely between 10.00 and 15.00hrs, when up to 13 HGVs per hour would enter and depart (26 two-way movements). The applicant confirms that based on existing recorded turnaround times and contractual requirements, a five minute turnaround for HGVs is more realistic than the 20 minutes previously stated. Therefore a rapid turnaround of vehicles can be expected, thereby avoiding a stacking of vehicles at the site. Local Authority refuse vehicles (of which there are eight) would be unlikely to arrive from their collection rounds at the same time, but even if they did the site would be capable of accommodating the whole fleet. Other vehicles such as those under the control of the applicant servicing local HWRCs would be timed to arrive during off-peak periods. It has therefore been assessed that the WTS is fully capable of accommodating such movements, which are a maximum/worst case scenario, without leading to off-site queuing. It is also in the interests of a commercial enterprise to run an efficient haulage operation, where such vehicles are kept running, rather than be stationary for excessive periods.
82. For the limited number of on-site staff, the site can be accessed by means other than private car, including via two regular local bus services and on foot by means of the footway along Claylands Avenue. A footpath also exists linking Claylands Avenue to residential estates in the north-east. The site's location puts much of the town within cycling distance. The location is therefore considered a sustainable location enabling local access to employment opportunities.
83. An analysis of local road accidents, leading to personal injury has been undertaken as part of the transport statement. A total of seven incidents have occurred along Claylands Avenue between 2010-2012, five of which were at the A57 roundabout with one classed as serious. There is therefore no particular concern with regards to road safety, given the volume of traffic on this route and given the comparatively low volume of traffic which would be added to existing flows.
84. In assessing the proposed development, it is considered that sufficient information on traffic matters has been presented and that a good understanding of likely and typical operations has been set out, which has been based on worst case (maximum capacity) scenarios. It is considered that

the proposal accords with Policy W3.14 and W3.15 of the WLP, by means of the existence of sufficient highway capacity, whilst routes would avoid disturbance to local communities. The bulking of waste would accord with Policy WCS11 of the WCS. It should also be noted that the NPPF stipulates that development proposals should only be refused on transport grounds where the residual cumulative impacts are considered to be severe. This is evidently not the case with the proposed development as the site is well connected to the main road network.

Design and Visual Impact

85. The proposed WTS would take the form of a steel portal framed building positioned gable-end on to Claylands Avenue with an outside yard area and parking. The building would be set back some 40 metres from the road frontage and positioned against the eastern boundary with the neighbouring business.
86. With a maximum height of 13 metres and with a floor area of some 2,666sqm, the building would be substantially larger than the existing 'Dukeries House' commercial unit which has a ridge height of circa five metres and floor space of some 250sqm. This difference in scale is a reflection of the fact that the present unit is unusually small for the plot within which it sits, with a large surrounding area of open landscaping or surfacing. In context the present unit is also relatively small, when viewed against the neighbouring buildings. The business units to the east include the building materials supplier which occupies a building of circa 1,100sqm and a hardware supplier occupying premises of some 3,700sqm. Both of these are portal framed buildings, typically two-storey, with brick lower courses and sheet cladding above. They are arranged generally gable end on to Claylands Avenue on longitudinal plots and have yard areas to the front and side of the buildings.
87. The proposed WTS would seek to mirror the pattern of development set by these business units to the east and would be of a similar form and scale and would be similarly set back from the road frontage. The WTS would be larger than the neighbouring building materials supplier and notably larger than the existing small unit. The WTS would however be of a much smaller scale than the substantial warehouse situated to the south. This distribution facility, built speculatively and marketed for sale/to let as the 'Arrow' is some 30,000sqm in area and in excess of 15 metres high, provides the backdrop for the proposed WTS site when viewed from Claylands Avenue. The 'Arrow' presents a large blank warehouse elevation, softened by use of fading colour cladding and is stop-ended by the integral offices of the building which overlook the car park which lies to the west of the proposed WTS site. The proposed WTS would further break up the expanse of this building, whilst not compromising the windows of the integral offices.
88. The WTS building would utilise a greater proportion of the plot, but still providing ample circulation and manoeuvring room in the outside yard. Its positioning would not adversely impact on the neighbouring business, which has an area of external storage to the side.

89. A suitable colour scheme has been proposed for the WTS building and which has been successfully used on similar developments in the County and further afield. The main cladding would be 'Moorland Green', with 'Heritage Green' detailing. These would be above a fair faced concrete lower level. The roof cladding system would be 'Goosewing Grey'.
90. In terms of site boundaries, it is proposed to replace the boundary fencing with 2.4m high steel palisade fencing, as already installed at the front.
91. Details of the landscaping have not been submitted, however a hedge along the site frontage, behind the perimeter fence, is indicated on the plans. There is therefore an opportunity to design and provide suitable native hedge and or tree planting along the Claylands Avenue frontage, which would help to soften the visual impact of the parking area and delivery yard, whilst not impeding junction visibility. There is also potential for some peripheral grass landscaping which could be seeded and managed for the benefit of nature conservation.
92. It is considered that such landscaping would provide a quality impression of the proposed development, which would greatly enhance the visual impact of this part of Claylands Avenue, from what at present is a forlorn and abandoned site.
93. Bassetlaw District Council object on the grounds of visual impact, however it should be recognised that this is an existing plot on a commercial/ industrial estate which could accommodate the proposed WTS without leading to a detrimental visual impact. There is no objection from the Landscape Officer and subject to the details and implementation of the landscaping under recommended condition No.11, the proposed development is considered to accord with Policy WCS14 (Design of Waste Management Facilities) of the WCS, and Saved Policy W3.3 of the WLP by providing for a high standard of design, layout and landscaping. The provision of the frontage landscaping accords with Saved Policy W3.4 of the WLP.

