

Draft conditions and reasons for ESS/17/20/UTT

1. The development hereby permitted shall be begun before the expiry of 1 year from the date of this permission. Written notification of the date of commencement of development under this planning permission shall be sent to the Mineral Planning Authority within 7 days of such commencement.

Reason: To comply with section 91 of the Town and Country Planning Act 1990 (as amended) and to enable the Waste Planning Authority to adequately control the development and to comply with Adopted Essex and Southend-on-Sea Waste Local Plan 2017 (WLP).

2. The development hereby permitted shall be carried out in accordance with the details of the application dated 7 October 2014, together with supporting statement dated 7 October 2014, noise report dated September 2014, Essex Biodiversity Validation Checklist dated 17 November 2014, letter dated 3 November 2014, emails dated 4 November 2014 (15:34), 10 November 2014 (15:12) and 27 February 2015 (12:48), together with plan numbers:

Plan No.	Title	Date
M14.103.D.001	Site Location Plan	Sep 2014
M14.103.D.002	Existing Situation	Sep 2014
M14.103.D.003	Indicative Site Layout	Sep 2014
M14.103.D.004	Indicative Elevations	Sep 2014

And

As amended by planning application ESS/36/15/UTT dated 12 August 2016, Supporting Statement by PDE Consulting dated August 2016,

Essex Biodiversity Validation Checklist dated 12 August 2016 and Drawing M14.103.D.001 Site Location Plan dated Sept 2014

And

As amended by planning application ESS/21/18/UTT dated 27 July 2018 and the supporting documents:

Supporting statement by PDE Consulting dated 27 July 2018,
Essex Biodiversity Validation Checklist dated 30 July 2018
Letter from LF Acoustics dated 13 July 2018,
Letter from Wilkinson Associates (Ref: A1408) dated 18 July 2018,
Email from PDE Consulting dated 12 September 2018
Letter from LF Acoustics dated 10 September 2018 and accompanying Figure 1
Letter from PDE Consulting dated 16 October 2018

And

As amended by planning application ESS/17/20/UTT dated 11 February 2020 and Supporting Statement by PDE Consulting dated February 2020

and in accordance with any non-material amendment(s) as may be subsequently approved in writing by the Waste Planning Authority, except as varied by the following conditions: -

Reason: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with MLP policies: S1, S10, S11 and DM1, WLP policies: 10 and 12 and UDLP policies: GEN1, GEN4, ENV11 and S7.

3. All plant, buildings, machinery, foundations, hardstanding, used in connection with this permission shall have been removed within 3 months of cessation of mineral extraction or by the 25 March 2026 whichever is the sooner. The site shall be restored to agriculture in accordance with planning permission ESS/20/18/UTT or any subsequent approved restoration scheme.

Reason: To limit the impact of the site on local amenity and ensure restoration within a reasonable timescale and to comply with MLP policy S12, WLP policy 6 and 10.

4. The development hereby permitted shall only be carried out during the following times:

07:00 to 18:30 hours Monday to Friday
07:00 to 13:00 hours Saturdays

and at no other times, including no other times on Sundays, Bank or Public Holidays.

Except as amended by condition 17.

Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with MLP policies: DM1 and S10, WLP policy 10.

5. All vehicular access and egress to and from the site shall be from the B1256, as indicated on Plan No M14.103.D.001, dated September 2014. No other access shall be used by vehicles entering or exiting the site.

Reason: In the interests of highway safety and safeguarding local amenity and to comply with MLP policies: DM1, S10 and S11, WLP policies: 10 and 12 and UDLP policies: GEN1, GEN4 and ENV13.

6. The total number of heavy goods vehicles (HGV) movements associated with the development hereby permitted (when combined with the vehicle maximum permitted vehicle movements under planning permission ESS/65/06/UTT) shall not

exceed the following limits:

312 movements (156 in and 156 out) per day (Monday to Friday)

156 movements (78 in and 78 out) per day (Saturdays)

No HGV movements shall take place outside the hours of operation authorised in Condition 4 and 17 of this permission.

For the purpose of this condition, each vehicle entering the site shall constitute one movement, and each vehicle leaving the site shall constitute a separate movement.

A written record of daily HGV movements shall be maintained and kept for a period of 2 years and shall be provided to the Waste Planning Authority within 14 days of written request.

NB For the avoidance of doubt for the purpose of this planning permission a heavy goods vehicle (HGV) shall mean a vehicle with a gross vehicle weight of 7.5 tonnes or more.

Reason: In the interests of highway safety and safeguarding local amenity and to comply with MLP policies: S1, S11, DM1, WLP policy 12.

7. The development hereby permitted shall be implemented in accordance with the measures to ensure no mud, dust or deleterious material is carried out onto the public highway approved on 12 March 2012 under condition 8 of planning permission ESS/65/06/UTT. The approved measures as set out in the application for approval of details reserved by condition 8 dated 9 November 2011, including letter dated 9 December 2011 from D K Symes Associates and on pages 1 and 2 paragraphs 8.1 to 8.3 in "Details pursuant to Planning Permission ESS/65/06/UTT" (Submission 1) dated December 2011.

Reason: In the interest of highway safety and safeguarding local amenity and to comply with MLP policies DM1 and S10, WLP policy 10 and UDLP policies GEN1, GEN4 and ENV13.

8. Except for temporary operations, the free field Equivalent Continuous Noise Level [LAeq, 1 hr] at the noise sensitive properties listed below, due to all permitted operations on the site shall not exceed the limits set below, when measured no closer than 3.5 metres from the façade of properties of other reflective surface and shall be corrected for extraneous noise.

Little Easton Village	46 dB
Easton Lodge	42 dB
Ravens Farm	43 dB
Stone Hall	55 dB

Reason: In the interests of amenity and to comply with MLP policies DM1 and S10, WLP policy 10 and UDLP policies ENV11 and GEN 4.

