

APPENDIX 1

RECOMMENDED PLANNING CONDITIONS

Scope of Planning Permission

1. This planning permission is for the continued operation of a plastic waste recycling facility at the Colwick Business Park, Road No.2 Colwick. The development shall be carried out in accordance with the submitted application (as amended by Revision E), documents and recommendations of reports including noise assessment report (Ref: 1072 Colwick – Allsops (2019) (Rev E), and the following plans, unless otherwise required pursuant to the conditions of this permission:
 - a. Location Plan (Bentarka Ltd – OS Plan 1) received by the Waste Planning Authority (WPA) on 23rd November 2018.
 - b. Drawing No. J1472 008 Rev.1: Location Plan received by the WPA on 23rd November 2018.
 - c. Drawing No. J1472-009: Compound Area Plan received by the WPA on 23rd January 2018.

Reason: To define the scope of the planning permission and to comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

Improvement Works to Site

2. Within 2 months of the date of this planning permission there shall be submitted to the WPA for its approval in writing a survey of Buildings A and B to identify any holes or openings within the structure of the buildings and a scheme to infill these holes or openings. The scheme to infill the holes or openings in the buildings shall be fully implemented within 28 days of its approval in writing by the WPA.

Reason: To ensure the buildings provide appropriate enclosure of plastic materials and safeguard against the escape of fugitive windblown litter in accordance with the requirements of Nottinghamshire and Nottingham Waste Local Plan Policy W3.8 (Litter).

3. Within 2 months of the date of this planning permission there shall be submitted to the WPA for its approval in writing a scheme to improve the litter catchment fencing around the plastic shredder and associated daily stockpile area on the open area adjacent to Building B. The scheme shall be fully implemented within 28 days of its approval in writing by the WPA.

Reason: To ensure the areas provides appropriate enclosure of plastic materials and safeguard against the escape of fugitive windblown

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litter in accordance with the requirements of Nottinghamshire and Nottingham Waste Local Plan Policy W3.8 (Litter).

4. Within two months of the date of this planning permission, the existing containers positioned around the open yard area to the north west of Building A shall be taken down and a new screen enclosure installed in accordance with the details shown on Drawing No. J1472-009: Compound Area Plan received by the WPA on 23rd January 2018 so as to provide full enclosure of the area to a height of 7.8m (three containers high). The containers shall be assembled to ensure they are free from gaps. Thereafter, the outward (south-west and north west) facing side of the containers shall be painted a dark green colour within four months of the date of this planning permission. The containers shall thereafter be retained throughout the operational life of the site.

Reason: To provide satisfactory screening of the site and to *safeguard against the escape of fugitive windblown litter in accordance with the requirements of Nottinghamshire and Nottingham Waste Local Plan Policy W3.4 (screening) and Policy W3.8 (Litter).*

Control over Waste Deliveries

5. Only sheet plastic waste originating from the cover of crops used on agricultural land shall be received for processing at the site. All incoming deliveries shall be inspected prior to them being unloaded. If this inspection identifies the delivery incorporates materials other than sheet plastic waste originating from the cover of crops, the delivery shall be rejected, not unloaded and immediately removed off site.

Reason: *To define the scope of waste materials that are appropriate to be managed at the facility and ensure that non-conforming wastes which may result in potential adverse environmental effects are not received, in accordance with Nottinghamshire and Nottingham Waste Core Strategy Policy WCS 13 (Protecting and enhancing our environment).*

6. Notwithstanding the controls imposed within Condition 5, in the event that a waste delivery is unloaded which is found to incorporate a quantity of non-conforming waste then the non-conforming waste shall be immediately removed from the unloaded waste, deposited in a skip/refuse container and shall be removed from the site within 7 days of its receipt.

Reason: *To define the scope of waste materials that are appropriate to be managed at the facility and ensure that non-conforming wastes which may result in potential adverse environmental effects are not received, in accordance with Nottinghamshire and Nottingham Waste Core Strategy Policy WCS 13 (Protecting and enhancing our environment).*

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7. Waste deliveries shall only be deposited either within Building A or the uncovered area of hardstanding area immediately to the north west of this building. Any deliveries which are unloaded onto the hardstanding area shall be transferred into Building A at the earliest practical opportunity and no later than the end of the working day on which the delivery is made.

Reason: To safeguard against the escape of fugitive windblown litter in accordance with the requirements of Nottinghamshire and Nottingham Waste Local Plan Policy W3.8 (Litter).

8. The loads of all vehicles transporting waste to the site shall be fully covered by sheeting.

Reason: To minimise litter arising from the transport of material in accordance with Policy W3.8 of the Nottinghamshire and Nottingham Waste Local Plan.

9. No more than 20,000 tonnes of sheet plastic waste shall be imported to the site in any one calendar year. Records shall be kept by the operator of all imports of waste to the site. These records shall be made available to the WPA within seven days of a written request.

Reason: To ensure that the site operates within the limits which have been assessed within the planning application submission as appropriate and would not generate any significant adverse environmental effects, in accordance with Nottinghamshire and Nottingham Waste Core Strategy Policy WCS 13 (Protecting and enhancing our environment).

Controls relating to Storage of Plastic Waste

10. All waste and processed plastic shall be stored internally within either Building A or Building B, except in the following circumstances:
- a. Waste plastic deliveries unloaded onto the hardstanding immediately in front of Building A, subject to compliance with the environmental controls set out within Condition 6.
 - b. A stockpile of plastic sheeting outside Building B within the netted area approved under Condition 4 above. The quantity of stored waste shall be no greater than that required to complete the days processing and ensure that at the end of each working day no plastic waste is stored in this location overnight.
 - c. The use of a plastic shredding machine on the open yard immediately outside Building B, as documented in Revision E of the noise assessment report.