Impacts on local environmental amenity

94. The application site is located within an established employment/industrial estate and is largely remote from sensitive receptors, particularly residential dwellings. Neighbouring businesses operate in the distribution, engineering and automotive sectors. The nearest main residential area, part of the Gateford area of Worksop, is approximately 300+ metres to the east and can be accessed by a footpath leading off Claylands Avenue. The nearest residential properties are at Tranker Lane, alongside the A57 and which are approximately 140 metres to the west, some of which appear to be in connection with adjoining businesses.
95. The proposed WTS has potential to generate noise (including that associated with traffic), odour, dust and litter which could impact beyond the development boundary, however with proper management such impacts should be contained to a minimum and acceptable level. The relevant impacts are considered as follows.

Odour/Dust

96. Waste materials by their very nature can be odorous and the tipping and handling of this material can release smells and dust. The successful operation of a WTS therefore hinges on such activities being undertaken within a controlled environment inside the proposed building and limiting the escape of odour and dust into the environment. The applicant intends to have strict standards of site management in place to manage the throughput of waste, so as to minimise odour generation in the first instance.
97. The applicant states that there would be a regular throughput of waste at the site, thereby preventing the long term build-up of materials, particularly residual waste which could create odour. Waste would be kept segregated according to its respective stream and good housekeeping would ensure yard areas are kept clean and that HGVs utilise the on-site wash bay to prevent detritus leaving the site. An odour suppression system would be installed, which would create a fine mist containing a deodorant to further limit the escape of odour. The applicant has extensive experience in running such facilities across the UK without causing local nuisance.
98. Due attention has been applied to matters of dust and odour in accordance with Saved WLP Policies W3.7 (Odour), W3.10 (Dust) and W3.11 (Mud). Should planning permission be granted, the site operations would be regulated by the Environment Agency by means of an Environmental Permit to ensure local amenity is protected. Planning conditions are though recommended to control these matters including measures to control odour (condition 24) and dust and mud (condition 23), by means of general and industry best practice in site management, including the cleaning and sheeting of vehicles, the cleaning of hard surfaces and keeping the main doors to the building closed when not in use for vehicle entry/exit.

Litter

99. The potential for windblown litter would be minimised as part of the strict site management procedures which would be put in place. The tipping and storage of waste materials within the WTS building would greatly minimise the escape of material and procedures would be in place to collect any which escapes into the yard or into the surroundings. It should though be noted that certain inert wastes including glass would be stored externally in dedicated storage bays, but that these would not create a potential litter issue. The provision of the 2.4 high fence would also provide a further line to contain any litter within the site. The sheeting of unenclosed HGVs would also ensure no escape of material en route. Such measures would accord with Saved Policy W3.8 (Litter) of the WLP and litter would also be covered by the Environmental Permitting regime.

Vermin

100. Vermin control is primarily considered to be an operational issue relevant to the environmental permitting regime than a land use planning issue and PPS10 advises that controls under the respective regimes should complement rather than duplicate each other. Nevertheless the applicant intends to control

any potential vermin instances by ensuring the WTS building is closed when outside of operational periods and maintained to prevent infiltration. Only inert wastes would be stored externally and the site would be kept litter free. It is intended to operate the facility such that there is a rapid turnaround of incoming waste. Operations would be supported by regular visits by a pest controller, as required, however with good site management, instances of vermin is not likely to be problematic. Seagulls are not usually noted at such enclosed facilities.

Noise

101. The application is accompanied by an environmental noise assessment which has been prepared in accordance with the relevant British Standard-BS4142:1997 'Method for rating industrial noise affecting mixed residential and industrial areas' and which has been reviewed by the County Noise Engineer. Supplementary noise information was subsequently provided in response to requests from the engineer.
102. Background noise measurements have been undertaken at the nearest residential properties, these being at Tranker Lane (140m west of the site), Gateford Toll Bar (370m north) and Coach Road, Shireoaks (450-530m northwest) over a typical 24 hour period. Noise measurements have also been undertaken at a similar operational WTS facility to understand likely noise types and levels including an understanding of 'noise breakout' from buildings.
103. Under the BS4142 methodology, in order to avoid the likelihood of complaints, the 'rating' noise level should not exceed the background noise level by more than 5dB(A). The assessment estimates that the Rating level (including 5dB penalty) will be of less than marginal significance at all three receptors. The noise assessment has also considered the noise impact of individual events associated with the operation of the facility including; HGV movements in the yard, door slamming, reversing alarms and glass tipping. Each of these activities has been assessed as insignificant at receptor locations.
104. The noise assessment has predicted noise impact of the individual noise generators as well as cumulatively with the on-site vehicle movements, which has been assessed as being neutral to negligible and subjectively barely perceptible to the receptors.
105. A further assessment of predicted L_{Amax} noise levels associated with the operations have been compared with L_{Amax} noise levels recorded at each receptor. The calculated levels are predicted to be significantly below those already experienced at the properties and below ambient noise levels generally and therefore are not considered to be significant.
106. Due consideration has also been paid to the construction phase of the proposed WTS which is likely to involve noise generating activities at different stages and for relatively short durations, given the straightforward type of construction. The assessment has estimated the highest likely construction noise and its impact at the residential receptors based on the relevant British Standard BS5228:2009 and has found that it in all cases noise levels at

receptors is predicted to remain below existing noise levels and therefore are not considered to be significant.

107. As assessment of the noise impact of additional road traffic in connection with the proposed WTS has been undertaken in accordance with the Design Manual for Roads and Bridges (DMRB), and has assessed this in the short and long term as “Neutral”.
108. Further clarification has been provided on a number of issues: The predicted noise levels from the vehicle wash bay finds that noise levels would be significantly below the existing ambient and background noise levels at the residential receptors. The noise impact of externally operating plant has been found to be insignificant, as only a loading shovel would be operated outside.
109. Regarding noise impacts at weekends, the applicant has compared operational noise levels to night time noise levels recorded at the receptors (on the basis that these will be lower than weekend daytime levels). The highest predicted noise levels are below the existing ambient noise levels and similar to background noise levels and therefore not considered to be significant.
110. Consideration has also been given to the potential noise impacts at the integral offices within the ‘Arrow’ site to the immediate south of the site. The applicant has demonstrated that internal office noise levels should remain in the “good” to “reasonable” design range according to BS8233:1999 for an office environment. The applicant has also confirmed that the roof of the proposed WTS would be constructed from cladding having a minimum noise reduction index of $R_w=25\text{dB}$.
111. A thorough understanding of the likely noise impacts which might arise from the proposed WTS has therefore been completed to the satisfaction of the County Noise Engineer. The site is suitably remote from sensitive residential receptors and neighbouring businesses are not considered particularly noise sensitive, however impacts on the adjacent offices have been assessed. Accordingly it is considered that the proposed development would not lead to an unacceptable impact on the quality of life of those living or working nearby in accordance with Policy WCS13 and suitable conditions are recommended in accordance with saved Policy W3.9 of the WLP.

