



To: Members of the Planning and Regulatory Committee

6 December 2006

Our ref: SL:60/130
Ask for: Simon Lewis

Dear Councillor

**PLANNING AND REGULATORY COMMITTEE – 12 DECEMBER 2006 –
AGENDA ITEM 5 - PROPOSED CONSTRUCTION AND OPERATION OF A
CO-MINGLED MATERIALS RECLAMATION FACILITY (CMRF) AT AREA 7,
INDUSTRIAL PARK, NORTON, NEAR WORCESTER – LIST OF CONDITIONS**

Please find attached a revised recommendation and a list of conditions for Agenda item 5 – Proposed construction and operation of a Co-mingled Materials Recovery Facility at Area 7, Industrial Park, Norton, near Worcester which were unavailable for despatch with the agenda papers for the meeting of the Planning and Regulatory Committee on 12 December 2006.

In addition, since the report was written, comments have been received from Worcester City Council. They have no objection to the proposal subject to the following conditions to:

1. Preclude vehicles travelling to the site from using St Peter's Drive; and
2. Ensure the capacity of the facility does not exceed 104,000 tonnes per annum.

They have also asked that consideration be given to:-

- a) all vehicles using the site to be fitted with satellite tracking devices to enable journeys to be monitored;
- b) the required updated highway infrastructure is in place prior to the operation commencing on site; and
- c) the concerns expressed by West Mercia Constabulary are fully addressed.

Please bring this document with you to the meeting.

Simon Mallinson
Solicitor
Head of Legal and
Democratic Services

County Hall
Spetchley Road
Worcester
WR5 2NP



Yours sincerely,

Simon Lewis
Committee Officer

Planning and Regulatory Committee
12 December 2006**5. PROPOSED CONSTRUCTION AND OPERATION OF A CO-MINGLED MATERIALS RECLAMATION FACILITY (CMRF) AT AREA 7 INDUSTRIAL PARK, NORTON, NEAR WORCESTER****Recommendation**

97. The Director of Planning, Economy and Performance recommends that subject to the applicants first entering into a section 106 agreement to provide for routing of all HGV's associated with the development permission be granted for the operation of a co-mingled materials reclamation facility for the separation of dry recyclables at Area 7 Industrial Park, Norton, Near Worcester subject to the following conditions:-

- (a) The development must be begun not later than the expiration of three years;**
- (b) Unless otherwise agreed in writing by the County Planning Authority the development hereby approved shall only be carried out in accordance with the following documents: Planning application and supporting statement dated 14 August 2006, the following drawings:**

**Drawing CMRF-A7-PA.MWM-001 Statutory Plan
Drawing K628-L101 (C) General Arrangement Plan
Drawing K628-L103 (A) Building Elevations
Drawing K628-L102 (B) Office Facility Floor Plan
Drawing K628-L105 (A) Weighbridge Office
Drawing CMRF-SFDA7-MWM001 Typical Process Arrangement
Drawing K628-L104 (A) Typical Cross Section
Drawing 425-01-01 Proposed Landscape and Ecological Enhancement Scheme
Drawing C/ST/96/200 Schematic Drainage Layout
Drawing C/ST/90/001 Section 278 Works
Drawing K628-L108 Proposed CMRF Facility 3D Images
Drawing K628-L107 Site Sections**

