



Planning Services
Department for Development
and Regeneration

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URS Scott Wilson Limited
Mr Ian Roach
178 Armada Way
Mayflower House
Plymouth
PL1 1LD

Date 03 February 2012

Dear Sir/Madam,

Town and Country Planning Act 1990

APPLICATION NO: 11/00750/FUL

SITE: LAND AT NORTH YARD, H. M. NAVAL BASE DEVONPORT, CLOSE TO WESTON MILL CREEK AND VIADUCT, PLYMOUTH, PL2 2DQ

DEVELOPMENT: The construction of an Energy from Waste plant in Her Majesty's Naval Base Devonport, Plymouth

The construction of an Energy from Waste plant to the south of a woodland area within the dockyard, with electricity cable connections to the national grid and steam pipe connections into the dockyard, to provide landfill, energy, cost and carbon emission savings for the naval base, dockyard and wider sub regional area. It would comprise of a series of architecturally designed industrial buildings extending for 134m with a large main building (with a 45m high boiler house) and chimney stack (95m high). The proposal would also comprise the construction of a new access road to the Camel's Head junction, new bridge over Weston Mill stream, and a weighbridge. It would also involve alteration of internal dockyard access routes and the construction of a new link road north of the Weston Mill Lake Naval Berth to connect with the dockyard's internal Bull Point access road. The proposal would also include the temporary use of 17,200 square metres of dockyard land for use as the main construction compound during the construction period, to last approximately two and a half years. The main building complex comprises a large tipping hall, boiler house with turbines, storage silos, tanks and cylinders and a row of air cooled condensers. There would also be ancillary administration offices and a community roof terrace and community meeting room as part of the main building complex. There would also be a separate workshop and stores building to the west (10m high). The whole complex would be landscaped with an amenity area provided to the north of Blackies Wood.

Please find enclosed the Planning Decision Notice for the above site. This permission relates to the submitted plans which are listed and the development should be carried out in accordance with the details shown unless prior consent has been obtained in writing from the Local Planning Authority. Failure to comply with the approved drawings could result in enforcement action being taken.

It is important to note that applications for approval under the Building Regulations are dealt with separately from applications for Planning Permission. You should not commence works until all necessary consents have been obtained.

APPEAL

If you are aggrieved by the decision of the Local Planning Authority to grant permission, subject to conditions, you may appeal under Section 78 of the Town and Country Planning Act 1990 within six months of receipt of this notice, to:

**Customer Support Unit,
The Planning Inspectorate,
Room 3/15b, Eagle Wing,
Temple Quay House,
2 The Square,
Temple Quay,
Bristol
BS1 6PN
www.planningportal.gov.uk/appeal**

The Planning Inspectorate need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development without the conditions it imposed, having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under that Order.

In practice, the Planning Inspectorate does not refuse to consider appeals solely because the Local Planning Authority based its decision on a Direction given by him.

PURCHASE NOTICE

If either the Local Planning Authority or the Planning Inspectorate grants permission to develop land subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. If confirmed, this notice will require the Council to purchase interest in the land in accordance with provisions of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Planning Inspectorate on appeal or on reference to the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

CONTACT DETAILS

If you have any enquiries please do not hesitate to contact **Alan Hartridge** on **01752 304207**.

Anthony Payne - Director of Development and Regeneration

Yours faithfully,

Paul Barnard

Assistant Director of Development and Regeneration
Planning Services

PLANNING DECISION NOTICE

GRANT OF CONDITIONAL PLANNING PERMISSION SUBJECT TO SECTION 106 OBLIGATION



Town and Country Planning Act 1990

The Town and Country Planning (Development Management Procedure) (England) Order 2010

In correspondence please quote application number: **11/00750/FUL**

Applicant: MVV Environment Devonport Limited

Site: LAND AT NORTH YARD, H. M. NAVAL BASE DEVONPORT, CLOSE TO WESTON MILL CREEK AND VIADUCT, PLYMOUTH, PL2 2DQ

Proposal: The construction of an Energy from Waste plant in Her Majesty's Naval Base Devonport, Plymouth

The construction of an Energy from Waste plant to the south of a woodland area within the dockyard, with electricity cable connections to the national grid and steam pipe connections into the dockyard, to provide landfill, energy, cost and carbon emission savings for the naval base, dockyard and wider sub regional area. It would comprise of a series of architecturally designed industrial buildings extending for 134m with a large main building (with a 45m high boiler house) and chimney stack (95m high). The proposal would also comprise the construction of a new access road to the Camel's Head junction, new bridge over Weston Mill stream, and a weighbridge. It would also involve alteration of internal dockyard access routes and the construction of a new link road north of the Weston Mill Lake Naval Berth to connect with the dockyard's internal Bull Point access road. The proposal would also include the temporary use of 17,200 square metres of dockyard land for use as the main construction compound during the construction period, to last approximately two and a half years. The main building complex comprises a large tipping hall, boiler house with turbines, storage silos, tanks and cylinders and a row of air cooled condensers. There would also be ancillary administration offices and a community roof terrace and community meeting room as part of the main building complex. There would also be a separate workshop and stores building to the west (10m high). The whole complex would be landscaped with an amenity area provided to the north of Blackies Wood.

Under the provision of the above act, Plymouth City Council hereby grants consent for the proposal described in your application dated **23/05/2011**, together with the following plans/drawings: • PA01 A Site Location Plan May 2011 A3 1:10,000 scale

- PA02 B Planning Application Boundary May 2011 A1 1:3,000 scale
- PA03 - Existing Site Topography May 2011 A1 1:1,250 scale
- PA04 B Aerial Photograph May 2011 A3
- PA05 0 Proposed Site Layout May 2011 A0 1:500 scale
- PA06A - Proposed North-West Elevation May 2011 A0 1:250 scale
- PA06B - Proposed South-East Elevation May 2011 A0 1:250 scale
- PA06C A Proposed North-East Elevation A0 1:250 Corrected and re-submitted 18 November 2011