Operating Hours

112. Operating hours of between 06.00 to 22.00hrs Monday to Friday and between 07.00hrs to 19.00hrs Saturdays and Sundays are being sought. Bassetlaw District Council objects to these hours due to not allowing for a ‘respite’ to residents. It should though be noted that the setting is that of an industrial and business estate which benefits from good road access and is distant from residential areas. The applicant indicates that typical working hours are actually likely to be less (between 06.00-17.00hrs Monday to Friday and 07.00 to 13.00hrs Saturdays/Sundays). The submitted Transport Statement also sets out a typical pattern of vehicle movements, which shows that a single vehicle would arrive and depart per hour in the evening (between 16.00 and 22.00). The proposed hours of operation would allow some operational

flexibility to respond to peaks and troughs around public holidays and would allow on-site working, even if no deliveries or exports of waste were scheduled. For these reasons the proposed hours of operation are considered acceptable. Conditions are recommended to cover these as well as to restrict the outside tipping of glass to between 09.00-15.00 hrs.

Amenity impacts on future commercial and residential occupiers

113. Several of the objections to the application are in regard to a proposed mixed use commercial and residential development situated on the open fields to the north and the compatibility of a waste type development in proximity. These objections include those from Bassetlaw District Council. Concerns have been raised that the proposed WTS would compromise future development, particularly commercial development, on this site and in the Claylands Avenue locality generally, particularly if issues such as dust, odour or noise could not be adequately controlled.
114. The fields to the north of Claylands Avenue are identified for development in the newly published 'Preferred Options' Bassetlaw Site Allocations document, which has been subject to an eight week public consultation. The District Council identify the proposed allocation site as a key gateway site into Worksop that is well positioned to deliver economic development benefits and complementary residential development. The allocation proposes 6.5ha of employment land on a parcel of land fronting Claylands Avenue and the A57 and for 330 dwellings on the remaining land further north up to Gateford Road. It envisages two access points, one off Claylands Avenue to serve the employment portion and one off Gateford Road to serve the residential element, with a link between the two. The proposed allocation is shown on the attached Plan 4 as 'MU2'. An outline planning application has now been submitted to the District Council for up to 380 dwellings and 19,000sqm of office development at the site. (Planning Ref. 14/00213/OUT)
115. Fields to the north of Shireoaks village, to the north-west, are also subject to a proposed allocation and current outline planning application (Ref. 14/00223/OUT) for 175 dwellings and 15ha of employment land. Again, the proposed allocation is shown on Plan 4 as 'MU1'.
116. A third outline application for 750 dwellings (Ref. 14/00431/OUT) has been lodged with Bassetlaw District Council for land at 'Gateford Park', off Ashes Park Avenue approximately 1km to the north-east. This is also a proposed allocation by the District Council (albeit for 670 dwellings)
117. As already mentioned the distribution centre development to the south remains vacant since it was developed and is on the market.
118. It is therefore clear that the northern and western areas of Worksop will, if developments proceed, see significant growth and expansion in housing and employment land to serve the future needs of the town. The proposals for the fields to the north of Claylands Avenue are the most relevant to the application for a WTS.

119. One objector claims that the siting of a WTS would be inconsistent with the District Council's aspirations to promote the area for high quality and prestigious office development and that prospective employers and businesses would be deterred from locating in the area. The objector believes substantial weight should be given to the 'Preferred Options' Allocations Document in the planning considerations of the WTS application.
120. It is considered that some limited weight can be afforded to the preferred options document and to the associated outline planning applications. The 'preferred options' is the first public stage of the preparation of this Development Plan Document, which would sit alongside the adopted Core Strategy. However, in any event it must be recognised that it is purely a land allocation document, which identifies suitable development sites and sets policies on how they should be developed. Its scope is therefore limited to the respective proposed allocations and does not extend geographically further to surrounding land. Area based policies are set out in the overarching Core Strategy which, whilst directing much of the District's growth in and around Worksop, does not have a specific policy for the Claylands Avenue/Dukeries Industrial Estate. The application site is therefore subject to the regular Development Management policies in the Core Strategy and no policy conflict has been found.
121. Should the mixed use development proceed on land to the north, it is considered that the development of a modern WTS would not impede the development of an office based employment park, acting as a gateway location alongside the A57 junction. Such an office park would be separated from the WTS by Claylands Avenue and the stand of trees which lie directly opposite the WTS site and waste transfer operations would be enclosed within a portal framed building of a not dissimilar nature to neighbouring industrial buildings. Improvements to the A57 are also planned to take into account future growth in Worksop so as to enable further development to proceed.
122. In terms of impacts on future residential occupiers, it is considered that these would be located sufficiently distant from the WTS site, on the Gateford Road side of the proposed mixed-use land allocation. The nearest residential properties would potentially be approximately 175 metres from the WTS site boundary, which would be further away from the properties assessed at Tranker Lane for the purposes of noise impact. The positioning of the proposed office park development between Claylands Avenue and these residences should also act as buffer for any noise or other potential impact. The County Council's noise engineer has reviewed noise assessments accompanying both this application and that made to Bassetlaw District Council for the mixed use development and whilst neither takes into account potential future developments, he considers it unlikely that the proposed WTS would generate noise complaints from the nearest potential dwellings. Conditions would address any instance of complaints being received.
123. It is therefore considered that the development of a WTS on Claylands Avenue would not compromise the future development of the area to a mixed use nature of established and future businesses and residents. Furthermore, should planning permission for such employment and residential uses be

forthcoming, such development would increase the need for the type of waste management facility promoted in the current application. The redevelopment of the application site would enhance the presently un-kept and vacant site and enable existing site contamination issues to be addressed.

