

**Open Report on behalf of Andy Gutherson  
Interim Executive Director for Place**

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>13 May 2019</b>
Subject:	<b>County Matter Applications – S19/0292, S19/0382, S19/0383, S19/0385, S19/0386, S19/0388, S19/0396, S19/0398, S19/0406, S19/0408, S19/0409 and S19/0442</b>

**Summary:**

Planning permission is sought by Mid UK Recycling Ltd (Agent: JHG Planning Consultancy) to vary conditions attached to 12 different planning permissions relating to Mid UK Recycling Ltd's Caythorpe Materials Recycling Facility, Heath Lane, Grantham, Caythorpe.

The variations all seek to amend the hours of operation condition(s) so as to allow for the cleaning of buildings and internally housed machinery between the hours of 1800 to 0700 Monday to Friday. The cleaning is required in order to conform with the sites Environmental Permit 'Fire Prevention Plan' and would be carried out overnight so as to minimise any disruption to the waste processing operations - which would continue to be carried out between 0700 and 1800 hours Monday to Friday and 0700 and 1300 hours on Saturdays.

The various permissions and conditions proposed to be amended are as follows:

- Condition 4 of permission S20/22/96 (as amended by subsequent permissions S06/1140, S04/0178/20, S08/0874 and S06/0243/20)
- Condition 4 of permission S00/0622/20 (as amended by planning permission S04/0177/20)
- Condition 3 of permission S20/1691/06
- Condition 6 of permission S20/0278/07
- Condition 5 of permission S20/1444/07
- Condition 5 of permission S20/1445/07
- Condition 5 of permission S20/0818/08
- Condition 5 of permission S20/1201/08
- Condition 3 of permission S20/2641/09
- Condition 2 of permission S20/1690/10
- Condition 3 of permission S20/2458/16
- Condition 2 of permission S20/1552/17

**Recommendation:**

Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that conditional planning permission be granted.

**Background**

1. Planning permission was originally granted in 1998 for a waste transfer station including the refurbishment of an existing building at land off Heath Lane, Caythorpe. Since that time the site has had a complicated planning history including a number of further permissions from this Authority which has resulted in the development of the site into a Materials Recovery Facility (MRF). Although some waste handling operations have taken place in open areas of the site, over time a number of buildings have been erected which now cover the greater part of the facility.

**The Application**

2. Planning permission is sought by Mid UK Recycling Ltd (Agent: JHG Planning Consultancy) to vary conditions attached to 12 different planning permissions relating to Mid UK Recycling Ltd's, Caythorpe Materials Recycling Facility, Heath Lane, Grantham, Caythorpe.
3. The variations all seek to amend the hours of operation condition(s) so as to allow for the cleaning of buildings and internally housed machinery between the hours of 1800 to 0700 Monday to Friday. The agent for the applicant (JHG Planning Consultancy) states that the cleaning is necessary in order to conform to the standards required by the sites Environmental Permit 'Fire Prevention Plan'. The cleaning would be carried out by a maximum of four operatives using one motorised platform lift so as to enable access to the eaves of the buildings. The cleaning would be carried out using hand held tools (i.e. brushes) and pressure washers and a skid steer would be used to remove dust and debris collected during the cleaning operations.
4. The various permissions and conditions proposed to be amended are as follows:
  - Condition 4 of permission S20/22/96 (as amended by subsequent permissions S06/1140, S04/0178/20, S08/0874 and S06/0243/20)
  - Condition 4 of permission S00/0622/20 (as amended by planning permission S04/0177/20)
  - Condition 3 of permission S20/1691/06
  - Condition 6 of permission S20/0278/07
  - Condition 5 of permission S20/1444/07
  - Condition 5 of permission S20/1445/07
  - Condition 5 of permission S20/0818/08
  - Condition 5 of permission S20/0120/08
  - Condition 3 of permission S20/2641/09

- Condition 2 of permission S20/1690/10
  - Condition 3 of permission S20/2458/16
  - Condition 2 of permission S20/1552/17
5. The conditions attached to each of the permissions differ slightly in their wording and some of the permissions allow HCVs to enter at earlier times to that permitted for the carrying out of the main waste activities and operations - which are restricted to between 0700 and 1800 hours Monday to Friday and 0700 and 1300 hours on Saturdays. The applicant is seeking to revise the condition(s) attached to each of these permissions so that they make clear what operations and activities are permitted to take place and has suggested the revised condition(s) could read as follows:
- All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:*
- 0700 to 1800 hours Monday to Friday*  
*0700 to 1300 hours Saturday*
- These restrictions do not apply to activities and light vehicular traffic associated with the cleaning and maintenance of machinery, which can be undertaken between 1800 to 0700 hours Monday to Friday.*
- No operations or activities shall be carried out on Sundays and Public or Bank Holidays'.*
6. The application(s) are supported by a noise assessment carried out in accordance with British Standard 4142:2014. The assessment identified that a predicted noise level of 35 dBA LAeq,15minute between the hours of 1800 to 0700 would be experienced at the nearest residential properties in the locality as a consequence of these. This evaluation was based on a worst case scenario of all cleaning plant operating within the same time period and downwind weather conditions. This level of noise falls within acceptable limits taking into account the separation distances between the site and properties, the existing background noise levels and sound levels created by the plant and equipment to be used. The assessment therefore concludes that the operations could be carried out with negligible impacts from sound at the nearest noise sensitive receptors.
7. Finally, and for the avoidance of doubt, the proposed variation does not seek to operate the weighbridge, office and machinery nor permit access or egress to the site by HCV's carrying waste materials or segregated wastes. Additionally there would be no increase in the overall permitted tonnage of waste throughput at the site which is limited to 200,000 tonnes per year.

