

**ESSEX COUNTY COUNCIL**

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended)  
Town and Country Planning (Development Management Procedure) (England)  
Order 2010**

In pursuance of the powers exercised by it as County Planning Authority, Essex County Council has considered an application to carry out the following development:

**Variation of condition 2 (application drawings) of planning permission ESS/55/14/BTE to allow amended layout of the Integrated Waste Management Facility. The Integrated Waste Management Facility comprising: Anaerobic Digestion Plant treating mixed organic waste, producing biogas converted to electricity through biogas generators; Materials Recovery Facility for mixed dry recyclable waste to recover materials e.g. paper, plastic, metals; Mechanical Biological Treatment facility for the treatment of residual municipal and residual commercial and industrial wastes to produce a solid recovered fuel; De-inking and Pulping Paper Recycling Facility to reclaim paper; Combined Heat and Power Plant (CHP) utilising solid recovered fuel to produce electricity, heat and steam; extraction of minerals to enable buildings to be partially sunken below ground level within the resulting void; visitor/education centre; extension to existing access road; provision of offices and vehicle parking; and associated engineering works and storage tanks. And approval of details required by condition (the details taking account of the proposed amended drawings), the conditions sought to be discharged are as follows: 6 (access road, cross over points), 13 (Signage, Telecommunications & Lighting at Woodhouse Farm complex), 14 (Stack design and finishes), 15 (design details and construction materials), 17 (management plan for the CHP), 18 (green roof), 20 (construction compounds, parking of vehicles), 22 (foul water management), 23 (surface water drainage and ground water management), 24, (groundwater monitoring), 37 (signs on access road at footpath crossings), 43 (lighting scheme during construction), 45 (phasing scheme for access road, retaining wall and mineral extraction), 50 (fencing – temporary and permanent), 53 (ecological survey update), 54 (Habitat Management Plan update), 57 (landscaping – bunding & planting), 59 (trees, shrubs and hedgerows – retention and protection), 60 (tree management and watering adjacent to retaining wall), 61 (Woodhouse Farm parking and landscaping), 62 (traffic calming measures at River Blackwater for otters and voles) and 63 (access road crossing points – lining and signing)**

**Location: Land at Rivenhall Airfield, Coggeshall Road (A120), Braintree CO5 9DF**

and in accordance with the said application and the plan(s) accompanying it, hereby gives notice of its decision to GRANT PERMISSION FOR the said development subject to compliance with the following conditions and reasons:

- 1 The development hereby permitted shall be begun before the 2 March 2016. The date of commencement of the development shall be notified in writing to the Waste Planning Authority within 7 days of commencement.

Reason: To comply with section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall only be carried out in accordance with planning application ECC ref ESS/37/08/BTE (PINS Ref. APP/Z1585/V/09/2104804) dated 26 August 2008 (as amended) and

As amended by Non-Material Amendment application reference ESS/37/08/BTE/NMA2 dated 4 September 2012, accompanied by letter from Berwin Leighton Paisner dated 29 August 2012 and email dated 18 September 2012 as approved by the Waste Planning Authority on 25 October 2012.

and

As amended by planning application reference ESS/44/14/BTE dated 5 August 2014, accompanied by letter from Holmes & Hills dated 5 August 2014, report entitled "Business development since obtaining planning permission" dated August 2014, report "Changes in the Case for Need since September 2009" dated August 2014 and letters from Honace dated 5 August 2014 and Golder Associates dated 4 August 2014 and granted by the Waste Planning Authority on 4 December 2014.

and

As amended by planning application reference ESS/55/14/BTE dated 12 December 2014, accompanied by letter from Holmes & Hills LLP dated 12 December 2014, SLR report "Justification for Removal of Fuel Sourcing Conditions" Rev 4" dated December 2014 and letter from Honace dated 5 August 2014 and Golder Associates dated 4 August 2014.