- PA06D A Proposed South-West Elevation A0 1:250 Corrected and re-submitted 18 November 2011
- PA07A 0 Longitudinal Section of Entire Main Building May 2011 A0 1:250 scale
- PA07B 0 Longitudinal Section of Water Treatment Building May 2011 A1 1:250 scale
- PA07C 0 Cross Section of Waste Bunker and Bale Store Building May 2011 A1 1:250 scale
- PA07D 0 Longitudinal Section of Turbine Hall May 2011 A1 1:250 scale
- PA07E 0 Longitudinal Section of Tipping Hall May 2011 A1 1:150 scale
- PA08A 0 EfW CHP Building Floor Plans 1 May 2011 A0 1:248 scale
- PA08B 0 EfW CHP Building Floor Plans 2 May 2011 A0 1:250 scale
- PA08C 0 EfW CHP Building Floor Plans 3 May 2011 A0 1:248 scale
- PA08D - Proposed Roof Plan May 2011 A0 1:250 scale
- PA08E 0 EfW CHP Building Switch Gear and Control Rooms May 2011
- PA09A - Proposed Administration Building Floor Plans and Roof Plan May 2011 A0 1:100 scale
- PA09B - Proposed Administration Building Elevations and Section May 2011 A0 1:100 scale
- PA10 - Proposed Air Cooled Condensers Plan, Sections and Elevations May 2011 A1 1:250 scale
- PA11 - Gatehouse Plan and Elevations May 2011 A1 1:50 scale
- PA12 - Stores and Workshop Plans and Elevations May 2011 A1 1:200 scale
- PA13 - Proposed Cycle Shed May 2011 A3 1:50 scale
- PA14 0 Transformer Enclosure May 2011 A2 1:250 scale
- PA15 0 Emergency Generator Elevation and Section May 2011 A2 1:250 scale
- PA16 - North Intake Substation Details May 2011 A3 1:50 scale
- PA17 R Landscape Masterplan Revised – Sep 2011 A1 1:1,250 scale
- PA18A I Landscape Sections 1-1 and 2-2 Revised – Nov 2011 A1 1:500 (section) 1:2,000 (key plan)
- PA18B B Landscape Section 3-3 May 2011 A1 1:500 (section) 1:2,000 (key plan)
- PA18C B Landscape Section 4-4 May 2011 A1 1:500 (section) 1:2,000 (key plan)
- PA18D A Landscape Section 5-5
- PA18E A Section 6 Roof Terrace to 9 Talbot Gardens Nov 2011 A3 Not to scale
- PA19A B Site Access Right Turn Option Revised – Sep 2011 A1 1:500 scale
- PA19B A Site Access Long Section Revised – Sep 2011 A1 1:500 (horizontal) 1:100 (vertical)
- PA19D A Site Access Right Turn Option Exceedence Pathways and Overland Flow Routes Nov 2011 A1 1:750 scale
- PA19E A Drainage Grip Nov 2011 A3 1:20 scale
- PA20A - Bull Point Access Road May 2011 A1 1:500 (plan) 1:500 (horizontal) 1:100 (vertical)
- PA20B - Bull Point Road Access Tracking May 2011 A1 1:500 scale
- PA20C A Bull Point Road Access Exceedence Pathways and Overland Flow Routes Nov 2011 A1 1:500 scale
- PA21 E Drainage Layout Plan Sep 2011 A3 1:1,250 scale
- PA21-I - Drainage Layout Plan – Bull Point Access Road Detail Sep 2011 A3 1:1,000 scale
- PA22 - Clear Span Bridge Plan and Elevation May 2011 A1 1:200 (plan) 1:100 (elevation)
- PA23 - Connections to Infrastructure May 2011 A1 1:3,000 scale
- 009-02-D123356-406- Construction Works Phasing Plan Nov 2011
- PA24B Rev. B - A38 Weston Mill Junction slip roads -dated 19 October 2011

Additional information in respect of the Access Road Drainage; Phasing of Construction Works; Cross Sections; and Safety Assessment. Also revised Photomontages (and their implications for the Environmental Statement), and a new Statement of Alternative Locations for the processing of Bottom Ash.

The new drawing numbers are; Draining Drawings PA19D, PA19E, PA20C; Cross Section Drawings; PA18D, PA18E and Revised Cross Section Drawings; PA18A. subject to the following conditions:

APPROVED DOCUMENTS

(1) This planning permission is for the construction and operation of an energy from waste combined heat and power facility for the combustion of up to 265,000 tonnes of waste per year and the development hereby permitted shall only be carried out in accordance with the information submitted in support of the application listed below, except in so far as the submitted information is amended by the conditions specified below.

Planning Application Form (dated 10 May 2011)

Approved Documents

Planning application and supporting documents May 2011

Volume 1 ES Main Text May 2011

Planning Application and Environmental Statement Further Information Submitted 7 September 2011 (Regulation 19 response)

Volume 2 Landscape and Visual Appendices

Revised ES Figure 8 Series: Landscape and Visual

Volume 3 Transport Appendices

Planning Application and Environmental Statement Further Information submitted 11 November 2011

Planning Application and Environmental Statement Further Information submitted 18 November 2011

Approved Drawings

PA01 A Site Location Plan May 2011 A3 1:10,000 scale

PA02 B Planning Application Boundary May 2011 A1 1:3,000 scale

PA03 - Existing Site Topography May 2011 A1 1:1,250 scale

PA04 B Aerial Photograph May 2011 A3

PA05 0 Proposed Site Layout May 2011 A0 1:500 scale

PA06A - Proposed North-West Elevation May 2011 A0 1:250 scale

PA06B - Proposed South-East Elevation May 2011 A0 1:250 scale

PA06C A Proposed North-East Elevation A0 1:250 Corrected and re-submitted 18 November 2011

PA06D A Proposed South-West Elevation A0 1:250 Corrected and re-submitted 18 November 2011

PA07A 0 Longitudinal Section of Entire Main Building May 2011 A0 1:250 scale

PA07B 0 Longitudinal Section of Water Treatment Building May 2011 A1 1:250 scale

PA07C 0 Cross Section of Waste Bunker and Bale Store Building May 2011 A1 1:250 scale

PA07D 0 Longitudinal Section of Turbine Hall May 2011 A1 1:250 scale

PA07E 0 Longitudinal Section of Tipping Hall May 2011 A1 1:150 scale

PA08A 0 EfW CHP Building Floor Plans 1 May 2011 A0 1:248 scale

PA08B 0 EfW CHP Building Floor Plans 2 May 2011 A0 1:250 scale

PA08C 0 EfW CHP Building Floor Plans 3 May 2011 A0 1:248 scale

PA08D - Proposed Roof Plan May 2011 A0 1:250 scale

PA08E 0 EfW CHP Building Switch Gear and Control Rooms May 2011

PA09A - Proposed Administration Building Floor Plans and Roof Plan May 2011 A0 1:100 scale

PA09B - Proposed Administration Building Elevations and Section May 2011 A0 1:100 scale

PA10 - Proposed Air Cooled Condensers Plan, Sections and Elevations May 2011 A1 1:250 scale