Ecological Impact

124. An up to date ecological survey accompanies the application and which finds that the site comprises an industrial building and surrounding unmanaged soft estate areas, of common grassy habitat/species, with some scattered scrub and bramble along the periphery. The site was considered of low importance to amphibians and no group species were found. Whilst some open areas may provide suitable sheltering or basking habitat for reptiles, these areas were until recently managed as part of an operational site and are not connected to other suitable habitat. No reptiles were found and the site is considered to be of low importance for this species group.
125. A survey of the existing building has also been made with regards to any potential presence of bats. Due to the timing of the survey a dusk and dawn watch was not undertaken, however a good inspection was made of the roof void which found a generally unstable and unsuitable microclimate and there was no past or present bat evidence.
126. The surrounding area is largely made up of industrially developed land and agricultural land. The nearest designated wildlife sites are distant from the site, but include Lindrick Golf Course SSSI, circa 2km to the north-west and Woodsetts Pond Local Nature Reserve, 930m north. Locally designated sites include the former Shireoaks Colliery 400m to the south west, Tranker Woods, 400m south and the Chesterfield Canal 700m to the south. Any possible adverse impacts from the proposed development upon these sites is very unlikely given these distances and the intervening land uses and barrier features such as the railway lines or A57.
127. The site lies within the 5km buffer area around the prospective Sherwood Special Protection Area (SPA) (identified for its populations of Nightjar and Woodlark) and parts of the A57 to the south of the town are also within proximity of the 'Indicative Core Area'. Bassetlaw District Council object due to the 'unknown true ecological impact' including on the prospective SPA.
128. Whilst no formal designation has been made, Natural England advise a risk based approach when considering development proposals and advise on the specific impacts that may need consideration. The potential addition of pollution and or nutrient enrichment of breeding habitats from vehicle emissions associated with the proposed development is the only possible impact of relevance.
129. The County Nature Conservation Officer has assessed the proposed development against relevant guidance on this matter set out in the DfT's Design Manual for Roads and Bridges. The A57 will carry the majority of the WTS associated traffic and when assessing impacts of air quality from this road onto the Prospective SPA, the guidance identifies that an 'affected road'

is one where the Heavy Duty Vehicle (HDV) / HGV flows would change by 200 annual average daily movements or more. Based on the predicted traffic figures this threshold would not be exceeded and much of the associated traffic is already on the local road network. Therefore in accordance with the guidance, the proposed WTS can be considered to be neutral in terms of local air quality and there would be no impact on the prospective SPA.

130. The proposed development is therefore considered to accord with Policy WCS13 with regards to ecological impact and should planning permission be granted, conditions are recommended in accordance with Saved WLP Policy W3.22. Such conditions will require; details and the implementation of a site landscaping scheme utilising native tree and shrub planting, so to enhance the biodiversity value of the site; a direction that any vegetation clearance takes place outside of the bird breeding season; and that a check for bats is undertaken in the existing building should any development be delayed.

Contamination

131. The application has been accompanied by a Phase 1 and 2 Site Investigation Report which appraises the site's development history, assesses potential contamination, and presents a site risk assessment and recommendations for further work.
132. The underlying geology across the site comprises the Edlington Formation (Mudstone and Sandstone). This underlies the Edlington Formation (Sandstone) and the Lenton Sandstone which are to the east of the site. The Edlington Mudstone formation is classed as a Secondary B Aquifer and the Edlington Mudstone and Sandstone, a Secondary A Aquifer. The application site lies within a Source Protection Zone (SPZ) - Outer Zone (Zone 2) which is set by the Environment Agency and is associated with the abstraction of ground water from the Lenton Sandstone Formation which is a Principal Aquifer.
133. Intrusive investigations have been undertaken with a variety of pits, trenches and boreholes and samples of soils and waters collected for testing. The results of the risk assessments indicate that there is no significant source of contamination in the made ground or soils on the site and no ground gas issues and that there is a negligible risk to human health or ecology.
134. Testing of groundwater below the surface has found organic and inorganic contaminants, with exceedences for arsenic, ammoniacal nitrogen, Polycyclic Aromatic Hydrocarbons (PAHs) and Total Petroleum Hydrocarbons (TPHs). Arsenic is likely to represent naturally occurring concentrations. Ammoniacal nitrogen may be a result of degrading organic matter. The PAHs and TPHs which, are hydrocarbons, are likely to be a legacy from the previous use of the site as a civil engineering business, such as from oil spillages. These hydrocarbons are present within the shallow groundwaters beneath the site and are relevant due to the SPZ below which protects the nearby Principal Aquifer and the potential pathway which exists for this pollution. Testing also found this hydrocarbon contamination in deeper boreholes, signifying that there is also a wider pollution issue from the surrounding area and that these

contaminants are diffusing in concentration. Whilst diffusing over a relatively short distance, the TPH concentrations were found to be higher than the Drinking Water Standard within the aquifer. From the site sampling undertaken, it was not possible to determine whether or not there is an unacceptable risk to the aquifer and groundwater resources from the hydrocarbon contaminants present and further site investigation, groundwater monitoring/ modelling is proposed along with a strategy for remediation.

135. The Environment Agency are satisfied with the scope of the work proposed and recommend a planning condition (No. 5) to require this undertaking. It is understood that this work is currently being completed.
136. Clearly the issue identified is as a result of the site's former use since the site was developed in the 1980s, however there may be more widespread contamination diffusing in the groundwaters generally. Whilst the end use of the proposed development is not in itself a sensitive use, any construction phase would need to be undertaken so that pollution pathways are not opened up, to ensure the protection of groundwaters. Suitable drainage for the site would also need to be installed.
137. Policy W3.5 of the WLP states that permission will not be granted for a waste management facility where there is an unacceptable risk of pollution to groundwater, unless the harm can be mitigated. The assessments and consultations confirm that planning permission can be granted, subject to the conclusions of the further investigative work to the satisfaction of the Environment Agency and the WPA.