And

As amended by planning application reference ESS/34/15/BTE dated 4 August 2015 and drawing numbers:

<b>Drawing Ref</b>	<b>Title</b>	<b>Dated</b>
1-1A	Land Ownership & Proposed Site Plan	21/12/15
1-2B	Proposed Planning Application Area and Site Plan	21/05/15
1-5B	Typical Arrangement and Architectural Features	21/05/15
1-8	Schematic Arrangement of Woodhouse Farm	21/05/15
1-9A	Simplified Process Flow	21/05/15
1-10A	Integrated Process Flow	21/05/15
3-3B	Site Plan Layout	21/05/15
3-8E	Building and Process Cross Sections	Dec 2015
3-12E	Building and Process Layout and Cross Sections	Dec 2015

3-14B	Upper Lagoon & Wetland Shelf	18/12/14
3-16	Services Plan	21/05/15
3-19D	General Arrangement & Front Elevation	Dec 2015
8-6A	Landscape Mitigation Measures	21/05/15
IT569/SK/06 A	Proposed Improvements to Site Access Road Junction with Church Road	05/08/08
IT569/SK/07 A	Proposed Improvements to Site Access Road Junction with Ash Lane	05/08/08
19-2C	Tree Survey	21/05/15
19-3C	The Constraints and Protection Plan	21/05/15
19-5A	Base Plan Woodhouse Farm	21/05/15
IWMF RP 01	IWMF Roof Layout Plan	24/12/15

And in accordance with any non-material amendment(s) as may be subsequently approved in writing by the Waste Planning Authority and 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 drawings, details (except as varied by other conditions), to ensure that the development is carried out with the minimum harm to the local environment and in accordance with MLP policies P1, S1, S10, S11, S12, DM1, DM2 and DM3, WLP policies W3A, W4A, W4B, W4C, W7A, W7C, W7G, W8A, W10B, W10E, W10F and W10G, BCS policies CS5, CS7, CS8 and CS9 and BDLPR policies RLP 36, RLP 49, RLP 54, RLP 62, RLP 63, RLP 64, RLP 65, RLP 71, RLP 72, RLP 80, RLP 81, RLP 84, RLP 87, RLP 90, RLP 100, RLP 105 and RLP 106.*

- 3 The total number of Heavy Goods Vehicle (HGV<sup>1</sup>) movements associated with the excavation of materials (i.e. overburden, sand, gravel, and boulder clay) and import and/or export of materials associated with the operation of the completed Integrated Waste Management Facility (IWMF<sup>2</sup>) hereby permitted shall not exceed the following limits:

404 movements 202 in and 202 out per day (Monday to Friday);  
202 movements 101 in and 101 out per day (Saturdays);

and shall not take place on Sundays, Public or Bank Holidays, except for clearances from Household Waste Recycling Centres between 10:00 and 16:00 hours as required by the Waste Disposal Authority and previously approved in writing by the Waste Planning Authority. No HGV movements shall take place outside the hours of operation authorised in Conditions 34 & 36 of this permission.

<sup>1</sup> An HGV shall be defined as having a gross vehicle weight of 7.5 tonnes or more

<sup>2</sup>IWMF shall be defined as the buildings, structures and associated plant and equipment for the treatment of waste at the site.

*Reason: In the interests of highway safety, safeguarding local amenity and to comply with MLP policies S1, S10 and DM1, WLP policies W4C, W8A and W10E and BDLPR policies RLP 36 and RLP 90.*

- 4 The total number of HGV vehicle movements associated with the construction of the IWMF (including deliveries of building materials) when combined with the maximum permitted vehicle movements under Condition 3 shall not exceed the following limits:  
404 movements 202 in and 202 out per day (Monday to Sunday).  
No HGV movements shall take place outside the hours of operation authorised in Condition 35 of this permission.

*Reason: In the interests of highway safety, safeguarding local amenity and to comply with MLP policies S1, S10 and DM1, WLP policies W4C, W8A and W10E and BDLPR policies RLP 36 and RLP 90.*

- 5 A written record of daily HGV movements into and out of the site shall be maintained by the operator from commencement of the development and kept for the previous 2 years and shall be supplied to the Waste Planning Authority within 14 days of a written request. The details for each vehicle shall include the identity of the vehicle operator, the type and size of the vehicle, the vehicle registration number, and an indication of whether the vehicle is empty or loaded.