PA11 - Gatehouse Plan and Elevations May 2011 A1 1:50 scale

PA12 - Stores and Workshop Plans and Elevations May 2011 A1 1:200 scale

PA13 - Proposed Cycle Shed May 2011 A3 1:50 scale

PA14 0 Transformer Enclosure May 2011 A2 1:250 scale
 PA15 0 Emergency Generator Elevation and Section May 2011 A2 1:250 scale
 PA16 - North Intake Substation Details May 2011 A3 1:50 scale
 PA17 R Landscape Masterplan Revised – Sep 2011 A1 1:1,250 scale
 PA18A I Landscape Sections 1-1 and 2-2 Revised – Nov 2011 A1 1:500 (section) 1:2,000 (key plan)
 PA18B B Landscape Section 3-3 May 2011 A1 1:500 (section) 1:2,000 (key plan)
 PA18C B Landscape Section 4-4 May 2011 A1 1:500 (section) 1:2,000 (key plan)
 PA18D A Landscape Section 5-5
 PA18E A Section 6 Roof Terrace to 9 Talbot Gardens Nov 2011 A3 Not to scale
 PA19A B Site Access Right Turn Option Revised – Sep 2011 A1 1:500 scale
 PA19B A Site Access Long Section Revised – Sep 2011 A1 1:500 (horizontal) 1:100 (vertical)
 PA19D A Site Access Right Turn Option Exceedence Pathways and Overland Flow Routes
 Nov 2011 A1 1:750 scale
 PA19E A Drainage Grip Nov 2011 A3 1:20 scale
 PA20A - Bull Point Access Road May 2011 A1 1:500 (plan) 1:500 (horizontal) 1:100 (vertical)
 PA20B - Bull Point Road Access Tracking May 2011 A1 1:500 scale
 PA20C A Bull Point Road Access Exceedence Pathways and Overland Flow Routes Nov 2011 A1
 1:500 scale
 PA21 E Drainage Layout Plan Sep 2011 A3 1:1,250 scale
 PA21-I - Drainage Layout Plan – Bull Point Access Road Detail Sep 2011 A3 1:1,000 scale
 PA22 - Clear Span Bridge Plan and Elevation May 2011 A1 1:200 (plan) 1:100 (elevation)
 PA23 - Connections to Infrastructure May 2011 A1 1:3,000 scale
 009-02-D123356-406- Construction Works Phasing Plan Nov 2011
 PA24B Rev. B - A38 Weston Mill Junction slip roads -dated 19 October 2011

Reason:

To define the permission and to ensure the permission is implemented in all respects in accordance with the submitted details.

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(2)The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

ENTRANCE SCULPTURE

(3)The entrance sculpture shall be provided in the location shown on the approved Landscape Masterplan PA17R prior to the Energy from Waste plant becoming operational It shall be provided in accordance with a 2 Stage 'Expression of Interest' Design Competition mechanism as suggested by the applicants in their submission of 8th December or in accordance with such other schemes as may be agreed with the Local Planning Authority.

Reason:

To ensure that the development respects the character, and context of the surrounding area in accordance with policies CS02, CS03 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

PHASING OF DEVELOPMENT

(4)The works comprised within the area delineated as Stage 2 on drawing number 009-02-D123356-406 (the main construction works) of the development hereby permitted shall not be commenced before the works within the area delineated as Stage 1 on drawing number 009-02-D123356-406 (the Base Enhancement Works) are completed to the satisfaction of the local

planning authority and the developer shall notify the Local Planning Authority in writing of the following dates:

- a) 2 weeks in advance of the date of commencement of the construction of Base Enhancement works;
- b) 2 weeks in advance of the date when the main construction works commences.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004 and to assist with the effective monitoring of the planning conditions.

DECISION NOTICE REQUIREMENTS

(5) From the date of commencement of the development a copy of this planning permission and all documents approved in accordance with it shall be kept at the Site, made known to the person responsible for operations on the Site, and kept available for inspection during working hours.

Reason:

To enable easy reference and to encourage compliance with the requirement of the planning permission so as to ensure the orderly operation of the Site.

HEIGHT AND EXTERNAL MATERIALS OF MAIN BUILDING

(6) No part of the main building (other than rib columns and the chimney stack) shall exceed 45m in height and the principal external materials and colours of the buildings shall be as shown on Drawings PA06; PA09B; PA10; PA11; PA12: unless otherwise agreed in writing by the Local Planning Authority:

Plinth: Concrete panels with limestone colour render; East and West facade wall cladding: Kingspan Longspan in grey, green, blue and red with grey louvres at the base and white louvres at the top; Roofing and north and south wall cladding: Kalzip standing seam aluminium roofing material; Air cooled condensers: Kalwall opaque cladding on an angular frame

Reasons To ensure that the height and appearance of the main building respects the character, and context of the surrounding area in accordance with policies CS02, CS03 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and policies W7 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

WASTE CATEGORY AND PUBLIC SAFETY

(7) No loads of hazardous waste material shall be accepted at the site for treatment and no high, medium or low or very low level radioactive waste shall be accepted for disposal in the EFW plant, except with regard to low level radioactive waste found typically within municipal waste.

Reasons:

This category of waste material was not applied for and would raise environmental and amenity issues which would require consideration afresh, and in the interests of environmental and amenity protection in accordance with policies CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and policies W7 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

RECYCLING WASTE INDUSTRIAL BOTTOM ASH (IBA)

(8) At least 95% of the IBA produced at the plant shall be recycled and not sent to landfill and records of this shall be kept and procedures for making this available to the lpa shall be in accordance with details agreed in writing by the lpa prior to development within the area delineated as Stage 2 on drawing number 009-02-D123356-406 (the Main Construction Works). The details shall also include the procedures that will be followed to try to secure the use of treated bottom ash as an aggregate for local infrastructure and engineering projects and the mechanisms for ensuring a landfill diversion factor of at least 95%.

Reason:

To optimize the use of residual waste as a resource and to make sure that IBA waste arising from the plant are used in the most sustainable way, in accordance with Strategic Objectives SO11, SO13 and policy CS20 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007

SURFACE WATER MANAGEMENT STAGE 1

(9)No development within the area delineated as stage 1 on drawing number 009-02-D123356-406 (the Base Enhancement Works) shall be commenced until details of a scheme for the provision of surface water management for the Base Enhancement Works has been submitted to and approved in writing by the Local Planning Authority. The details shall include:-

- details of the drainage during the relevant construction phase;
- details of the final sustainable drainage scheme;
- provision for exceedance pathways and overland flow routes;
- measures to prevent pollution of the water environment beyond the site
- a timetable of construction;
- a construction quality control procedure;
- a plan for the future maintenance and management of the system and overland flow routes.