Drawing K628-L109 Security Fencing and Gate

- (c) No development hereby permitted shall be commenced until the operators have entered into an agreement with the local highway authority pursuant to section 278 of the Highways Act 1980 providing for the following:-**
- i) The promotion of a traffic regulation order to amend the existing weight restriction on Woodbury Lane to end to the West of Area 7 Business Park;**
 - ii) The installation of two vehicle activated signs on the B4084 to warn drivers from both the Worcester and Pershore directions of vehicles waiting on the B4084 carriageway to make a right turn into Woodbury Lane;**
 - iii) The installation of two direction signs on the B4084 to advise drivers from both the north east and south west directions that Area 7 Business Park is accessed from Woodbury Lane;**
 - iv) The promotion of a traffic regulation order to extend the existing 40 mph speed limit on the B4084 towards Pershore to cover the railway bridge to the east of Woodbury Lane;**
 - v) The improvement to Woodbury Lane as shown in principle on drawing number 36336/C/ST/90/001;**
 - vi) The provision and laying out of visibility splays from a point 0.6 metres above ground level at the centre of the access to the application site and 4.5 metres back from the nearside edge of the adjoining carriageway, (measured perpendicularly) for a distance of 90 metres in each direction along the nearside edge of the carriageway.**
- (d) Prior to the occupation of the development hereby approved, the driveway, parking and vehicular turning areas shall be consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the County Planning Authority at a gradient not steeper than 1 in 8;**
- (e) The development hereby permitted shall not commence until an area has been properly laid out, consolidated, surfaced, drained and the spaces demarked on the ground within the application site in accordance with the approved plan for cars and commercial vehicles to turn so that they may enter and leave the site in a forward gear. These**

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areas shall thereafter be retained and kept available for those uses at all times;

- (f) Means of vehicular access to the development hereby approved shall be from the B4084 and Woodbury Lane to the east of the application site only. Suitable signs to enforce this requirement instructing all traffic to turn right only, of a design to be submitted to the County Planning Authority for approval, shall be erected on the applicants own land adjacent to the point of access onto Woodbury Lane. The approved signs must be in place prior to the commencement of the development and maintained for the duration of the development;**
- (g) Development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to and approved by the County Planning Authority and such provision shall be retained and kept available during construction of the development;**
- (h) No waste other than those waste materials defined in the application shall enter the site;**
- (i) The operators shall ensure that the amount of waste sorted at the facility does not exceed 105,000 tonnes per year;**
- (j) Notwithstanding the provisions of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification):-**

 - (i) no fixed or mobile plant or machinery, building structures and erections, or private ways shall be erected, extended, installed or replaced within the site; and**
 - (ii) no additional lights or fences shall be installed or erected at the site.**
- (k) No mud, dust or debris shall be deposited on the public highway;**
- (l) All loads of waste materials carried on heavy goods vehicles into and out of the building hereby permitted, shall be enclosed or covered so as to prevent spillage or loss of such material at the site or on the public highway;**

- (m) There shall be no general public use of the site;**
- (n) The co-mingled materials reclamation facility shall not be brought into use until a green Travel Plan has been submitted to and agreed in writing by the County Planning Authority. The agreed scheme shall be implemented for the duration of the co-mingled materials reclamation facility operations on this site;**
- (o) Construction or demolition works including the use of plant and machinery, necessary for implementation of this consent shall only be carried out between the hours of 8.00 and 18.00 Monday to Friday and 8.00 and 13.00 hours on a Saturday. There shall be no work carried out on a Sunday or Bank and Public Holiday;**
- (p) All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, this shall include the fitting and use of effective silencers;**
- (q) Before the CMFR is brought into use, a scheme of noise attenuating measures shall be submitted to and agreed in writing by the County Planning Authority, the scheme shall specify the provisions to be made for the control of noise emanating from any plant, equipment, vehicles, generators, reversing systems or compressors used as part of any process or activities on the site. The scheme shall include measures to control both continuous and intermittent noise sources and include assessment of levels of both continuous and intermittent noise levels at the boundary of the site. The approved scheme shall be implemented for the duration of the development;**
- (r) A scheme for the mitigation of dust generated by all of the operations associated with the development hereby approved shall be submitted to the County Planning Authority and the scheme agreed in writing prior to the commencement of the co-mingled reclamation facility. The agreed scheme shall be implemented and maintained for the duration of all the operations associated with the co-mingled materials reclamation facility;**
- (s) Prior to the commencement of the development details of the type of vehicle alarms to be used at the site shall be submitted the County Planning**

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Authority for approval in writing;