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- d. Storage of bales of plastic on the hardstanding area to the north-west of Building A, subject to the bales being wrapped to an adequate standard to avoid any windblown releases and subject to a maximum storage height of 6m.

The operator shall carry out a daily site inspection to ensure waste plastic is being satisfactorily contained and any fugitive plastic identified within the site shall be picked up and returned to its authorised storage location. In the event that the litter controls do not provide satisfactory containment of plastic, or upon the written request of the WPA, the operator shall investigate the source of the plastic emissions and implement further litter controls to provide improved containment of plastic waste across the site in accordance with a scheme which shall have previously been submitted to the WPA for approval in writing.

Reason: To safeguard against the escape of fugitive windblown litter in accordance with the requirements of Nottinghamshire and Nottingham Waste Local Plan Policy W3.4 (screening) and Policy W3.8 (Litter).

Noise Controls

11. The noise level at any residential receptor shall not exceed the background noise level (L90) by more than 5 dB including the addition of penalties for tonal/impulsive when assessed in accordance with BS4142:2014.

Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby residential occupiers and land users in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

12. No shredding and washing of plastic waste shall be undertaken anywhere on the site except inside or immediately adjacent to Building B, as set out within Revision E of the noise assessment report.

Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby residential occupiers and land users in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

13. All vehicles/plant under the operator's control shall employ broadband reverse alarms.

Reason: To minimise noise impacts arising from the operation of the site, and to protect the amenity of nearby residential occupiers and land users in accordance with Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

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Hours of Operation

14. Operating hours should be restricted to Monday to Friday 0700 to 1800, Saturday 0730 to 1230 with no operations on a Sunday or Bank Holiday.

Reason: To protect local residents from noise disturbance in accordance with the requirements of Policy W3.9 of the Nottinghamshire and Nottingham Waste Local Plan.

Dust Controls

15. Measures shall be employed to ensure that dust generated within the site is kept to a minimum and contained within the site. These measures shall include, but not necessarily be restricted to:
- a. The use, as appropriate of a dust suppression system throughout all working areas;
 - b. The use as appropriate of water bowsers and/or spray systems to dampen the haul roads to and from the permitted area during dry days, vehicle circulation and manoeuvring areas;
 - c. The regular sweeping of haul roads;
 - d. The temporary cessation of waste processing during periods of extreme dry and windy weather.

In the event that a complaint is received regarding dust arising from the operation of the site which the WPA considers may be justified, the operator shall within one month of a written request from the WPA, prepare and submit for the WPA's approval in writing a mitigation strategy to remedy the nuisance. The site shall thereafter operate in compliance with the approved mitigation strategy to remedy the nuisance. The site shall thereafter operate in compliance with the approved mitigation strategy throughout its operational life.

Reason: To minimise disturbance from dust in accordance with Policy W3.10 of the Nottinghamshire and Nottingham Waste Local Plan.

Operational Controls

16. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound shall be at least equivalent to the capacity of the tank plus 10% or, if there is more than one container within the system, of not less than 110% of the largest container's storage capacity or 25% of the aggregate

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17. storage capacity of all storage containers. All filling points, vents and sight glasses must be located within the bund. There must be no drain through the bund floor or wall.

Reason: To protect ground and surface water from pollution in accordance with Policy W3.6 of the Nottinghamshire and Nottingham Waste Local Plan.

18. No materials may be burned or otherwise incinerated on the site. Any fire occurring shall be regarded as an emergency and immediate action taken to extinguish it.

Reason: To ensure satisfactory operation of the site in accordance with Policy W3.7 of the Nottinghamshire and Nottingham Waste Local Plan.

Flood Protection

19. The development permitted by this planning permission shall only be carried out in accordance with the Flood Risk Assessment (FRA) dated January 2011 and received by the WPA on 23rd November 2019 compiled by Charnwood Property Consultants and Developers Ltd. The operator shall ensure that the flood mitigation measures detailed on pages 13 and 14 of the FRA are incorporated into the proposed development. Any operational equipment to be stored outside shall be placed at or above the level outlined for finished floor level and flood proofing and resilience measures employed to mitigate the risk of damage to the equipment. This level is 300mm above the 1 in 100 year plus 50% climate change level or 300mm above the 1 in 100 year plus 30% climate change breach flood level, whichever is highest.

Reason: To reduce the impact of flooding on the proposed development and future users of the site in accordance with Nottinghamshire and Nottingham Waste Local Plan Policy W3.13 (Flood Defences).

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Informatives/notes to applicants

1. The Environment Agency advises that:
 - Under the Environmental Permitting (England and Wales) Regulations 2016, any permanent or temporary works in, over or under a designated main river will require an Environmental Permit for Flood Risk Activities from the Environment Agency.
 - Any permanent or temporary works within 8 metres of the top of the bank of a designated main river, or landward toe of a flood defence may require an Environmental Permit for Flood Risk Activities from the Environment Agency. In addition, any permanent or temporary works within the floodplain of a designated main river may also require an Environmental Permit for Flood Risk Activities.
 - To find out whether the activity requires a permit or falls under a relevant exclusion, exemption or standard rule please follow the link below:
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.
2. Public Health England state that reducing public exposures to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below the air quality standards has potential public health benefits. They support approaches which; minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure), and maximise co-benefits (such as physical exercise) and encourage their consideration during development design, environmental and health impact assessment, and development consent. Public Health England recommend the site engages with the local community to understand, investigate and seek to address their concerns which could be addressed by good communication, management and practice on site, e.g. delivery times, delivery vehicle engine anti-idling guidelines to prevent noise and air pollution.