#### Site and Surroundings

8. The Mid UK Recycling Ltd MRF is located to the east of Caythorpe village separated by the A607 (between Lincoln and Grantham) with an access off

Caythorpe Heath Lane which runs east/west to the north of the site. Public Right of Way Cayt/1085/1 Footpath/Bridleway runs along Love Lane to the south of the boundary of the site. The site lies on the border of the Trent and Belvoir Vale and the Southern Lincolnshire Edge. The site is largely covered by linked buildings. There are a limited number of open areas used for skip storage, vehicle parking and processing of aggregate and glass.

9. The buildings are of varying heights between 9.0 metres and 12.0 metres to the ridge and the outer walls of these buildings provide screening from external views into the site. Between gaps in the building, the site has screening bunds planted with native species or mature trees and shrubs. The whole site is secured by a palisade fence.

## Main Planning Considerations

### National Guidance

10. National Planning Policy Framework (NPPF) (February 2019) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are as follows (summarised):

Paragraphs 7 to 11 (Sustainable development) - states that there is a presumption in favour of sustainable development and that achieving sustainable development means that the planning system has three overarching objectives, which are independent and need to be pursued in mutually supportive ways. These three objectives are: economic; social and; environmental.

Paragraph 38 (Decision making) - states that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraphs 39 to 41 (Pre-application engagement and front-loading) - encourages parties to take advantage of the pre-application stage and to engage the local community, and where relevant, statutory and non-statutory consultees before submitting applications.

Paragraphs 47 & 48 (Determining applications) - states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. It also advises on the weight that should be afforded to relevant policies in emerging plans depending upon the stage of their preparation.

Paragraphs 54 to 57 (Use of planning conditions and obligations) – states that consideration should be given as to whether otherwise unacceptable development could be made acceptable through the use of conditions or obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and the development to be permitted. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and are also necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

Paragraph 170 (Conserving and enhancing the natural environment) – states that planning decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.

Paragraph 182 (Existing business facilities) - states that decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have significant adverse effect on new development in its vicinity then the applicant (or agent of change) should be required to provide suitable mitigation before the development has been completed.

Paragraph 183 - the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land. Where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

Paragraphs 212 to 214 (NPPF and Local Plans) - states that due weight should be given to existing Local Plans where they are consistent with the NPPF. This is of relevance to the Lincolnshire Mineral and Waste Local Plan Core Strategy & Development Management Policies (2016), South Kesteven Core Strategy (2010) and the emerging South Kesteven Proposed Submissions Local Plan (2011-2036).

11. National Planning Policy for Waste (NPPW) (October 2014) is a material consideration in the determination of planning applications and should be read in conjunction with the NPPF. Appendix B sets out specific locational

and environmental and amenity criteria to consider when assessing waste management proposals. Of main relevance to this proposal are those relating to noise, traffic and access and potential for conflict with other land-use.

### Local Plan Context

12. Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (CSDMP) (2016) - the key policies of relevance in this case are as follows (summarised):

Policy DM3 (Quality of Life and Amenity) - states that planning permission will be granted, provided that it does not generate unacceptable adverse impacts arising from, Noise, Dust, Vibration, Odour, Litter, Emissions, Illumination, Visual intrusion, Run off to protected waters or Traffic to occupants of nearby dwellings and other sensitive receptors.

Policy DM17 (Cumulative Impacts) - states that planning permission will be granted where the cumulative impact would not result in significant adverse impacts, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring either concurrently or successively.

13. South Kesteven Core Strategy (2010) in line with NPPF, due weight should be given to relevant policies of the NPPF. The site is identified in the proposal maps as an existing waste management site. The following policies (summarised) are of relevance to this proposal:

Policy EN1 (Protection and Enhancement of the Character of the District) - identifies that the site lies on the border of the Trent and Belvoir Vale and the Southern Lincolnshire Edge and states that development must be appropriate to the character and other features of the landscape within which it is situated and contribute to its enhancement.