- (t) Before the CMRF is brought into use a scheme for controlling fly levels shall be submitted to and agreed in writing by the County Planning Authority. The scheme shall include measures for monitoring and recording fly levels at the site including details of measures to be undertaken if fly levels are recorded as excessive. The approved scheme shall be implemented for the duration of the development;**
- (u) Before the CMRF is brought into use a scheme for controlling odour levels shall be submitted to and agreed in writing by the County Planning Authority. The approved scheme shall be implemented for the duration of the development;**
- (v) There shall be no discharge of foul or contaminated drainage from the site into either the groundwater or any surface waters, whether direct or via soakaways;**
- (w) Any facilities for the storage of oils, fuels, or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund;**
- (x) Surface water from vehicle parking and hard standing areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage shall not be passed through any interceptor;**
- (y) Water pipes used to serve the development must not be susceptible to residual contamination on the site and buried services must be laid within a 0.5m surround of clean sand in areas of ash and graphite fill;**

- (z) In the event of contamination being encountered during development works that is different to that previously identified, a revised risk assessment shall be provided to the County Planning Authority. In the event that remediation is required or any proposed remediation requires an amendment as a consequence, a new or revised Remediation Proposal shall be provided prior to development work continuing;**
- (aa) A validation report shall be produced and a copy provided to the County Planning Authority upon completion of the redevelopment to detail all work undertaken to ensure all potential contamination risks have been addressed appropriately. The site must not be used until the validation report is provided;**
- (bb) Before the development permitted is commenced, details of all external lighting and other illumination proposed at the site shall be submitted to and agreed in writing by the County Planning Authority. These details shall include the height of all lights, the intensity of the lights (specified in Lux levels), spread of light, including approximate light spillage levels (in metres) and any measures proposed to mitigate impact of the lighting or disturbance through glare (such as shrouding) and the times when such lights will be illuminated;**
- (cc) Prior to the commencement of this development an additional survey of Great Crested Newts (GCN) shall be undertaken in accordance with the GCN mitigation guidelines during the period mid-March to mid-June 2007. In the event that GCN are found the proposals to mitigate for the impacts of the development made within the original ecological report shall be revisited and amended where required. The survey must be submitted to the County Planning Authority by mid-July 2007;**
- (dd) Prior to the commencement of this development a landscape scheme shall be submitted to the County Planning Authority for approval to show planting in the remainder of the site not covered by drawing no. 425-01-01. The approved scheme shall be implemented as stated in condition (kk);**
- (ee) All areas of soft landscaping must have a covering of clean imported topsoil to a depth of 300mm. Details of the soil material to be imported onto the**

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site should be approved in advance by the County Planning Authority;

(ff) Prior to the commencement of the development a revised native landscaping scheme for the frontage of the site shall be submitted to the County Planning Authority for approval in writing, to ensure that the roadside boundary is in keeping with local vegetation. The approved scheme shall be implemented as stated in condition (kk);

(gg) The approved landscaping scheme shown on drawing no. 425-01-01 and any other approved schemes shall be carried out in the planting season according with or immediately following the commencement of the development, whichever is the sooner and shall be maintained thereafter. Within 5 years of planting, any trees, shrubs or plants that die, become diseased or are removed or damaged, shall be replaced in the first available planting season with others of a similar size and species and in accordance with the approved scheme, unless the County Planning Authority gives written approval to any variation;

(hh) The permitted hours of operation in connection with the CMRF shall be 06.00 to 22.00 hours Mondays to Friday and 07.00 to 13.00 hours on Saturdays with no operations on Saturday afternoons, Sundays, Christmas Day, Boxing Day or New Year's Day;

(ii) Plant maintenance (within the building only) shall only be carried out between 06.00 hours and 22.00 hours Mondays to Saturdays;

(jj) No HGVs shall enter and leave the site between 22.00 hours and 06.00 hours on any day.

(kk) No handling, deposit, storage or transfer of waste shall take place outside the confines of the building hereby permitted;

(ll) No materials shall be burnt on the site;

(mm) Details of the external materials and colours of the new building hereby approved shall be submitted to and approved in writing by the County Planning Authority before work on site commences;

(nn) All doors to the building shall be kept closed

except to allow entry and exit; and

- (oo) Before the development hereby permitted is commenced, details of the design and height of the security fencing and gates along the site's boundaries, shall be submitted to and approved in writing by the County Planning Authority.

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