Drainage

138. An outline drainage scheme has been designed and submitted to deal with both foul and surface water at the proposed WTS and these would connect into the existing foul and surface water sewers under Claylands Avenue. Suitable traps and interceptors would prevent pollutants entering the surface drains and which would be discharged into the drains at an attenuated rate with the use of a holding tank. In this case there is very limited space precluding the use of a sustainable drainage scheme with an attenuation pond as has been suggested. Seven Trent Water have been consulted, but have not commented at the time of writing. A condition (No.6) is therefore recommended to require final drainage details. The collection of surface waters should not result in a surface water flood risk to the area and the site is not at risk of fluvial flooding.

Employment generation

139. The application site is an established employment plot within the Claylands/Dukeries Industrial Estate, albeit it has remained vacant for the last few years. The proposed WTS would make full use of the available space, however it is acknowledged that such an operation is not labour intensive given it is indicated that the WTS would employ three FTE members of staff. This is a point of objection from Bassetlaw District Council, however as

discussed above the application site is an existing employment site and waste type development (which is a sui generis land use planning classification) is considered compatible with employment land. The site has been assessed as a suitable location for the proposed WTS and waste type uses are an increasingly important contributor to local and national economic development with waste increasingly being considered as a resource. Wider haulage job roles would also be supported as part of the applicant's vehicle fleet.

Sustainability

140. The proposed WTS would aid the practice of sustainable waste management and whilst sorting or recycling would not be undertaken, it would enable waste to be efficiently transported to more distant final disposal, recycling or energy from waste facilities, thereby assisting in moving waste up the waste hierarchy in accordance with national and local waste and planning policy. In particular the WTS would enable a shift from residual waste being currently landfilled at Daneshill to energy recovery at a facility in Sheffield.

Other Material Considerations

141. Air quality has been cited as an issue in some of the representations received and whilst an air quality assessment has not been undertaken, the application has been considered by the Environmental Health Officer at Bassetlaw District Council and the Environment Agency and no concerns have been raised.

Other Issues

Fire risk

142. Members will be aware of several recent fires at a nearby WTS operated by Nottinghamshire Recycling Limited (NRL), at a site on Shireoaks Road. Several of the representations also make reference to these and the environmental impacts and disruption locally that these events can cause. Concerns have been raised that the proposed development could be similarly vulnerable to fire, given the mix of waste materials involved. Members are advised, however, that the incidents of fire at the site on Shireoaks Road are related exclusively to the NRL site and not the Veolia run HWRC which shares an access with NRL. The fires at NRL are considered to have been due to site management practices and despite the company entering into administration, the site is subject to ongoing enforcement action by the WPA and the Environment Agency. It should be noted that materials accepted at the proposed WTS would be regularly exported to avoid a build-up of flammable wastes and the proposed building would incorporate a large sprinkler system.

Premier Foods

143. It is considered that there would be no impacts on the operations at the Premier Foods site which is some 700 metres east on Claylands Avenue.

Only a small number of local WCA refuse vehicles would pass the factory en-route to the WTS.

Environmental permit

144. Subject to planning permission being granted, the operation of the WTS would need to secure and operate in accordance with an Environmental Permit as regulated by the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2010.
145. The NPPF at Para 122 directs that planning authorities should focus on whether the development itself is an acceptable use of land and the impacts of the use on the land, rather than the control of processes or emissions where these are subject to approval under the pollution control regime. It should be assumed that such regimes operate effectively in regulating the operation. PPS10 also seeks to avoid duplication or complication between planning and pollution control authorities. Notwithstanding this framework and the objections received based on predicted operational and environmental impacts, the following seeks to inform how the permitting system would apply to the proposed WTS.
146. In this case a standard permit for a household, commercial and industrial waste transfer station would be required. This standard permit would allow for up to 75,000 tonnes per annum (tpa) throughput of waste, however if planning permission is granted then the WTS would operate up to a 65,000 tpa throughput.
147. The permitting system requires an operator to manage activities in accordance with a written management system that identifies and minimises risks of pollution, using competent persons and resources. There is a requirement for record keeping, notifications and reporting of activities and any incidents.
148. The permit would govern the types of waste to be admitted, which would be limited to non-hazardous wastes, so asbestos for example would not be permitted. If such wastes are found as contaminating a waste consignment, typically the material would be isolated and contained, pending appropriate disposal options. Wastes can be bulked up for disposal or recovery elsewhere and can only be manually sorted/separated, with no other treatment activities such as screening. The operator has to treat waste in accordance with the waste hierarchy, for example by segregating residual and recyclable wastes.
149. With the exception of certain inert wastes, including glass, soils, ceramics, bricks etc, all storage, bulking, transfer or treatment of waste must be inside the building or within a secured container. All waste has to be stored and treated on an impermeable surface with a sealed drainage system. No burning or incineration of waste would be permitted.
150. Only clean surface water from roofs, or from areas of the site not being used in connection with storing and treating waste, may be discharged to surface waters, or via soakaway. Other liquids can be discharged into a sewer with the consent of the local water/sewage company or taken off site by tanker.

Any containers holding contaminated liquids have to be designed to contain and prevent any leakage or spillage.

151. Any odour, or noise or vibration arising from the WTS operation should not be at a level likely to cause pollution/nuisance outside of the site, unless the operator has used appropriate measures, set out in their approved management plan, to prevent or where that is not practicable, to minimise, the relevant impact.