14. South Kesteven Proposed Submissions Local Plan (2011-2036) is an emerging plan and is at an advanced stage of preparation and was submitted to the Secretary of State (15 January 2019) for examination. As such any policies in the Plan should be given due weight in the determination of this application. The following emerging policies (summarised) are of relevance:

Policy EN4 (Pollution Control) - states that development on its own or cumulatively, will only be permitted if the potential adverse impacts can be mitigated to an acceptable level.

Policy DE1 (Promoting Good Design) – states that, amongst other matters, development proposals should ensure that there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and have regard to features that minimise crime and the fear of crime etc.

## Results of Consultation and Publicity

15. a) Local County Council Member, Councillor A Maughan – commented that given the imposition of appropriate conditions the interests of local residents can be addressed stating that:
- **HGV / Traffic Movements** – the proposed planning conditions ensure that all current restrictions on HGV traffic entering and leaving the site remain in place. The only additional traffic to the site between the hours of 18:30 – 06:30 would be private vehicles owned by staff;
  - **Noise** – this will be conditioned to typical background noise (i.e A607 traffic) + 5db. The applicant's noise assessment determined 33db in a worst case scenario. In real terms, a washing machine operates at 40-80db, so this is unlikely to be heard by the nearest residential property 600m away. The applicant has stated in their planning statement the exact specification of the equipment they intend to use; the draft conditions require this equipment to be fitted with silencers to minimise noise; and
  - **Operations / Activities** – the conditions make clear that the only activities permitted would be cleaning and basic maintenance. The applicant would not be permitted to carry out waste processing or run machinery under any circumstances between the hours of 18:30 – 07:00. The applicant has also been clear the only operations they intend to carry out in these hours are those being requested in the planning statement.

In conclusion, I do not wish to object to these applications but acknowledge that there are a number of significant negative impacts resulting from this site being located in our rural community but can see the benefits that a cleaning programme would bring.

- b) Caythorpe and Frieston Parish Council – initially responded as follows:
- The Parish Council fully accepts the need for recycling but objects to the proposed amendments and references planning applications made in 2010 citing the reasons for refusal to allow waste recycling operations at night and states that to approve the proposed cleaning operations would set an undesirable precedent unless there is a sound basis for doing so. South Kesteven Policy EN1 requires appropriate restrictions placed upon them to ensure that the impact on the environment is minimised. It is disappointing that Mid UK have not engaged in communication with the Parish Council regarding this proposal. The Parish Council highlights a number of paragraphs taken from the submitted Planning Statement and questions why there are no systems of cleaning and maintenance already in place and cites the existence of anti-dust and dust extraction systems already operating at the site and questions their effectiveness. The Parish

Council speculates that the reason for wanting overnight cleaning as an opportunity to seek to increase the annual throughput of waste at the site beyond the approved limit of 200,000 tonnes and to extend the hours approved for the waste processing operation. In addition concern is expressed on the proposed removal of the Health and Safety provision of reversing alarms. Concern was also expressed that monitoring of night time noise levels could not be carried out by local government. The increasing activity at the site has reduced the residential amenity of the local community with those living closer to the site being particularly affected. The tranquillity and peace of the rural community will be further affected by the inevitable increase in HGV traffic, noise, dust and litter pollution if the expansion of working hours to allow cleaning and maintenance be permitted particularly in the evening, at weekend and Bank Holidays. The Parish Council does not consider that a condition could be applied that would be sufficiently precise or enforceable.

Subsequently the Parish made further comment as follows:

- Noise – the Council do not accept that the applicant could disable the beepers on the vehicles and meet the requirements of the Health and Safety Executive and as a consequence the use of the beepers would mean that the proposed operations could not remain below the stated night time levels of noise. Nor would those levels ensure that loud bangs and crashes would not for short periods exceed the limit;
- The Planning Statement does not fully explain where maintenance has to be carried out at night and correspondence between the site manager and the Parish Council has adequately explained the reasons;
- The Parish Council do not accept that adequate cleaning and maintenance can only be carried out at night and questions why a temporary permission cannot be granted to allow a thorough deep clean with regular cleaning being accommodated within the normal working hours;
- There are no guarantees that on completion of maintenance a machine will not be run to test that any issue was resolved;
- Confirmation is sought that the local authority are in a position to monitor the site;
- The Parish Council again questions the timing of these applications insofar as they coincide with local government elections and concern that the current LCC Planning Committee will not have members who were also in place at the time of the 2010 applications. The Parish Council requests that a committee site visit be undertaken; and
- It is considered that need for the Applicant to profit should be balanced against the rights of the local communities to enjoy their residential amenity.



- c) Carlton Scroop and Normanton on Cliffe Parish Council – all the conditions were placed, as stated "in the interest of the amenity of local residents". These interests have not diminished since placing of the condition(s) and, if valid at the time of the planning permission remain valid now.