Prior to operation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure the drainage system is appropriate to ensure flood risk is appropriately managed and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development in accordance with policies CS21,CS22,and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and policies W7 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

SURFACE WATER MANAGEMENT STAGE 2

(10)No development within the area delineated as stage 2 on drawing number 009-02-D123356-406 (the main construction works) shall be commenced until details of a scheme for the provision of surface water management for the main construction works has been submitted to and approved in writing by the Local Planning Authority. The details shall include:-

- details of the drainage during the relevant construction phase;
- details of the final drainage sustainable scheme;
- a timetable of construction;
- a construction quality control procedure;

- a plan for the future maintenance and management of the system and overland flow routes.
- measures to prevent pollution of the water environment beyond the site

Prior to operation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure the drainage system is appropriate to ensure flood risk is appropriately managed and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development in accordance with policies CS21, CS22, and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and policies W7 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

SURFACE WATER MANAGEMENT OF SWALE

(11) No development within the area delineated as stage 2 on drawing number 009-02-D123356-406 (the main construction works) shall be commenced until details of the swale to be constructed along the western boundary of the site has been submitted to and approved in writing by the Local Planning Authority.

Prior to operation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure the drainage system is appropriate to ensure flood risk is appropriately managed and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development in accordance with policies CS21, CS22, and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and policies W7 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

DESIGN OF ACCESS BRIDGE AND RELATED SECURITY SCREEN

(12) No development within the area delineated as stage 2 on drawing number 009-02-D123356-406 (the main construction works) shall be commenced until details of the vehicular access bridge and related security screen has been submitted to and approved in writing by the Local Planning Authority.

Prior to operation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure the bridge and security screen design are appropriate and do not increase flood risk or have a detrimental environmental impact in accordance with policies CS21, CS22, and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and policies W7 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

FLOOD EMERGENCY MANAGEMENT PLAN

(13) No development approved by this permission shall be brought into use until a flood warning and evacuation procedure has been submitted to and agreed in writing by the Local Planning Authority.

Reason :

To minimise risks to users of the facility during times of flood impact in accordance with policy CS21 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME FOR GROUND GAS

(14) Prior to the commencement of the main construction works the applicant shall install the approved ground gas protection measures to a level of CS3 of BS8485:2007 (referring to tables 2 and 3) The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved ground gas remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. This report must include independent verification of remediation measures in accordance with the agreed terms.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS22 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007

SITE PREPARATION AND INVESTIGATION OF LANDSCAPED AREAS

(15) Prior to the plant being brought into use, an investigation and risk assessment of all landscaped areas within the site in addition to any assessment provided with the planning application, must be completed at final formation level. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to the Local Planning Authority for approval. In the event that the report identifies contamination, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority and any measures shall be implemented in accordance with the recommendations of the approved report, to the satisfaction of the Local Planning Authority, prior to the plant being brought into use .

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS22 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008

REPORTING OF UNEXPECTED CONTAMINATION

(16) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, and be approved in writing by the Local Planning Authority

Reason: To protect controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and the environment in accordance with policy CS22 and CS34 of the City

of Plymouth Local Development Framework Core Strategy adopted April 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008

BLACKIES WOOD RISK ASSESSMENT

(17) Use of the plant hereby permitted shall not commence until a scheme for regulating public access to Blackies Wood shall be submitted to and approved in writing by the Local Planning Authority. The wood must not at any time be opened for general public access without written approval by the Local Planning Authority following robust risk assessment by the applicant and any necessary remediation.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS22 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

(18) No development shall take place until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall set out the arrangements for managing all environmental effects of the development during the construction period, including but not limited to: traffic, temporary site security fencing, artificial site illumination, noise, vibration, control of vermin, dust including management of stockpiles, air pollution and odour, including those effects from any decontamination of the land, wheel wash facilities, the control of mud on roads and crushing and piling operations. The agreed CEMP shall be implemented in full throughout the duration of the construction works, unless a variation is agreed in writing by the Local Planning Authority, in advance.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and/or dust, odour and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007. and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008

NOISE LEVELS DURING CONSTRUCTION

(19) The noise levels indicated within the submitted Acoustics Technical Note dated 28th July 2011 are the maximum permitted levels. If during the stage 1 and stage 2 construction phases of the development noise levels exceed the approved limits then the noisy activity shall cease until such time as noise reduction measures have been carried out. Noise monitoring shall then be carried out to verify that the noise levels do not exceed the approved limits.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

COMMISSIONING MANAGEMENT PLAN

(20) Prior to the commencement of the commissioning phase, a written Commissioning Management Plan and timetable of operation for the commissioning phase shall be submitted in writing to the Local Planning Authority for approval. This plan shall indicate each stage of the commissioning phase, any potential impact on residents, timetable of events, mitigation controls and consideration of weather conditions, and how the information will be made available to the public. The commissioning shall not commence without written approval of the Commissioning

Management Plan by the Local Planning Authority. The approved Commissioning Management Plan shall be followed throughout. Any alteration to the plan shall not be made without the prior written approval of the Local Planning Authority.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and/or dust, odour and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

OPERATIONAL NOISE AND START-UP NOISE PROTOCOL

(21) During the operational phase of the development, prior to any planned noisy events (e.g. testing the operation of the emergency pressure valve, steam purging) the Local Planning Authority shall be given written notice of the events, which shall not be carried out other than between the following hours:

09:00 -17:00 Monday to Fridays. No such planned noisy events shall take place on Saturdays, Sundays, Public or Bank Holidays. Prior to re-start of the facility after either breakdown or maintenance shut-down the re-start process should be planned so that all noisy events during the process, such as exhaust steam valve testing, will not occur outside the following hours: 0900-1700 Monday-Fridays and 1000-1600 Saturdays and Sundays. A protocol for the procedures to be followed to avoid noisy activities such as exhaust steam valve testing occurring at unsocial hours outside 0900-1700 Monday to Fridays shall be submitted to, and receive the written approval of the Local Planning Authority prior to the commissioning of the plant. Evidence of adherence to this protocol shall be maintained by the operator for inspection by the Local Planning Authority when requested.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008

POLLUTION MINIMISATION PROTOCOL - SITE TRAFFIC

(22) Prior to the commencement of site preparation works, a protocol for the procedures to be followed for minimising any adverse impact that the warning signals emitted by reversing vehicles may have on residential amenity and for minimising noise and air pollution from any HGV traffic queuing on the access road shall have been submitted to and have had the written approval of to the Local Planning Authority. The arrangements that are approved shall be implemented and maintained throughout the life of the site.