*Reason: In the interests of highway safety, safeguarding local amenity and to comply with MLP policies S1, S10 and DM1, WLP policies W4C, W8A and W10E and BDLPR policies RLP 36, RLP62 and RLP 90.*

- 6 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the extended access road and crossing points with Public Right of Way. The approved details include the application for approval of details reserved by condition dated 4 August 2015 and include the following drawings:

Drawing Ref	Title	Date
IT569/PAA/01A	Horizontal & vertical alignment of extended access road Sheet 1	18/11/15
IT569/PAA/02C	Horizontal & vertical alignment of extended access road Sheet 2	18/11/15
IT569/PAA/03	Extended access road cross sections, Sheet 1	14/05/15
IT569/PAA/04	Extended access road cross sections, Sheet 2	14/05/15
IT569/PAA/05	Extended access road cross sections, Sheet 3	14/05/15
IT569/PAA/06	Extended access road cross sections, Sheet 4	14/05/15
IT569/PAA/07A	Extended access road cross sections, Sheet 5	14/07/15
IT569/PAA/08	Typical drainage details	May 2015

IT569/PAA/09	Typical access road detailed cross sections	May 2015
IT569/PAA/10	Drainage long section detail, Sheet 1	May 2015
IT569/PAA/11	Drainage long section detail, Sheet 2	May 2015
142064-DC-GA-C-116 C	Access road longitudinal section	17/12/15
142064-DC-GA-C-117	Access road cross sections	Jun 2015
IT569_WR_01_Rev A	Widening details for access road between Church Road and Ash lane	15/05/2015
IT569/S278_01G	Footpath crossing typical detail	12/11/15

***Reason:** In the interests of highway safety, safeguarding local amenity and to comply with MLP policies S1, S10 and DM1, WLP policies W4C, W8A, W10E and W10G and BDLPR policies RLP 36, RLP 49 and RLP 90.*

- 7 No works on the construction of the IWMF shall commence until the access road extension and widening and all footpath cross-over points have been constructed.

***Reason:** In the interests of highway and pedestrian safety, safeguarding local amenity and to comply with MLP policies S1, S10 and DM1, WLP policies W4C, W8A, W10E and W10G and BDLPR policies RLP 36 RLP 49 and RLP 90.*

- 8 No vehicles shall access or egress the site except via the access onto the Coggeshall Road (A120 trunk road) junction as shown on application drawing Figure 1-2.

***Reason:** In the interests of highway safety, safeguarding local amenity and to comply with MLP policies S1, S10 and DM1, WLP policies W4C, W8A, W10E and W10G and BDLPR policies RLP 36, RLP 49 and RLP 90.*

- 9 No vehicles shall park on the haul road between the A120 and Ash Lane.

***Reason:** In the interests of highway safety, safeguarding local amenity and to comply with MLP policies S1, S10 and DM1, WLP policies W4C, W8A, W10E and W10G and BDLPR policies RLP 36, RLP 49 and RLP 90.*

- 10 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the scheme and programme of archaeological investigation and recording approved on 16 February 2016 under condition 10 of planning permission ESS/55/14/BTE. The approved details include: application for approval of details reserved by condition dated 4 August 2015 and the following documents:

- Project Design for Archaeological Monitoring & Recording dated November 2014 by Archaeology South-East

- Figure 2 Integrated Waste Management Facility (IWMF) Areas 1-3 – Archaeological mitigation strategy.

Upon completion of the archaeological field work, the investigations shall be written up in a report and submitted for approval in writing by the Waste Planning Authority.

*Reason: To ensure that any archaeological interest has been adequately investigated and recorded prior to the development taking place and to comply with MLP policies S10 and DM1, WLP policy W10E and BDLPR policies RLP105 and RLP 106.*

- 11 The development shall be implemented in accordance with approved details with respect to the recording of the airfield buildings/structures. The record of airfield buildings/structures was approved on 16 February 2016 under condition 11 of planning permission ESS/55/14/BTE. The approved details include application for approval of details reserved by condition dated 4 August 2015 and the following document "Type T2 Aircraft Hanger at Woodhouse Farm & Other WWII structures at Rivenhall Airfield – Historic Building Records dated December 2010.

*Reason: To ensure that any heritage interest has been adequately investigated and recorded prior to the development taking place and to comply with MLP policies S10 and DM1, WLP policy W10E and in accordance with the NPPF.*

- 12 No ecological management works affecting the moat adjacent to Woodhouse Farm shall commence until details of the proposed works and proposed water supply for the moat and a timescale for its implementation have been submitted to and approved in writing by the Waste Planning Authority. The works to the moat and water supply arrangements shall be implemented in accordance with the details approved.

*Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and to protect the setting of the Woodhouse Farm Listed Buildings and in accordance with MLP policies S10 and DM1, WLP policy W10E, BCS policy CS5, CS8 and CS9 and BDLPR policies RLP 80, RLP 84 and RLP 100.*

- 13 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the signage, telecommunications equipment and lighting within the Woodhouse Farm complex (comprising Woodhouse Farmhouse, the Bakehouse, and the listed pump together with the adjoining land outlined in green on Plan 1 [which can be found in the S106 legal agreement dated 30 October 2009 associated with ESS/37/08/BTE]). The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings & documents:

Drawing Ref.	Title	Dated
135	Site plan & signage proposals	Jul 2015
	APC Communications solutions – Internet & voice solutions V2	14/07/15
	Pell Frischmann – Exterior lighting design	23/07/15
DW40019H001/P1	Proposed lighting layout	22/07/2015
CW40019H001	Proposed lighting to car parking and pedestrian areas	23/07/2015
	The Pharos LED bollard – Urbis Schreder	
	The Axia (the Green light) - Schreder	

The signage, telecommunications equipment and lighting shall be implemented in accordance with the details approved.

*Reason: To protect the setting of the Listed Buildings and in the interest of visual amenity and to comply with MLP policy DM1, WLP policies, W8A W10B and W10E, BCS policy CS9 and BDLPR policies RLP 36, RLP 65, RLP 90 and RLP 100.*

- 14 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the design and maintenance of the stack. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings and specifications:

Drawing Ref.	Title	Dated
LA01A	Chimney stack top cladding details plan & elevations	23/07/15
LA02A	Chimney stack top cladding details fixing details	23/07/15
	Alucobond reflect- technical data sheet	
	Alucobond – cleaning & maintenance of stove-lacquered surfaces	
	Genie – Self-propelled telescopic booms - specifications	
	Genie – Self-propelled telescopic booms - features	

The stack shall be constructed and maintained in accordance with the approved details throughout the life of the IWmf.

*Reason: In the interest of visual amenity and to protect the countryside and to comply with WLP policies W8A, W10B and W10E and BCS policy CS5, BDLPR policies RLP 36, RLP 65 and RLP 90.*

- 15 Prior to construction of the IWmf buildings or the structures to the rear of the main building details of the IWmf buildings and structures including the

design and samples of the external construction materials, colours and finishes of the external cladding of the, and design and operation of the vehicle entry and exit doors, shall be submitted to and approved in writing by the Waste Planning Authority. The development shall be implemented in accordance with the details and samples approved.

*Reason: For the avoidance of doubt, in the interests of visual and landscape amenity and to comply with WLP policies W8A, W10B, W10E and BCS policy CS5 and BDLPR policy RLP 90.*

16 (Intentionally blank)

17 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the management plan for the CHP plant to ensure there is no visible plume from the stack. . The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and documents referenced

- S1552-0700-0008RSF entitled "CHP Management Plan for Plume Abatement" Issue no. 5 dated 16/02/16 by Fichtner
- S1552-0700-0013RSF entitled "Plume Visibility Analysis" both by Fichtner.

The development shall be implemented in accordance with the approved details.

*Reason: In the interest of visual amenity, to protect the countryside and to comply with WLP policies W8A, W10B and W10E and BCS policy CS5 and BDLPR policies RLP 36, RLP 65 and RLP 90.*

18 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the green roof for the main IWMF building. The approved details include the application for approval of details reserved by condition dated 4 August 2015, statement by Honace "Condition 18 Green Roof" and document entitled "Bauder extensive biodiverse vegetation (XF301)". The green roof shall be implemented in accordance with the details approved.

*Reason: In the interests of visual and landscape amenity and enhancement of ecological biodiversity and to comply with WLP policies W8A, W10B and W10E, BCS policy CS8 and BDLPR policies RLP 80, RLP 84 and RLP 90.*

19 No works to install process equipment or plant within the IWMF shall commence until details of the IWMF process layout and configuration have been submitted to and approved in writing by the Waste Planning Authority. The development shall be implemented in accordance with the approved details.