The Parish Council is opposed to the variations as the supporting documentation proposes that the revised conditions states "*Restrictions do not apply to ACTIVITIES and VEHICULAR TRAFFIC associated with the cleaning and maintenance of machinery*". There is no mention of restriction "to within the site" and so the Council is opposed to the variation. Should LCC be minded to approve the applications however the Parish Council would like the words "within the site" to be added.

- d) Fulbeck Parish Council – have no comments.
- e) Environment Agency (EA) – has no objection to the applications however, a request has been made that an Informative be attached requiring the applicant to update their management system in relation to their Environmental Permit.
- f) Highways & Lead Flood Authority (Lincolnshire County Council) – has concluded that the proposed development is acceptable and accordingly, does not wish to object.

16. The following bodies/persons were consulted on the application on 12 September 2018 and re-consulted 26 September 2018 following amendments to the original description of the development. No comments or response had been received within the statutory consultation period or by the time this report was prepared:

South Kesteven District Council Environmental Health  
Ministry of Defence (Safeguarding)  
Lincolnshire Fire and Rescue  
Public Health (Lincolnshire County Council)  
Public Rights of Way Officer (Lincolnshire County Council)

The applications have been publicised by way of notices posted at the site and the junction of the A607 and Caythorpe Heath Lane (Old Lincoln Road) and in the press (advertised in the Lincolnshire Echo on 21 February 2019). Notification letters were also sent to the three nearest residential properties to the site.

17. A total of 15 response/comments have been received covering all applications from local households and an outline and summary of the objections and comments received is set out below:

- Unacceptable impacts by HGVs on the highway safety and structure;

- Unacceptable levels of noise including the use of reversing beepers on summer nights and using machinery outside;
- Unacceptable odour;
- Unacceptable litter deposited on verges and blown into gardens;
- Unacceptable dust;
- Unacceptable air pollution;
- Unacceptable light impacts from perimeter lighting;
- Unacceptable impacts in the open countryside and the environment;
- Unacceptable impacts on walkers, cyclists and horse riders on nearby road especially in the evening, weekends and bank holidays;
- The balance of need for the waste facility and impacts on neighbours has swung in favour of the operators;
- Not enough information provided describing the proposed activities at the site;
- Allowing cleaning outside of working hours will lead to increase in the amount of waste going through the site;
- There can be no way to police the site and this application will lead to 24/7 waste processing operations;
- No local people are employed at the site;
- The site has a history of fires and a burnt out building has not yet been replaced;
- The site has a history of night time alarms going off and waking people; and
- The applications in 2010 were refused and these should be again for the same reasons.

#### District Council's Recommendations

18. South Kesteven District Council has no objections to raise.

#### Conclusions

19. Planning permission is sought by Mid UK Recycling Ltd (Agent: JHG Planning Consultancy) to vary conditions attached to 12 different planning permissions relating to Mid UK Recycling Ltd's Caythorpe Materials Recycling Facility, Heath Lane, Grantham, Caythorpe.
20. The main issue to be considered in the determination of these applications is whether the proposed cleaning operations sought to be carried out during the night-time period could be undertaken without giving rise to any unacceptable adverse impacts on the amenity of nearby residents or the area as a consequence of increased noise and/or disturbance.
21. The MRF at Caythorpe Heath Lane has been long established and no alterations are proposed to the external appearance of the buildings or any other aspect of the site activities and operations. A number of representations have however raised concerns and objections about the site more generally including on the grounds of impacts on the highway and traffic, odour and lighting, etc. Whilst these are noted the changes to the

site and operations arising from this proposal are limited only to those which are necessary to aid the cleaning of the building and machinery. Therefore there would be no change to the buildings themselves or any proposed increase in external lighting or increased traffic to the site (other than light vehicles associated with the cleaning operatives).

22. The proposed variations are sought so as to permit the cleaning and maintenance of buildings and machinery outside the permitted waste processing working hours. The extended hours would permit a small number of operatives (four) to safely remove dust and other flammable materials from around the machines and the roof space of the buildings using hand held equipment such as brushes and pressure washers. To access high areas the operatives would use a motorised platform lift and the waste arising from the cleaning would be removed by a small skid steer vehicle. This work cannot be undertaken whilst the machinery is working and so is proposed to take place during the night-time so as to minimise disruption to the waste handling operations which take place during the daytime. Carrying out the cleaning operations would therefore allow the Materials Recycling Facility to run the waste processing operations to their maximum potential and ensure compliance with the sites Environmental Permit 'Fire Prevention Plan'.
23. Caythorpe and Frieston Parish Council has raised concerns that whilst the noise assessment has indicated noise from these activities would be low, there could be occasions when banging and crashing occurs. Whilst this is noted, the cleaning and maintenance works would be carried out using hand tools and are internal to the building. The noise assessment has evaluated the potential noise levels arising from the operations and concludes that these would be low. When taking into account the separation distance between the site and the nearest residential properties, any increase in noise (when experienced at the nearest residential properties) would fall within acceptable limits and so not have an adverse impact on the amenity of nearby residents. As a result there is no evidence to support the concerns that this proposal would have an unacceptable adverse impact as a result of noise. Notwithstanding this, in order to ensure that noise levels from the site are required to fall within acceptable limits, and to give confidence and assurance to local residents that any increased levels of noise could be monitored and enforced should breaches occur, it is recommended that a noise condition be attached to the permissions. Subject to the inclusion of this condition, the proposed amendment to the hours of operation from Monday evening to Friday morning (i.e. 1800 to 0700 hours) so as to allow cleaning and maintenance of buildings and machinery is therefore acceptable and would not conflict with the aims and objectives of Policy DM3 and of the CSDMP or compromise Policy EN1 of the South Kesteven Core Strategy and Policies EN4 and DE1 of the emerging South Kesteven Local Plan which seeks to protect amenity of residents and minimise the impacts on the surrounding landscape.
24. For avoidance of doubt this application does not seek to increase the annual throughput of waste at the site nor increase the operational hours for the