Reason:

The proposed site is in vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and air quality adverse effects and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

OPERATIONAL ODOUR, LITTER AND DUST MANAGEMENT PLAN

(23) An Odour, Litter and Dust Management Plan shall be submitted in writing and approved by the Local Planning Authority prior to the works comprised within the area delineated as Stage 2 on drawing number 009-02-D123356-406 (the main construction works) and the approved Plan shall be adhered to at all times during the operation of the plant. This shall include but not be limited to:-

- The restrictions over outdoor storage of waste and the waste sorting location
- The covering requirements of vehicles

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- The control of doors to the tipping hall to ensure that they remain closed at all times when not in use, or not accepting deliveries of waste.
- The details of access road odour control measures.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and/or dust, odour and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

NOISE MITIGATION –ACOUSTIC BARRIERS AND LOUDSPEAKERS

(24)Acoustic barriers shall be erected adjacent to the site access road in the locations to be agreed in writing by the Local Planning Authority as part of development within the area delineated as stage 1 on drawing number 009-02-D123356-406 (the Base Enhancement Works) and along the northern boundary of the proposed Maintenance Lay down Area (west of the Workshop building) as part of development within the area delineated as stage 2 on drawing number 009-02-D123356-406 (the Main Construction Works) in accordance with full detailed specifications having the prior written approval of the local planning authority. The barriers shall be maintained in place for the life of the plant. Any public address system or loudspeakers used within the site boundary shall not be audible beyond the site boundary.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

WORKSHOP OPERATION

(25)The workshop shall not be operational between the hours of 23:01 to 06:59. Any opening (windows and doors) shall remain closed during use of the workshop.

Reason: The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

NOISE MITIGATION DURING PERIODS OF SHUT DOWN

(26)In accordance with section 14.6.64 of the ES, no baling and storage of wastes shall take place on the site other than during periods of breakdown, planned shutdown or maintenance of the facility.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

OPERATIONAL TONAL NOISE

(27)There shall be no tonal element to the noise emitted from the plant during operation at night (23:01hrs to 06:59hrs), as measured by the methodology set out within BS 7445.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and to avoid conflict with Policy CS22 and CS34 of the

Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

OPERATIONAL NOISE LEVELS

(28)The rating level of the noise emitted from the site shall not exceed the existing background noise level values reported at the receptors identified in the ES by more than 5 dBA at the relevant time of day (07:00 to 23:00) or night time (23:01 to 06:59). The noise levels shall be determined and the assessment shall be made according to BS 4142:1997. The application or otherwise of an acoustic character correction in order to determine the rating level shall be in line with the advice of BS 4142, with any discrete note assessed as per the advice on tonality of the note to section 4.1.2 of BS 7445:1994.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

HANDLING OF WASTE AND RECYCLABLE MATERIALS

(29)No waste or recyclable materials shall be unloaded, or loaded other than within the building. Details of the layout and location of such loading/unloading areas within the building shall be submitted to and approved in writing by the LPA and thereafter those areas shall not be used for any other purpose unless a suitable alternative area is provided

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

IMPORT/EXPORT HOURS

(30)For the purpose of this condition the import/export hours are those hours where the facility is open to receive deliveries from refuse collection vehicles from any sources, local authority, commercial and industrial sources. This includes delivery of products (such as materials for normal operation and waste products) to the site and removal of bottom ash and APC residue from the site. Any exception to these hours shall only be with the prior written approval of the Local Planning Authority, and following a review which shall be carried out with the Local Planning Authority after a period of 2 years from the plant being first brought into use.

Prior to the plant being brought into use a scheme for the procedures to review the import and export hours specified in this condition shall be submitted to and approved by the Local Planning Authority. Following the approved review the import and export hours shall either remain as set out in this condition as follows or be varied for Sundays and Bank Holidays as determined by the Local Planning Authority.

The opening hours shall be:

Monday to Friday

08.00 - 19.00

Saturday

08.00 - 18.00

Sunday

10.00 - 16.00

Bank Holidays (except Christmas Day and Boxing Day)
10.00 - 16.00

Christmas Day
Closed

Boxing Day
10.00 - 16.00

No HGV vehicles shall enter or leave the Site outside these times.

Reason: The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and/or dust, odour and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

NOISE MONITORING ARRANGEMENTS

(31)A schedule of proposed noise verification monitoring shall be submitted to, and agreed in writing by the Local Planning Authority prior to the plant being brought into use. The schedule shall include, but shall not be limited to, a requirement to monitor within three months of the completion of the commissioning phase of the Energy from Waste Facility and at regular intervals thereafter. Noise measurements during monitoring shall be undertaken at the site for a continuous 24 hour period by a competent person during suitable weather conditions. The results shall be submitted to the Local Planning Authority for consideration in accordance with arrangements set out in the approved schedule.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

VEHICLE SHEETING REQUIREMENTS

(32)No waste materials shall be imported to the Site and no waste or recyclable materials shall be exported from the Site other than in vehicles which are enclosed, sheeted, netted, or equipped with sealed containers. No Air Pollution Control Residue shall be exported from the Site other than in sealed containers, During the site preparation and construction phase of the development, all open-bodied HGVs carrying loose aggregate, cement, soil or other potentially loose or dust generating material into or out of the Site shall be sheeted.

Reason:

The proposed site is in vicinity to existing residential properties, whose occupants may experience harm to amenity from dust/odour and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

STREET DETAILS (STAGE I)

(33)No development within the area delineated as Stage I on drawing number 009-02-D123356-406 (the Base Enhancement Works) shall take place until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming that part of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with those approved plans.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment to serve Stage 1 of the development in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

STREET DETAILS (STAGE 2)

(34) No development within the area delineated as Stage 2 on drawing number 009-02-D123356-406 (the Main Construction Works) shall take place until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming that part of the development have been submitted to and approved in writing by the Local Planning Authority. The Energy from Waste plant shall not be brought into use until all roads and footways forming part of the Stage 2 works have been completed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment to serve Stage 2 of the development in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

(35) The construction of the development hereby proposed shall not commence until there has been submitted to and approved in writing by the Local Planning Authority (who shall consult with the Highways Agency) a Construction Traffic Management Plan (CTMP). The said CTMP shall be submitted within 1 month of the commencement of the Base Enhancement Works (Stage 1) and shall include details of construction vehicle movements including number, type and size of vehicle; construction operation hours; routes being used by construction traffic; contractors car parking arrangements and details of the consideration of the use of alternative modes of transport for the delivery of bulky items. The construction of the development hereby permitted shall be carried out strictly in accordance with the approved CTMP.