*Reason: To ensure the layout and configuration of the process equipment and plant would not give rise to impacts not assessed as part of the application and Environmental Statement and to protect local amenity and to comply with WLP policies W8A, W10B and W10E, BCS policy CS5 and*



*BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 20 The development hereby permitted shall be implemented in accordance with the details submitted with respect to construction compounds and parking of all vehicles and plant and equipment associated with the extraction of materials and the construction of the IWMF. The approved details include the application for approval of details reserved by condition dated 4 August 2015 and as set out on drawing CCE-HZI-50043049 Rev 0.3 dated 17/12/15. .

*Reason: In the interest of visual amenity, to protect biodiversity and the countryside and to comply with MLP policies S10 and DM1, WLP policies W8A, W10B, W10E and BCS policies CS5 and CS8 and BDLPR policies RLP 36, RLP 65, RLP 80 and RLP 90.*

- 21 No beneficial occupation of the IWMF shall commence until details of the provision to be made for and the marking out of parking spaces for cars, HGVs and any other vehicles that may use the IWMF have been submitted to and approved in writing by the Waste Planning Authority. The parking provision and marking out shall be implemented in accordance with the approved details. The parking areas shall be retained and maintained permanently for manoeuvring and parking. No HGVs shall park in the parking area adjacent to Woodhouse Farm complex except in relation to deliveries for the uses at Woodhouse Farm complex.

*Reason: In the interest of visual amenity, to protect biodiversity and the countryside and to comply with WLP policies W8A, W10B, W10E, BCS policies CS5 and CS8 and BDLPR policies RLP 36, RLP 65, RLP 80, RLP 84 and RLP 90.*

- 22 The development hereby permitted shall be implemented in accordance with the details submitted with respect to foul water management. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings and documents:

Drawing Ref	Title	Dated
142064-DC-GA-C-108G	Proposed drainage layout Sheet 1 of 2	16/10/15
142064-DC-GA-C-109G	Proposed drainage layout Sheet 2 of 2	16/10/15
142064-DC-GA-C-111A	Drainage Construction details	30/06/15

And email from Honace with enclosures dated 22/01/16 (17:13).

The foul water management scheme shall be implemented in accordance with the details.

*Reason: To minimise the risk of pollution on ground and surface water, to minimise the risk of flooding and to comply with WLP policies W4A, W4B,*

W8A and W10E and BDLPR policies RLP 36, RLP 62, RLP 71 and RLP 72.

- 23 The development hereby permitted shall be implemented in accordance with the details submitted with respect to surface water drainage and ground water management. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings and documents:

Drawing Ref	Title	Dated
142064-DC-GA-C-108G	Proposed drainage layout Sheet 1 of 2	16/10/15
142064-DC-GA-C-109G	Proposed drainage layout Sheet 2 of 2	16/10/15
142064-DC-GA-C-111A	Drainage Construction details	30/06/15

And email from Honace with enclosures dated 22/01/16 (17:13).

The surface water drainage and ground water management scheme shall be implemented in accordance with the approved details.

*Reason: To minimise the risk of pollution on ground and surface water, to minimise the risk of flooding and to comply with WLP policies W4A, W4B, W8A and W10E and BDLPR policies RLP 36, RLP 62, RLP 71, RLP 72 and RLP90.*

- 24 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the scheme of ground water monitoring. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings and documents:

Drawing ref	Title	Dated
SOD-24 Rev A	Ground water borehole monitoring points	29/07/15
6-4	Groundwater Monitoring points	12/05/11
13 Rev A	Ground water Monitoring points	20/03/14
213033-150	As-built borehole locations	17/09/14
142064-DC-GA-C-111A	Drainage Construction details	30/06/15

- Appendix A – Bradwell Quarry Groundwater Monitoring plots Jan 2008 to Jul 2015
- CC Ground Investigations Ltd – Key to exploratory hole logs
- CC Ground Investigations Ltd – Rotary borehole log for borehole nos. BH10 (sheets 1 to 4) dated 2014, BH11 (sheets 1 to 6) dated 2014, BH19 (sheets 1 to 4) dated 2014,
- Email from Honace dated 11/02/16 (09:19)
- Email from Honace dated 11/02/16 (13:59)

*Reason: To minimise the risk of pollution to ground and surface water and to comply with MLP policies MLP S1, S10 and DM1, WLP policies W4A, W4B, W8A and W10E and BDLPR policies RLP 36, RLP 62, RLP 71 and RLP 72.*