importing and processing of waste and exporting segregated materials and residual waste. As a consequence there are no significant cumulative effects when this proposal is considered in relation to the existing operations and therefore would not compromise Policy DM17 of the CSDMP.

25. Finally, comment has been made, in particular from Caythorpe and Frieston Parish Council, that notwithstanding the imposition of conditions to restrict the times of operations and the noise levels, that they do not consider the Planning Authority to be in a position to monitor the site adequately or enforce any breach that may occur. It should therefore be noted that Lincolnshire County Council retain a Planning Enforcement Team, who are tasked to implement the LCC Local Enforcement Plan (LEP) (August 2014). Currently the site at Caythorpe, in accordance with Section 2.0 of the LEP, receives two monitoring visits per month (unannounced) and that in the event of a complaint being received investigations would be carried out. The proposed revised conditions are considered to meet the six tests as set out in the NPPF and supporting Planning Practice Guidance, namely that it is necessary; relevant to planning and to the development to be permitted; enforceable; precise and; reasonable in all other respects.
26. The proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

<b>RECOMMENDATIONS</b>
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I therefore recommend that:

- (A) Planning Permission (ref: S19/0382) be granted subject to the conditions as set out in Appendix A; and
- (B) Planning permission (ref: S19/0292) be granted subject to the conditions as set out in Appendix B.
- (C) Planning permission (ref: S19/0398) be granted subject to the conditions as set out in Appendix C.
- (D) Planning permission (ref: S19/0386) be granted subject to the conditions as set out in Appendix D.
- (E) Planning permission (ref: S19/0385) be granted subject to the conditions as set out in Appendix E.
- (F) Planning permission (ref: S19/0396) be granted subject to the conditions as set out in Appendix F.

- (G) Planning permission (ref: S19/0383) be granted subject to the conditions as set out in Appendix G.
- (H) Planning permission (ref: S19/0442) be granted subject to the conditions as set out in Appendix H.
- (I) Planning permission (ref: S19/0409) be granted subject to the conditions as set out in Appendix I.
- (J) Planning permission (ref: S19/0408) be granted subject to the conditions as set out in Appendix J.
- (K) Planning permission (ref: S19/0388) be granted subject to the conditions as set out in Appendix K.
- (L) Planning permission (ref: S19/0406) be granted subject to the conditions as set out in Appendix L.

## Appendices

These are listed below and attached at the back of the report	
Appendix A	S19/0382 Conditions And Reasons
Appendix B	S19/0292 Conditions And Reasons
Appendix C	S19/0398 Conditions And Reasons
Appendix D	S19/0386 Conditions And Reasons
Appendix E	S19/0385 Conditions And Reasons
Appendix F	S19/0396 Conditions And Reasons
Appendix G	S19/0383 Conditions And Reasons
Appendix H	S19/0442 Conditions And Reasons
Appendix I	S19/0409 Conditions And Reasons
Appendix J	S19/0408 Conditions And Reasons
Appendix K	S19/0388 Conditions And Reasons
Appendix L	S19/0406 Conditions And Reasons
Appendix M	Committee Plan

## Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX
National Planning Policy Framework (2018) National Planning Policy Waste (2014)	The Government's website <a href="http://www.gov.uk">www.gov.uk</a>
Lincolnshire Minerals and Waste Core Strategy and Development Management Plan (2017)	<a href="http://www.lincolnshire.gov.uk">http://www.lincolnshire.gov.uk</a>
South Kesteven Core Strategy (2010) and South Kesteven Proposed Submission Local Plan (2011-2036)	<a href="http://www.southkesteven.gov.uk">http://www.southkesteven.gov.uk</a>
LCC Local Enforcement Plan	<a href="https://www.lincolnshire.gov.uk/residents/environment-and-planning/planning-and-development/planning-applications/planning-monitoring-and-enforcement/">https://www.lincolnshire.gov.uk/residents/environment-and-planning/planning-and-development/planning-applications/planning-monitoring-and-enforcement/</a>