Reason:

To ensure that the traffic impacts associated with the construction phase of the proposed development does not lead to adverse impacts upon the operation of either the Local or Strategic Road Networks in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and the Department of Transport Circular 02/2007 – Planning and the Strategic Road Network..

ACCESS - CONTRACTORS

(36) Prior to the commencement of works within the area delineated as Stage 1 (Base Enhancement Works), an adequate road access for use by contractors with an appropriate standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to any adjoining highway in a position and manner to be agreed in writing with the Local Planning Authority.

Reason:

To ensure an adequate road access is provided at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

PEDESTRIAN/CYCLE ACCESS

(37) The Energy from Waste plant shall not be brought into use until a means of access for both pedestrians and cyclists has been constructed in accordance with the approved plans.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

CAR PARKING PROVISION

(38)The Energy from Waste plant shall not be brought into use until space for a maximum of 51 cars to be parked has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority Reason. The car parking spaces shall thereafter be retained for that purpose and shall not be used for any other purpose.

Reason;

To enable vehicles used by staff or visitors to the plant to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

CYCLE PROVISION

(39)The Energy from Waste plant shall not be brought into use until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority in order to allow a total of 10 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

CYCLE STORAGE

(40)The secure area for the storage of cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for staff or visitors to the EfW plant in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

LOADING AND UNLOADING PROVISION

(41)The Energy from Waste plant shall not be brought into use until adequate provision has been made to enable delivery/collection vehicles to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To enable such vehicles to be loaded and unloaded in a safe and convenient location in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

HGV ROUTE PLAN

(42)No development shall commence until a scheme showing the details of the HGV routes that will be used by HGVs during the construction period and MSW and C&I waste vehicles delivering to the plant (including from within the Dockyard) has been submitted to the Local Planning Authority for approval. The plant shall thereafter operate in accordance with the approved scheme.

Reason:

To ensure that HGV movements (and in particular bulkers) are restricted to agreed vehicular routes in the interests of highway safety and convenience in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

C&I WASTE DELIVERY VEHICLES

(43)No waste delivery vehicles of less than 4 tonnes nett payload will be permitted to deliver C&I waste to the EfW plant.

Reason:

In order to avoid smaller amounts of C&I waste being delivered to the EfW plant which would result in an increase in C&I waste movements over and above those identified in the approved Transport Assessment which could give rise to issues of highway safety and capacity on both the Local and Strategic Road Networks which would be contrary to Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

GRAMPIAN CONDITION - A38 WESTON MILL JUNCTION

(44)No works shall commence on-site until details of a scheme of improvements to the junction of the A38 Parkway with Weston Mill Drive have been submitted to both the Secretary of State for Transport and Local Highway Authority for approval. The said improvements to both the East and Westbound off-slips (as indicated on SW/URS Drg. No. PA24B Rev.B) are required to address known accident problems and shall be delivered within 6 months of the commencement of the Stage I Construction Works (Base Enhancement Works as shown on Drg. No. 009-02-D123356-406).

Reason:

In order to address highway safety concerns relating to the increased use of the A38 Weston Mill Junction by HGV traffic associated with the proposed EfW plant in the interests of public and highway safety in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and maintain the efficient operation of the trunk road network.

GRAMPIAN CONDITION - WESTON MILL DRIVE/WOLSELEY ROAD JUNCTION

(45)No works shall take place on the area identified as Stage 2 of the construction phase (Main Construction Works as indicated on Drg. No. 009-02-D123356-406) until alterations/improvements have been undertaken to the signalised junction of Wolseley Road with Weston Mill Drive in order to allow it to be operationally linked to the new signalised right turn on the Dockyard Access Road North in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such improvements to the junction shall include the provision of pedestrian crossing facilities across the south western arm of the junction and modifications to existing kerbed islands to create 2 no. 3m wide approach lanes.

Reason:

In order to provide a safe and operational means of access to the site in the interests of highway safety and convenience in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

HIGHWAYS AGENCY DIRECTION I

(46)No works shall commence on-site until details of a scheme of improvements to the junction of the A38 Parkway with Weston Mill Drive as generally shown on URS/Scott Wilson's Drawing no. PA24B Rev. B dated 19 October 2011 have been submitted to and approved in writing by Plymouth City Council as local planning authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport). The Main Construction Works on the site shall not

commence until the approved improvement scheme has been constructed and completed to the satisfaction of Plymouth City Council as local planning authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport). The Main Construction Works shall comprise all other works except those referred to as the Base Enhancement Works. The Base Enhancement Works shall comprise the construction of the main access road; the Bull Point Access Road; the perimeter security fence; and the establishment of the site compound on Table Top Mountain; fencing around the site compound; and the provision of a construction electricity supply cable from the DLCCP sub station.

Reason:

In the interests of highway safety, the efficient operation of the local and trunk road networks.

HIGHWAYS AGENCY DIRECTION 2

(47)The development hereby proposed shall not be permitted to generate more than 290 two-way heavy goods vehicles movements per 24 hr period on the Local or Strategic Road Networks without the prior consent of the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport).

Reason:

In the interests of highway safety, the efficient operation of the local and trunk road networks.

HIGHWAYS AGENCY DIRECTION 3

(48)No part of the development hereby approved shall commence until a Site Construction Method Statement or Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport). The method statement/management plan shall include details of the following:

on-site construction worker parking;
anticipated number, frequency and size of construction vehicles entering/exiting the site;
delivery times of construction material;
construction operating hours

Such details shall be implemented or phasing agreed in writing, prior to the commencement of works on site and thereafter retained for the duration of the work.

Reason:

In the interests of highway safety, the efficient operation of the local and trunk road networks and to safeguard the amenities of neighbouring residents.

HIGHWAYS AGENCY DIRECTION 4

(49)No part of the development hereby approved shall be occupied or brought into its intended use until a comprehensive Travel Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport), developed for all elements of the development hereby permitted.

The Travel Plan will need to be prepared for all elements of the development hereby approved and shall be prepared in line with prevailing policy and best practice and shall include as a minimum:

- The identification of targets for trip reduction and modal shift
- The methods to be employed to meet these targets
- The mechanisms for monitoring and review
- The mechanisms for reporting
- The penalties to be applied in the event that targets are not met

- The mechanisms for mitigation
- Implementation of the travel plan to an agreed timescale or timetable and its operation thereafter
- Mechanisms to secure variations to the Travel Plan following monitoring and reviews

A review of the travel plan targets shall be undertaken within 3 months of occupation of the development and on an annual basis thereafter at the time of submission of the Annual Travel Plan Report.