Conclusion

152. The application proposes a Waste Transfer Station (WTS) to serve the waste collection needs of the Bassetlaw area and principally a means to bulk up collected household wastes for onward transportation to final recycling, energy recovery, or disposal facilities. The strategic need and location of the proposed WTS has been assessed against Policies WCS4 (Broad locations for waste treatment facilities) and WCS7 (General Site Criteria), which has found that, as a larger type facility the WTS is not supported in the northern part of the County, but that the site itself is considered suitable subject to an assessment of all environmental, transport and amenity impacts. The associated HGV movements can be satisfactorily accommodated on the local road network and the site is well positioned for access onto the A57. The site is situated on an industrial estate with few nearby residential properties and an assessment of noise has found that the facility could operate without causing disturbance. Suitable design and landscaping is proposed or subject to a recommended condition. The proposal provides the opportunity to bring a vacant plot back into beneficial use and would also address existing site contamination issues. Conditions are also recommended to cover an issue relating to underlying ground water contamination and the provision of suitable drainage, so to protect the aquifers from any further contamination. The proposed development is considered to accord with the Development Plan (albeit with limited conflict with Policy WCS4) and the WTS would enable more sustainable means of waste management in accordance with PPS10. Members are reminded that policies in the Waste Core Strategy should be read as a whole.

Other Options Considered

153. The applicant has undertaken an assessment of alternative sites, before selecting the application site, as detailed in paragraph 61. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted.

Statutory and Policy Implications

154. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are

described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

155. The WTS would not be open to members of the public, such facilities being available at the nearby HWRC. The WTS would be used by the local Waste Collection Authorities who would benefit from reduced mileage/trips to waste disposal/management facilities.

Financial Implications

156. At the meeting of the Finance and Property Committee on 11th November 2013, approval was given for the Group Manager-Legal and Democratic Services to enter into a 50 year lease of the land and premises subject to this planning application. Under the terms of the Nottinghamshire Waste PFI contract (2006) with Veolia ES, the design, construction, commissioning, operation and maintenance of the proposed WTS, including plant, labour, equipment and utilities, lies with the applicant.

Crime and Disorder Implications

157. The proposed WTS would be a secure compound by means of perimeter fencing, external lighting and remotely monitored CCTV. Out of hours lighting would operate on movement activation. The facility would be staffed during operational hours with controlled access at the gateway.

Human Rights Implications

158. 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 (Right to a Fair Trial) are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.
159. With respect to Article 6 and with respect to representations alleging a conflict of interest due to the proposed development being part of the County Council's waste contract, Planning and Licensing Committee is considered to be an independent and impartial tribunal established by law. The application has been impartially assessed by officers of the Council.

Human Resources Implications

160. There are no human resource implications for the County Council. The proposed WTS would be operated by the applicant as part of the waste PFI contract.

Implications for Sustainability and the Environment

161. The proposed WTS would act as an intermediate facility enabling waste to be managed further up the waste hierarchy and therefore in more sustainable ways. The bulking of waste has benefits in terms of reducing HGV movements which would otherwise be necessary and with the consequent benefits of reducing associated CO₂ and other emissions.
162. There are no implications relating to matters of equalities or for the safeguarding of children.

Statement of Positive and Proactive Engagement

163. In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions; scoping of the application; assessing the proposals against relevant Development Plan policies, Planning Policy Statement 10 and the National Planning Policy Framework. The Waste Planning Authority has identified all material considerations; forwarding consultation responses that may have been received in a timely manner; considering any valid representations received; liaising with consultees to resolve issues and progressing towards a timely determination of the application. Issues of concern have been raised with the applicant, such as impacts of noise, traffic and road junction design and have been addressed through negotiation and acceptable amendments to the proposals. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

164. It is RECOMMENDED that planning permission be granted subject to the conditions set out in Appendix 1. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

JAYNE FRANCIS-WARD

Corporate Director Policy, Planning and Corporate Services

Constitutional comments

The Planning and Licensing Committee has authority to approve the recommendation set out in this report by virtue of its terms of reference. (NAB 04.06.14)

Comments of the Service Director - Finance (SEM 03/06/14)

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

Background Papers Available for Inspection

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Division and Member Affected

Worksop North - Councillor Sybil Fielding

Report Author / Case Officer

Joel Marshall

0115 9696512

For any enquiries about this report, please contact the report author.

RECOMMENDED PLANNING CONDITIONS

Commencement

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

Approved Plans

3. Unless otherwise agreed in writing by the WPA, or where amendments are made pursuant to the other conditions attached to the permission, the development hereby permitted shall be carried out in accordance with the following plans and documents:
 - a) Drawing No. VES_DT_WSOP_200_018 Rev A, titled Site Location Plan, dated 19th December 2013 and received by the WPA on 23rd December 2013.
 - b) Drawing No. VES_DT_WSOP_200_010 Rev L, titled Proposed Site Layout, dated 8th January 2014 and received by the WPA on 8th January 2014.
 - c) Drawing No. VES_DT_WSOP_200_012 Rev B, titled Proposed Building Elevations and Section, dated 21st February 2014 and received by the WPA on 25th February 2014.
 - d) Drawing No. VES_DT_WSOP_200_013 Rev B, titled Typical Fence Details, dated 21st February 2014 and received by the WPA on 25th February 2014.
 - e) Drawing No. VES_DT_WSOP_200_016 Rev A, titled Proposed Vehicle Movement Plan, dated 19th February 2014 and received by the WPA on 20th February 2014.
 - f) Planning application forms and certificates received by the WPA on 23rd December 2013.
 - g) Planning Supporting Statement dated December 2013 and received by the WPA on 23rd December 2013.

- h) Environmental Noise Assessment by NVC Ltd and additional information, dated 15th October 2013 and 24th February 2014 and received by the WPA on 23rd December 2013 and on 25th February 2014 respectively.
- i) Letter from Veolia on points of clarification relating to fencing, storage bays, traffic and noise, dated and received by the WPA on 25th February 2014.
- j) Outline HGV Traffic Management Plan, dated February 2014 and received by the WPA on 25th February 2014.
- k) Transport Statement by BWB, dated 1st November 2013 and received by the WPA on 23rd December 2013.
- l) Phase 1 and 2 Site Investigation Report by TerraConsult, dated October 2013 and received by the WPA on 23rd December 2013.