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S19/0382

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S.20/22/96 (as amended by planning permissions S04/0178/20 and S08/0874 and planning permission S06/0243/20, granted on appeal) has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. Only those materials included in waste categories attached to planning permission S.20/22/96 (as amended by planning permissions S04/0178/20 and S08/0874 and planning permission S06/0243/20, granted on appeal) shall be brought to the site (as shown within the red line boundary of Drawing No. 9565-01 "Site Layout Details").
3. No more than 200,000 tonnes per calendar year shall be brought to the Materials Recycling Facility. All waste brought to the site shall be weighed at the site's weighbridge. The weighbridge records shall be retained for a least two years and be available for inspection by the Waste Planning Authority on request.

*Reason: For the avoidance of doubt and to correspond with the waste feedstock materials and quantities for which planning permission was applied for.*

#### Hours of operations

4. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

5. Written notification of the date of commencement of cleaning and maintenance operations between 1800 and 0700 hours shall be sent to the Waste Planning Authority within seven days of such commencement.

#### Noise, Burning and Drainage

6. Noise levels shall not exceed background + 5 dBA ( $L_{Aeq, 15\text{minute}}$ ) free field at any noise-sensitive property between 1800 to 0700 hours Monday to Friday.
7. Within three months of the date of this decision notice, a noise survey between the hours of 1800 to 0700 hours Monday to Friday shall be undertaken to determine the rating level of noise emitted from the cleaning operations hereby permitted, in accordance with BS4142:2014 as defined for night time activity in 3.5 of the Sharps Redmore Report Project No 1717589 date stamped received 06 February 2019. This shall be carried out at the boundary of the nearest residential sensitive receptor. The results of the survey shall be forwarded to the Waste Planning Authority for written approval within one 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 one month following their written approval by the Waste Planning Authority.
8. No burning of waste material shall take place within the red line boundary of Drawing No. 9565-01 "Site Layout Details".
9. All power driven equipment and machinery employed within the application site shall be fitted with effective silencers and maintained in accordance with the manufacturer's recommendations.
10. Foul drainage shall be discharged to the main foul sewer and surface water drainage shall be the existing drainage system to soakaway.
11. The storage of oils, fuel or chemicals including filling points, vents, gauges and sight glasses, shall be sited on impervious bases and bunded to ensure at least an equivalent capacity of 110% to ensure no discharge to any surface watercourse or groundwater.

#### Visual Amenity

12. External flood-lighting shall be maintained in accordance with details submitted pursuant to Condition 2 of planning permission S06/0243/20, granted on appeal dated 5 September 2006.
13. No machinery or skips stored in the areas hatched and cross hatched black on drawing number S/22/96/1 originally attached to planning permission S.20/22/96 shall exceed 4 metres in height above the ground level within the site.

*Reason: To protect the amenity of the surrounding area.*



### Highway Safety

14. Access and egress shall be via the entrance identified on Drawing No. 9565-07 revision C date stamped received 25 February 1998 and shall be retained and maintained for the duration of the development.
15. All HCV traffic shall turn left when leaving the site.
16. The surface of the access and internal site roads shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times for the duration of the development so as to prevent such materials being deposited on the public highway. Any deposition of mud, debris or other deleterious materials onto the public highway shall be removed immediately.

*Reason: In the interests of highway safety.*

### Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

S19/0292

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S00/0622/20 (as amended by planning permission S04/0177/20) has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. Only those materials included in waste categories attached to planning permission S00/0622/20 (as amended by planning S04/0177/20) shall be brought to the site (as shown within the red line boundary of Drawing No. D.629a Rev 001 "Existing Site Layout & Location Plan").
3. No more than 200,000 tonnes per calendar year shall be brought to the Materials Recycling Facility. All waste brought to the site shall be weighed at the site's weighbridge. The weighbridge records shall be retained for a least two years and be available for inspection by the Waste Planning Authority on request.

*Reason: For the avoidance of doubt and to correspond with the waste feedstock materials and quantities for which planning permission was applied for.*

#### Hours of operations

4. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:  
0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

5. Written notification of the date of commencement of cleaning and maintenance operations between 1800 and 0700 hours shall be sent to the Waste Planning Authority within seven days of such commencement.