Reason:

In order that the development promotes public transport, walking and cycling, and limits the reliance on the private car.

LANDSCAPING

(50) Prior to the commencement of the development hereby permitted, a detailed landscaping and aftercare scheme for the Site (the scheme), based on the approved Landscape Masterplan Revised Sep 2011 plan PA17 R (and landscape drawings PA 18A,B,C,D and E) and the Landscape Strategy in the approved Design and Access Statement shall be submitted for the written approval of the Local Planning Authority. These details shall include detailed planting plans noting species and plant size and proposed numbers for all areas ;proposed finished levels, means of enclosure, hard surface materials and minor artefacts such as the terrace sculptures and furniture.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

LANDSCAPE WORKS IMPLEMENTATION

(51) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policy CS34 of the Local Development Framework Adopted Core Strategy 2006-2021.

APPEARANCE OF THE SITE

(52) The buildings, structures, perimeter security fencing, gates and hard-surfaces shall be completed in accordance with the approved plans before the date when commissioning commences except for the roof terrace which shall be laid in accordance with the approved plans no later than the first planting season following the date when commissioning commences. Thereafter the buildings, structures, perimeter security fencing, gates, hard-surfaces and roof terrace shall be retained for purpose for the duration of the development hereby permitted.

Reason:

To ensure that the permission is implemented in all respects in accordance with the submitted details; to ensure that the approved design and environmental standards are maintained and to protect visual amenity; in accordance with Policy CS34 of the Local Development Framework Adopted Core Strategy 2006-2021.

LIGHTING

(53) Permanent lighting on the Site shall be installed and maintained in accordance with the Lighting Scheme described in the Design and Access Statement and thereafter retained. Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before

the use hereby permitted commences Development shall be carried out in accordance with the approved details.

Reasons:

To ensure that the details of the development are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity.

TELECOMMUNICATIONS SYSTEMS

(54)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no structures, satellite antennae, apparatus or any plant in connection with telecommunication systems shall be installed on the Site, without the prior written approval of the Local Planning Authority.

Reason:

To ensure that the permission is implemented in all respects in accordance with the submitted details; to ensure that the approved design and environmental standards are maintained; to minimise the visual impact and to ensure that the appearance of the main building respects the character, and context of the surrounding area in accordance with policies CS02, CS03 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and policies W7 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

CESSATION AND DECOMMISSIONING ENVIRONMENTAL MANAGEMENT PLAN (DEMP)

(55)Not less than 2 years prior to the planned cessation of the operations hereby permitted, written notice of the planned cessation shall be given to the Local Planning Authority. Not less than 18 months prior to the planned cessation of the operations hereby permitted, a Decommissioning Environmental Management Plan (DEMP) shall be submitted for the written approval of the Local Planning Authority. The DEMP shall include the following details:

- a. the demolition/dismantling and removal of the plant and buildings;
- b. site waste management including measures to recycle materials on the Site
- c. hours of working;
- d. car parking arrangements;
- e. traffic management;
- f. decommissioning worker accommodation and support facilities and their means of enclosure;
- g. measures to control lighting, noise, dust, odours and fumes in order to minimise the adverse effects on the amenity of neighbours;
- h. temporary storage compounds and stockpile areas;
- i. measures to prevent mud and debris being deposited on the highway;
- j. measures to protect trees and hedgerows;
- k. temporary fencing;
- l. measures to minimise the pollution of surface and ground water
- m. measures to inform visitors and liaise with neighbours;
- n. a restoration scheme; and
- o. a programme for implementation.

Decommissioning shall not commence until the DEMP has been approved in writing and the Site shall be decommissioned and restored in accordance with the approved DEMP.

Reasons:

To define the cessation of the development; to protect the amenity of neighbours; to protect flora and fauna; in the interests of highway safety; to protect the natural environment; to minimise the risk of pollution to air, to soil and to the water environment; and in the interests of sustainable waste management; where applicable, in accordance with policies CS34 of the City of Plymouth

Local Development Framework Core Strategy adopted April 2007 and policies W7 and W8 of the Plymouth City Council Waste Development Plan 2006-2021 adopted 2008.

AMENITY COMPLAINTS PROTOCOL

(56) No development shall take place at the site until a protocol for the recording and investigation of all noise and nuisance complaints associated with the development has been submitted to and have had written approval of the Local Planning Authority. The approved protocol shall be implemented and maintained throughout the life of the development in full accordance with the approved details.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and/or dust, odour etc and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy adopted April 2007.

MARINE LITTER MONITORING AND REMOVAL

(57) A scheme of marine litter monitoring and removal shall be submitted to and approved by the Local Planning Authority 3 months following the commencement of the main constructional works. This scheme is to periodically record the levels of litter within zone identified between Points A, B and C inclusive within Weston Mill Creek as identified on the attached condition plan one. Twice yearly a comprehensive clearance of all ecologically undesirable debris shall take place from the defined area. Records of marine litter quanta shall be maintained at the EfW CHP facility and made available to the Local Planning Authority on request. A marine litter annual report shall be provided for the Local Planning Authority summarising the outputs and this shall be provided on the dedicated community web site (see schedule 5 in the I06 Agreement). It is understood that the developer may not be solely responsible for all or any occurrence of marine litter within the blue area here indicated.

Reason:

To ensure good standards of water quality within the vicinity of this EfW CHP facility for the benefit of the public and the ecology within the water courses identified.

SURFACE WATER RUNOFF

(58) A scheme of monitoring the surface water runoff shall be submitted to and approved by the Local planning Authority prior to the commencement of the main constructional works. This scheme is to periodically record the levels of suspended solids, pH, biochemical oxygen demand and visual appearance of the surface water runoff from the development site for a period of one year from commencement of operation. Records shall be maintained at the EfW CHP facility and made available to the local Planning Authority and the Environment Agency on request. Any variations from the norm shall be notified to the Local Planning Authority and the Environment Agency and the EfW CHP facility. Data shall be provided on the community web site (see schedule 8 of the I06 Agreement).

During the main constructional works development the developer is to carry out daily visual observations of the boundary of the construction site in order to monitor the quality of the water runoff from the site. In the case of any pollution from the construction site being seen, steps must be taken immediately to prevent the water from entering the drainage system and the Environment Agency must be informed.

Reason:

To ensure good standards of water quality within the vicinity of this EfW CHP facility for the benefit of the public and the ecology within the water courses identified.