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

Highways Access

- 4. No part of the development hereby permitted shall be brought into use until the site access has been completed in accordance with the revised details provided in drawing VES_DT_WSOP_200_016 Rev A (Proposed Vehicle Movement Plan). 2.4 metre x 47 metre visibility splays shall be provided at the site entrance in both directions and shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height. The access shall be drained to prevent the unregulated discharge of surface water onto Claylands Avenue and surfaces shall be of a suitably bound material.

Reason: In the interests of highways safety and in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.

Contamination

- 5. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing by the WPA, shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the WPA:
 - a) A preliminary risk assessment which has identified: all previous uses of the site; potential contaminants associated with those uses; a conceptual model of the site including sources, pathways and receptors; any potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - c) The results of the site investigation and detailed risk assessment referred to in (b) and, based on these an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollution linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the WPA. The scheme shall be implemented as approved.

Reason: To protect the underlying secondary and principal aquifers from contamination associated with the site's former uses in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.

Drainage

6. No development hereby permitted shall take place until a scheme for the provision of surface and foul water drainage works has been submitted to and approved in writing by the WPA. The drainage works shall thereafter be carried out in accordance with the approved details before the development is first brought into use.

Reason: To ensure satisfactory drainage of the site so to protect the underlying principal and secondary aquifers from pollution in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.

Lighting

7. Prior to their installation on site details of the design, specification and operating periods of the floodlighting units and poles shall be submitted to the WPA for approval in writing. The details to be submitted shall include details of shielding to minimise light spillage or the likelihood of glare onto adjoining land or to road users. The lighting shall thereafter be installed and maintained in accordance with the approved details unless any variation is subsequently agreed in writing by the WPA.

Reason: To protect the amenity of surrounding commercial property and in the interests of highway safety in accordance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part1- Waste Core Strategy.

Ecology

8. Should demolition works for the existing building not commence by 9th October 2014, then the building shall be re-surveyed for the presence of bats by a suitably qualified ecologist and the findings/recommendations submitted to and approved by the WPA prior to demolition works commencing.

Reason: To safeguard a species protected by the Conservation of Habitats and Species Regulations 2010 and to accord with Policy WCS13

*of the Nottinghamshire and Nottingham Replacement Waste Local
Plan-Part 1- The Waste Core Strategy.*

9. All demolition contractors working on the building shall be briefed on the legal protection afforded to bats and on the procedure to follow if a bat is discovered during works. Should any protected species be found in the building during the course of the development hereby permitted, operations shall immediately cease and the advice of a suitably qualified ecologist sought. A suitable mitigation scheme shall thereafter be implemented in full accordance with details previously submitted to and approved in writing by the WPA.

Reason: To safeguard a species protected by the Conservation of Habitats and Species Regulations 2010 and to accord with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part 1- The Waste Core Strategy.

10. All site clearance operations that involve the destruction or removal of vegetation, including clearing or removal of shrubs or hedgerows on site, shall not be undertaken during the months of March to August inclusive unless otherwise previously agreed in writing by the WPA.

Reason: To avoid disturbance to breeding birds and to accord with the Wildlife and Countryside Act 1981 as amended.

Landscaping

11. Within 3 months of the commencement of the development hereby permitted as notified under Condition 2 above a scheme for the provision of frontage native tree/shrub planting and other soft landscaping works shall be submitted to the WPA for its approval in writing. The scheme shall include:

- a) Planting proposals showing numbers, species, density of planting, positions and sizes of all trees and/or shrubs so to provide a frontage screening hedge;
- b) details of peripheral areas to be seeded with the an appropriate native grass and wildflower mix.
- c) and a maintenance schedule for a 5 year period, following completion of the planting.

The approved landscaping works shall be carried out within the first planting and sowing seasons following the completion of the development or as agreed in writing by the WPA and thereafter maintained in accordance with the details approved under condition 11.

Reason: In the interest of visual amenity and to accord with Policy WCS15 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part 1- The Waste Core Strategy.

12. Any trees or shrubs that, within a period of five years after planting, die, are removed or, in the opinion of the WPA, become seriously damaged or diseased, shall be replaced in the first available planting season with

specimens similar to those originally approved, unless the WPA gives written consent to any variation.

Reason: In the interest of visual amenity and to accord with Policy WCS15 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part 1- The Waste Core Strategy.

Site capacity/throughput

13. The maximum amount of waste material accepted at the site shall not exceed 65,000 tonnes per annum in total. A written record shall be kept by the site operator of the amounts of waste accepted and it shall be made available to the WPA within 7 days of a written request from the WPA.

Reason: To ensure that impacts arising from the operation of the site do not cause unacceptable disturbance to local communities in accordance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part 1- The Waste Core Strategy.

Traffic

14. Except where otherwise agreed in writing by the WPA, there shall be no more than 146 two-way HGV movements (73 HGVs into the site and 73 HGVs out of the site) each working day and no more than 628 (314 HGVs in and 314 HGVs out) movements over any 7 day period. Written records and time logs of daily HGV movements shall be kept by the operator and made available to the WPA within 7 days of a written request by the WPA.

Reason: To ensure traffic and associated impacts are limited, so not to create an unacceptable disturbance to local communities in accordance with Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part 1- The Waste Core Strategy and Policy W3.14 and W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

15. HGV traffic routeing to and from the operational WTS shall be directed in accordance with the submitted draft Traffic Management Plan, whereby, with the exception of local trips, HGVs shall route via the A57 and Claylands Avenue and vice versa. Appropriate written instructions shall be given to drivers to inform them of the appropriate route to take.

Reason: In the interests of highway safety and to ensure that HGVs are kept to appropriate routes in accordance with Policy W3.15 of the Nottinghamshire and Nottingham Waste Local Plan and Policy WCS13 of the Nottinghamshire and Nottingham Replacement Waste Local Plan-Part 1- The Waste Core Strategy.