### Noise, Burning and Drainage

6. Noise levels shall not exceed background + 5 dBA ( $L_{Aeq, 15\text{minute}}$ ) free field at any noise-sensitive property between 1800 to 0700 hours Monday to Friday.
7. Within three months of the date of this decision notice, a noise survey between the hours of 1800 to 0700 hours Monday to Friday shall be undertaken to determine the rating level of noise emitted from the cleaning operations hereby permitted, in accordance with BS4142:2014 as defined for night time activity in 3.5 of the Sharps Redmore Report Project No 1717589 date stamped received 06 February 2019. This shall be carried out at the boundary of the nearest residential sensitive receptor. The results of the survey shall be forwarded to the Waste Planning Authority for written approval within one 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 one month following their written approval by the Waste Planning Authority.
8. No burning of waste material shall take place within the red line boundary of Drawing No. D.629a Rev 001 "Existing Site Layout & Location Plan".
9. All power driven equipment and machinery employed within the application site shall be fitted with effective silencers and maintained in accordance with the manufacturer's recommendations.
10. Surface water drainage shall be to the existing drainage system and to soakaway.

### Visual Amenity

11. No external storage of materials shall exceed 4 metres in height above the ground level within the site.

*Reason: To protect the amenity of the surrounding area.*

### Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town &

Country Planning (Development Management Procedure)(England) Order 2015.

S19/0398

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S06/1691/20 has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. Only those waste materials specified in the letter accompanying the application dated 3 October 2006 from the Mid UK Recycling Materials Facility (MRF) shall be brought to the application site identified on Drawing No F1653 – 01 "Proposal Drawing" for sorting and storage.

*Reason: To ensure the development is retained in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.*

#### Hours of operations

3. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

*Reason: In the interests of general amenity.*

#### Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01

- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

S19/0386

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S07/0278/20 has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be retained in strict accordance with the details contained in the submitted application and amended plans received on 28 March 2007 (Drawing No 0705/2D "Elevations") except as may be modified by other condition of this planning permission.
3. Only waste materials permitted within the Materials Recycling Facility (MRF) shall be brought to, sorted and stored within the building.

*Reason: To ensure the development is retained in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.*

#### Amenity

4. No external lighting shall be installed on site unless details of such lighting, including intensity of illumination and predicted lighting contours, have been submitted to and approved in writing by the Waste Planning Authority. Any external lighting shall be installed in accordance with the approved details and shall be maintained for the duration of the development.

#### Hours of operations

5. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

*Reason: In the interests of general amenity.*

## Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.



S19/0385

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S07/1444/20 has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be retained in strict accordance with the details contained in the submitted application and amended plans received on 11 September 2007 (Drawing No 0750/2 "Elevations") except as may be modified by other condition of this planning permission.

*Reason: To ensure the development is retained in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.*

#### Amenity

3. No external lighting shall be installed on site unless details of such lighting, including intensity of illumination and predicted lighting contours, have been submitted to and approved in writing by the Waste Planning Authority. Any external lighting shall be installed in accordance with the approved details and shall be maintained for the duration of the development.

#### Hours of operations

4. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

*Reason: In the interests of general amenity.*

## Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

S19/0396

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S07/1445/20 has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be retained in strict accordance with the details contained in the submitted application and plans received on 23 August 2007 (Drawing No 0745/2A "Elevations") except as may be modified by other condition of this planning permission.

*Reason: To ensure the development is retained in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.*

#### Amenity

3. No external lighting shall be installed on site unless details of such lighting, including intensity of illumination and predicted lighting contours, have been submitted to and approved in writing by the Waste Planning Authority. Any external lighting shall be installed in accordance with the approved details and shall be maintained for the duration of the development.

#### Hours of operations

4. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

*Reason: In the interests of general amenity.*

## Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

S19/0383

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S08/0818/20 has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be retained in strict accordance with the details contained in the submitted application and plans received on 17 May 2008 (Drawing No 0856/2 "Elevations/Sections" and Drawing No 0860/1 "Plans/Section/Elevations) except as may be modified by other condition of this planning permission.

*Reason: To ensure the development is retained in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.*

#### Amenity

3. No external lighting shall be installed on site unless details of such lighting, including intensity of illumination and predicted lighting contours, have been submitted to and approved in writing by the Waste Planning Authority. Any external lighting shall be installed in accordance with the approved details and shall be maintained for the duration of the development.

#### Hours of operations

4. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

*Reason: In the interests of general amenity.*

## Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

S19/0442

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S08/1201 has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be retained in strict accordance with the details contained in the submitted application and plans received on 26 August 2008 (Drawing No 0881/2 "Block Plan") except as may be modified by other condition of this planning permission.

*Reason: To ensure the development is retained in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.*

#### Amenity

3. No external lighting shall be installed on site unless details of such lighting, including intensity of illumination and predicted lighting contours, have been submitted to and approved in writing by the Waste Planning Authority. Any external lighting shall be installed in accordance with the approved details and shall be maintained for the duration of the development.

#### Hours of operations

4. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

*Reason: In the interests of general amenity.*

## Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.



S19/0409

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S20/2641/09 has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be retained in strict accordance with the details contained in the submitted application and plans received on 13 October 2009 (Drawing Nos: 0881/1B 2 "Plans/Elevations/Section" and 0881/2B "Block Plan/Notes") except as may be modified by other condition of this planning permission.