STANDARD OF DEVELOPMENT

(59)The Energy from Waste plant shall achieve a quality index of 100 under normal operating conditions to qualify as Good Quality CHP (under the current Department of Energy and Climate Change Quality Assurance Certification programme). Records shall be kept by the applicants from the commencement of operations to demonstrate that this quality is being achieved in accordance with statements of performance validated under the Quality Assurance Programme (or such other scheme that may subsequently supersede this programme as approved by the Local Planning Authority).The certification records shall be made available to the Local Planning Authority within 7 days of a written request from the Local Planning Authority.

Reason :

The facility shall maximise the recovery of energy from waste and maximise CHP output and efficiency in accordance with PPS1 and PPS22

INFORMATIVE: INDEPENDENT CERTIFICATION

(1)To assist the Local Planning Authority in monitoring the applicants should notify the LPA in writing within 2 weeks of the issue date of the Acceptance Certificate by the Independent Certifier.

INFORMATIVE: ENVIRONMENTAL PERMIT CONDITIONS

(2)The plant shall be operated at all times in accordance with the conditions of the Environmental Permit as the site is in immediate vicinity to existing residential properties, whose occupants may experience harm to amenity from noise and/or dust, odour and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: WORKS WITHIN WATERCOURSES

(3)The EA advises that the applicant should be aware that any works within watercourses will require the prior written consent from the Environment Agency. An application form and further details can be obtained from the Development and Flood Risk Team by telephone on 01208 265090.

INFORMATIVE: TESTING OF IBA

(4)The EA advises that Incinerator bottom ash is classified in the European Waste Catalogue as a 'mirror entry', that is a waste stream that can be either hazardous or non-hazardous dependent on the chemical constituents within the waste. In order to determine whether the waste is hazardous an assessment must be made using the guidance set out in technical guidance document WM2 'Interpretation of the definition and classification of hazardous waste'. As this waste stream is subject to change dependent on the make up of the source waste, a continuing programme of assessment will be required. Systems will need to be in place to ensure that IBA will be adequately tested, and that the waste will always go to an appropriately permitted site.

INFORMATIVE: ROUTING OF CONSTRUCTION VEHICLES

(5)The Highways Agency advises that the construction method statement/management plan should include details of the likely routing of construction vehicles to and from the site in order to provide an understanding of the likely impacts on the A38(T) during the construction period.

INFORMATIVE: NETWORK RAIL LAND

(6)Network Rail (NR) advise the applicants to prevent drainage discharging onto NR land; That demolitions should be carried out in accordance with an agreed method statement; that any changes in ground levels should involve consultation with NR ;that buildings should not be not be within 2m of boundary fence; that plant scaffolding and cranes must not oversail the railway but should be positioned not to fall on NR land in the event of failure.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: Sub-regional significance, the likely environmental and socio-economic impact, the alternative options, the impact upon features of national and local significance, pollution, heritage and bio-diversity considerations, employment and social impacts, visual and architectural significance, traffic impacts and impacts upon human rights and equal opportunities, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPS9 - Biodiversity and geological conservation
PPS1 - Delivering Sustainable Development
PPS22 - Renewable Energy
PPS23 - Planning & Pollution Control
PPS10 - Planning for Sustainable Waste Management
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS22 - Pollution
CS14 - New Education Facilities
CS07 - Plymouth Retail Hierarchy
CS25 - Provision for Waste Management
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS21 - Flood Risk
CS03 - Historic Environment
CS05 - Development of Existing Sites
CS01 - Sustainable Linked Communities
CS02 - Design
CS04 - Future Employment Provision
CS12 - Cultural / Leisure Development Considerations
SO13 - Delivering Sustainable Waste Management Targets
CS26 - Sustainable Waste Management
SPD2 - Planning Obligations and Affordable Housing
SPD3 - Design Supplementary Planning Document
PPS5 - Planning for the Historic Environment
Supp to PPS1 - Supplement to PPS1 (2007)
Supp to PPS1 - Supplement to PPS1 (2007)
PPS13 - PPS13 (Transport)
PPS24 - PPS24 (Planning and Noise)
Gov Re Waste - Government Review of Waste Policy (June 2011)
Hab Regs - Habitats Regulations 2010
Plan Growth - Plan for Growth (HM Treasury)
CIL - Community Infrastructure Regulations 2010
ENI - National Policy Statement for Energy
06/2005 - ODPM Circular 06/2005 (Biodiversity & Geological)
11/95 - ODPM Circular 11/95

05/05 - ODPM Circular 05/2005
RSSDev Pol A - Regional Spatial Strategy Policy A
RSS SD1 - Regional Spatial Strategy Policy SD1
RSS SD2 - Regional Spatial Strategy Policy SD2
RSS SD3 - Regional Spatial Strategy Policy SD3
RSS SD4 - Regional Spatial Strategy Policy SD4
RSS ENVI - Regional Spatial Strategy Policy ENVI
RSS ENV3 - Regional Spatial Strategy Policy ENV3
RSS ENV4 - Regional Spatial Strategy Policy ENV4
RSS ENV5 - Regional Spatial Strategy Policy ENV5
RSS FI - Regional Spatial Strategy Policy FI
RSS RE8 - Regional Spatial Strategy Policy RE8
RSS RE9 - Regional Spatial Strategy Policy RE9
RSS WI - Regional Spatial Strategy Policy WI
RSS W2 - Regional Spatial Strategy Policy W2
RSS W4 - Regional Spatial Strategy Policy W4
RSS VIS1 - Regional Spatial Strategy Policy VIS1
RSS VIS2 - Regional Spatial Strategy Policy VIS2
RSS ENI - Regional Spatial Strategy Policy ENI
RSS EN5 - Regional Spatial Strategy Policy EN5
RSS RE2 - Regional Spatial Strategy Policy RE2
RSS RE5 - Regional Spatial Strategy Policy RE5
RSS RE6 - Regional Spatial Strategy Policy RE6
PRG10 - Regional Planning Guidance PRG10
RSSPanel Rpt - Regional Spatial Strategy Panel Report (2007)
Waste Strat - Waste Strategy for England
SO13 - Local Development Framework Objective 13
Waste DPD W1 - Waste DPD policy W1
Waste DPD W2 - Waste DPD policy W2
Waste DPD W3 - Waste DPD policy W3
Waste DPD W4 - Waste DPD policy W4
Waste DPD W5 - Waste DPD policy W5
Waste DPD W6 - Waste DPD policy W6
Waste DPD W7 - Waste DPD policy W7
Waste DPD W8 - Waste DPD policy W8
Dport AAP - Devonport Area Action Plan
SCI - Statement of Community Involvement



Signed of behalf of Paul Barnard
Assistant Director of Development and Regeneration (Planning Services)
Planning Services

Dated: 03 February 2012