Controls on storage

16. The external storage bays as shown on the approved site layout plan VES_DT_WSOP_200_010 Rev L shall only be used to store glass and other inert materials which are not likely to rise on the wind.

Reason: To prevent the airborne spread of litter leaving the site and in accordance with Policy W3.8 of the Nottinghamshire and Nottingham Waste Local Plan.

17. The storage of waste materials shall be restricted to within the WTS building and in the dedicated external storage bays. Any waste materials escaping from these areas shall be promptly captured and returned, and the site otherwise kept litter free. In addition daily checks shall be made in the vicinity of the site for fugitive litter which shall then be promptly removed and recovered to the site.

Reason: To prevent the airborne spread of litter leaving the site and in accordance with Policy W3.8 of the Nottinghamshire and Nottingham Waste Local Plan.

18. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, of the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges, and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land, or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

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

Outstanding details

19. Within 3 months of the commencement of the development as notified under Condition 2 details of the following items of the development shall be submitted to the WPA for its approval in writing :

- Vehicular and pedestrian gates onto Claylands Avenue.
- Positions of any CCTV cameras, including details of any poles.
- Detailed elevations and floor plans of the weigh office/staff mess facility.

The above items shall then be completed and subsequently maintained for the life of the operation in accordance with the agreed details.

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

Hours of operation

20. Unless otherwise agreed in writing by the WPA, the site shall not be operated except between the following permitted hours:

06.00 hours to 22.00 hours Mondays to Fridays

07.00 hours to 19.00 hours Saturdays, Sundays and Bank Holidays.

Outside of these hours the site shall be closed for the receipt, movement and transfer of waste and the floodlighting shall be switched off.

In addition the tipping or loading of glass in the external yard or external storage bays shall only take place between the hours of 09.00 to 15.00 on all days.

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

Noise

21. All plant, machinery and vehicles (excluding delivery vehicles which are not owned or under the direct control of the applicant) used on the site shall incorporate white noise reversing warning devices and be fitted with noise abatement measures and silencers maintained in accordance with the manufacturers' recommendations and specifications.

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

22. In the event that the WPA consider that operational noise emissions from the WTS are likely to generate complaints the operator shall undertake a noise survey within 2 weeks of a written request from the WPA. The noise survey shall be undertaken in accordance with BS4142:1997 for residential premises or as agreed with the WPA for office premises, and shall be carried out under the supervision of the WPA. At residential premises noise levels should not be greater than L90 +5dB after the addition of a penalty for tonality/impulsive noise (if deemed applicable). For office premises, noise levels from the applicants operations shall not give rise to noise levels internally which exceed the "Good" Design Range for offices in BS8233:1999. The results of the noise survey shall be provided to the WPA for its written approval within 1 month of the survey being undertaken. Should the results of the noise survey suggest that further mitigation measures are necessary these shall be identified within the report and implemented within 1 month following their approval by the WPA, unless otherwise agreed in writing by the WPA.

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

Litter / dust /mud

23. Measures shall be employed to minimise the generation of dust, mud, dirt or litter leaving the site both during the construction and subsequent operational phase of the development hereby permitted. These measures shall include, but are not necessarily restricted to:
- a) The regular sweeping and cleaning of internal and external hard surfaces
 - b) The storage of materials within dedicated storage bays
 - c) The use of water bowsters or other means to suppress dust on external stockpiles and hard surfaces.
 - d) The routine inspection of vehicles leaving the site for any deleterious materials and
on finding any such deleterious materials, the directing of vehicles to use the on-site vehicle wash bay before proceeding.
 - e) The sheeting of all unenclosed waste carrying vehicles accessing the site
 - f) The wash bay shall be maintained in working order at all operational times.

Reason: In the interests of the amenity of nearby residential occupiers and to accord with Policies W3.8, W3.10 and W3.11 of the Nottinghamshire and Nottingham Waste Local Plan.

Odour

24. Steps shall be taken to prevent the emission of malodours associated with the operation of the development hereby permitted, including but not necessarily restricted to, the following:
- a) the removal of putrescible waste from the WTS as soon as possible and in any event within 72 hours of its receipt at the site;
 - b) the regular cleaning of all areas within the building;
 - c) the use of water mist dust suppression systems (with the capability of the addition of a deodorant within the site as required);
 - d) the retention at all times at the site of stocks of deodorant for use in the water mist dust suppression system;
 - e) the installation and maintenance of fast acting roller shutter doors and the keeping of such doors closed except to allow the passage of vehicles entering or exiting the building;

- f) no parking of any vehicles loaded with waste materials outside the WTS building overnight or outside the permitted hours of working.

In the event that these measures prove inadequate, then within one week of a written request from the WPA additional steps or measures shall be taken in order to prevent the release of odours from the site, the details of which shall have previously been submitted to, and approved in writing by the WPA.

Reason: To minimise potential malodour in accordance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.

Closure of the site

25. In the event that the use of the site for the importation of waste should cease for a period in excess of seven days then, within seven days of a written request from the WPA, the site shall be cleared of all stored waste and recycled materials.

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

Notes to applicant

1. In order to carry out the site access works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact Martin Green, Principal Development Control Officer - Nottinghamshire County Council, on 01623 520734 for details.
2. Pursuant to condition 23 it should also be noted that it is an offence under Sections 148 and 151 of the Highways Act 1980 to deposit mud onto the public highway and as such you should undertake every effort to prevent it occurring from the construction and operational phases.
3. Pursuant to condition 6 regarding a final drainage scheme, consideration should be given to providing sustainable means of surface water disposal or attenuation. You are advised to liaise with Seven Trent Water when designing the drainage scheme.
4. Whilst efforts have been made to contact relevant utilities providers with equipment in the vicinity of the site, the WPA is not able to offer specific guidance or feedback in this case. It is though likely that at least a HV electric and medium pressure gas main are present in the southern footway of Claylands Avenue and which may be affected by the access widening works.

You are therefore advised to contact Western Power Distribution and National Grid before commencing any such works.

5. The development will require an Environmental Permit under the Environmental Permitting Regulations from the Environment Agency.