*Reason: To ensure the development is retained in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.*

#### Amenity

3. No external lighting shall be installed on site unless details of such lighting, including intensity of illumination and predicted lighting contours, have been submitted to and approved in writing by the Waste Planning Authority. Any external lighting shall be installed in accordance with the approved details and shall be maintained for the duration of the development.

#### Hours of operations

4. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

*Reason: In the interests of general amenity.*

## Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

S19/0408

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S10/1690/CM has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be retained in strict accordance with the details contained in the submitted application and drawing F2094-01 received on 30 June 2010 except as may be modified by other condition of this planning permission.

*Reason: To ensure the development is retained in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.*

#### Hours of operations

3. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

*Reason: In the interests of general amenity.*

#### Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01

- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

S19/0388

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S16/2458 has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be retained in strict accordance with the following documents and plans, unless modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions:

- Planning Application Form and Design & Access Statement (date stamped received 16 September 2016)
- Drawing No. 151-M-3a – Site Plan proposed (date stamped received 19 September 2016)
- Drawing No. 151-M-6a Elevations and Sections-proposed (date stamped received 28 September 2016)
- Drawing No 151-M-4 Plan and West Elevation (part 1)-proposed (date stamped received 16 September 2016)
- Drawing No 151-M-5 Plan and West Elevation (part 2)-proposed (date stamped 16 September 2016)

*Reason: To ensure the development is retained in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.*

#### Hours of operations

3. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

*Reason: In the interests of general amenity.*

#### Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

S19/0406

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission S17/1552 has been implemented and therefore commenced.

*Reason: To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be retained in strict accordance with the following documents and plans, unless modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions:

- Planning Application Form date stamped received 29 June 2017;
- Design & Access Statement date stamped received 29 June 2017 ;
- Drawing No F2799 – 01A – 'Proposal Drawing' date stamped received 16 August 2017; and
- E-mail with photographs – 'Woodpad Netting' date stamped received 22 August 2017.

*Reason: To ensure the development is retained in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.*

#### Hours of operations

3. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:

0700 to 1800 hours Monday to Friday  
0700 to 1300 hours Saturdays

These restrictions do not apply to the cleaning and maintenance of machinery contained and wholly housed within buildings and associated vehicular traffic, which can be undertaken between the following hours:

1800 to 0700 hours Monday to Friday

No operations or activities shall be carried out on Sunday and Public or Bank Holidays.

4. No unprocessed wood materials shall be stored at a height greater than 5 metres above the finished surface level of the land subject of the application

and no processed wood materials shall be stored at a height greater than 3 metres above the finished surface level of the land subject of the application.

5. Between 0700 to 1800 hours Monday to Friday and 0700 to 1300 hours Saturdays, the level of noise arising from the operations on the site shall not exceed 55dB (LAeq) (1 hour) freefield or background levels +10 dB (LAeq) (1 hour) freefield whichever is the lesser at any noise sensitive properties around the site.
6. Between 1800 to 0700 hours Monday to Friday, noise levels shall not exceed background + 5 dBA (LAeq, 15minute) free field at any noise-sensitive property.
7. No burning shall take place within the red line boundary of Drawing No. 9565-01 "Site Layout Details".
8. All power driven equipment and machinery employed within the application site shall be fitted with effective silencers and maintained in accordance with the manufacturer's recommendations.
9. Foul drainage shall be discharged to the main foul sewer and surface water drainage shall be the existing drainage system to soakaway.
10. The storage of oils, fuel or chemicals including filling points, vents, gauges and sight glasses, shall be sited on impervious bases and bunded to ensure at least an equivalent capacity of 110% to ensure no discharge to any surface watercourse or groundwater.

#### Visual Amenity

11. External flood-lighting shall be maintained in accordance with details submitted pursuant to Condition 2 of planning permission S06/0243/20, granted on appeal dated 5 September 2006.
12. No machinery or skips stored in the areas hatched and cross hatched black on drawing number S/22/96/1 originally attached to planning permission S.20/22/96 shall exceed 4 metres in height above the ground level within the site.

*Reason: To protect the amenity of the surrounding area.*

#### Highway Safety

13. Access and egress shall be via the entrance identified on Drawing No. 9565-07 revision C date stamped received 25 February 1998 and shall be retained and maintained for the duration of the development.
14. All HCV traffic shall turn left when leaving the site.



15. The surface of the access and internal site roads shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times for the duration of the development so as to prevent such materials being deposited on the public highway. Any deposition of mud, debris or other deleterious materials onto the public highway shall be removed immediately.

*Reason: In the interests of highway safety.*

#### Informatives

Attention is drawn to:

- i) Environment Agency – Letter dated 05 March 2019 Ref: AN/2019/128677/01/L01
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.



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To vary conditions attached to 12 different planning permissions to amend the hours of operation to allow for the cleaning of buildings and internally housed machinery between the hours of 1800 to 0700 Monday to Friday.