9. Noise levels shall be monitored at three monthly intervals from the date of the commencement of development at noise sensitive properties as set out in condition 8 and 18. The results of the monitoring shall include LA90 and LAeq noise levels, the prevailing weather conditions, details and calibration of the equipment used for measurement and comments on other sources of noise which affect the noise climate. The monitoring shall be carried out for at least 2 separate durations during the working day and the results shall be submitted to the Mineral Planning Authority within 1 month of the monitoring being carried out. The frequency of monitoring shall not be reduced, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: In the interests of amenity and to comply with MLP policies DM1 and S10, WLP policy 10 and UDLP policies: ENV11 and GEN 4.

10. No vehicles and/or mobile plant used exclusively on site shall be operated unless they have been fitted with white noise alarms to ensure that, when reversing, they do not emit a warning noise that would have an adverse impact on residential or rural amenity.

Reason: In the interests of local amenity and to comply with MLP policies: DM1 and S10, WLP policy 10 and UDLP policies ENV11 and GEN 4.

11. All plant, equipment and machinery shall only operate during the hours permitted under condition 6. No vehicle, plant, equipment and/or machinery shall be operated at the site unless it has been fitted with and uses an effective silencer. All vehicles, plant and/or machinery shall be maintained in accordance with the manufacturer's specification at all times.

Reason: In the interests of amenity and to comply with MLP policies: DM1 and S10, WLP policy 10 and UDLP policies: ENV11 and GEN 4.

12. No waste other than those waste materials specified in the application reference ESS/45/14/UTT shall enter the site.

Reason: Waste material outside of the aforementioned would raise alternate additional environmental concerns, which would need to be considered afresh and to comply with WLP policies W3A, W9B and W10E and RWLP policy 10.

13. The development hereby permitted shall be implemented in accordance with the scheme to minimise dust emissions submitted and approved on 21 November 2012 under condition 29 of planning permission ESS/65/06/UTT. The approved scheme as set out in the application for approval of details reserved by condition dated 9 November 2011 and as set out on 4 and 5 paragraphs 29.1 to 29.4 in the document "Details pursuant to Planning Permission ESS/65/06/UTT" Submission 1" dated December 2012.

Reason: To reduce the impacts of dust disturbance from the site on the local environment and to comply with MLP policies: DM1 and S10, WLP policy 10 and UDLP policy GEN4.

14. The access road used in connection with the development hereby permitted shall be sprayed with water during dry weather conditions.

Reason: To reduce the impacts of dust disturbance from the site on the local environment and to comply with MLP policies: DM1 and S10, WLP policy 10 and UDLP policy GEN4.

15. No processed or unprocessed materials shall be stockpiled or stored at site such that they are above 94m Above Ordnance Datum.

Reason: To minimise the visual impact of the development in the interests of visual amenity and protection of the countryside and to comply with MLP policies DM1 and S10, WLP policy 10 and UDLP policy S7.

16. No mineral or waste processing plant shall exceed a height of 94m Above Ordnance Datum, except for the soil washing plant which shall not exceed a height of 97m Above Ordnance Datum, as shown on drawing no. 14.103.D.004 entitled "Indicative Elevations of Proposed Plant" dated Sept 2014.

Reason: To minimise the visual impact of the development in the interests of visual amenity and protection of the countryside and to comply with MLP policies DM1 and S10 and WLP policy 10 and UDLP policy S7.

17. HGV movements shall not take place outside the following hours:

06:00 to 18:30 hours Monday to Friday
06:00 to 13:00 hours Saturdays

No HGV movements shall take place on Sundays, Bank or Public Holidays.

Without prejudice to the foregoing, all HGV movements between the hours of 06.00 – 07:00 hours shall be limited to out-bound movements only.

NB For the avoidance of doubt for the purpose of this planning permission a heavy goods vehicle (HGV) shall mean a vehicle with a gross vehicle weight of 7.5 tonnes or more

Reason: To allow a trial period of one year to allow it to be demonstrated that HGVs leaving between 6am and 7am does not give rise to unacceptable impacts, in the interest of safeguarding local amenity and to comply with, WLP policy 10 and UDLP policies GEN1, GEN4 and ENV13.

18. The free field Equivalent Continuous Noise Level [LAeq, 1 hr] at Stone Hall and such other noise sensitive property within the development permitted by UTT/13/2107/OP (the location of such property which shall be agreed with the Mineral Planning Authority), due to all permitted operations between 0600 hours and 0700 hours Monday to Saturday shall not exceed 42dB, when measured no closer than 3.5 metres from the façade of the property or other reflective surface and shall be corrected for extraneous noise.

Reason: In the interests of amenity and to comply with MLP policies DM1 and S10, WLP policy 10 and UDLP policies ENV11 and GEN 4.

19. Records shall be maintained of all HGV movements from the site between 06:00 hours to 07:00 hours and retained for a period of 2 years. The records shall include the time the HGVs left the site and the destination of the HGVs. The records shall be submitted to the Mineral Planning Authority within 14 days of a written request.

Reason: To allow the Waste Planning Authority to adequately monitor early morning activity at the site, to minimise the harm to amenity and to comply with MLP policies S10 and DM1, WLP policy 10 and UDLP policies ENV11 and GEN 4.

20. Within 3 months of the date of implementation of this permission signage shall be put in place on the haul road restricting vehicle speed limit to 15mph for the section of haul road where the haul road is in closest proximity to High Wood SSSI. All drivers shall be notified of this speed limit. The signage shall be maintained for the life of the development.

Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and in accordance with MLP policies DM1 and S10, WLP policy 10 and UDLP policy ENV7 and ENV8.