- 25 The development hereby permitted shall be implemented in accordance with the details submitted with respect to land contamination and land remediation and mitigation measures where contamination is identified approved on 16 February 2016 under condition 25 of planning permission ESS/55/14/BTE. The approved details include: application for approval of details reserved by condition dated 4 August 2015 and the following documents:
- Condition 25 – Contaminated Land by Honace
  - Rivenhall – Record Site Plan & Schedule of buildings
  - Analytical Report Number : 14-59380 dated September 2014 by i2 Analytical Ltd
  - Drawing no. 213033-150 As-Built Borehole Locations dated 14 July 2014

*Reason: To minimise the risk of pollution to ground and surface water, to minimise the risk of flooding and to comply with MLP policies MLP S1, S10 and DM1, WLP policies W4A, W4B, W8A and W10E and BDLPR policies RLP 36, RLP 62, RLP 64, RLP 71 and RLP 72.*

- 26 The market de-inked paper pulp plant shall only source its heat steam and energy from the IWMF with the exception of periods of start-up and maintenance and repair of the IWMF.

*Reason: To ensure the market de-inked paper pulp plant only remains at the site as a direct consequence of its co-location with the IWMF and to protect the countryside from inappropriate development and to comply with WLP policies W8A and W7G and BCS policy CS5.*

- 27 No waste, except pre-sorted waste paper and card and Solid Recovered Fuel, shall be brought on to the site other than that arising from within the administrative area of Essex and Southend-on-Sea. Records indicating the origin of all waste consignments and tonnages brought to the site shall be kept and made available for inspection by the Waste Planning Authority for at least 2 years after receipt of the waste. The records shall be made available to the Waste Planning Authority within 14 days of a written request.

*Reason: In the interests of the environment by assisting the Essex and Southend-on-Sea waste planning authorities to become self-sufficient for managing the equivalent of the waste arising in their administrative areas, ensuring that the waste is transported in accordance with the proximity principle, minimising pollution and minimising the impact upon the local environment and amenity and to comply with WLP policies W3A, W3C and W10E.*

28 *(Intentionally blank)*

29 No waste other than those waste materials defined in the application shall enter the site for processing or treatment in the IWMF plant. No more than 853,000tpa of Municipal Solid Waste and/or Commercial and Industrial Waste shall be imported to the site.

*Reason: To ensure the scale of the facility would not give rise to impacts not assessed as part of the planning application and Environmental Statement and to protect local amenity and to comply with WLP policies W3A, W8A and W10E, BCS policy CS5 and BDLPR policies RLP 36, RLP 62 and RLP 90.*

30 *(Intentionally blank)*

31 No waste brought onto the site shall be deposited, handled, stored, composted or otherwise processed outside the IWMF buildings and structures.

*Reason: To ensure minimum disturbance from operations, to avoid nuisance to local amenity and to comply with WLP policies W3A, W8A and W10E, BCS policy CS5 and BDLPR policies RLP 36, RLP 62 and RLP 90.*

32 All waste materials shall be imported and exported from the site in enclosed, containerised or sheeted vehicles.

*Reason: To ensure minimum nuisance from operations on local amenity, particularly litter and odour and to comply with WLP policies W3A, W8A and W10E, BCS policy CS5 and BDLPR policies RLP 36, RLP 62 and RLP 90.*

33 No vehicle shall leave the IWMF site without first having been cleansed of all loose residual mineral or waste materials from the vehicle's body and chassis.

*Reason: In the interests of highway safety, safeguarding local amenity and to comply with WLP policies W3A, W4C, W8A and W10E and BDLPR policies RLP 36 and RLP 90.*

34 No removal of soils or excavation of overburden, boulder clay, sand and gravel shall be carried out other than between the following hours:

07:00-18:30 hours Monday to Friday; and,

07:00 -13:00 hours Saturdays;

and shall not take place on Sundays, Bank and Public Holidays except for water pumping, environmental monitoring and occasional maintenance of machinery, unless temporary changes are otherwise approved in writing by the Waste Planning Authority.

*Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with MLP policies S1, S10 and DM1, WLP policies W10E and W10F and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 35 The construction works (including deliveries of building materials) for the development hereby permitted shall only be carried out between 07:00-19:00 hours Monday to Sunday and not on Bank and Public Holidays except for occasional maintenance of machinery, unless temporary changes are otherwise approved in writing by the Waste Planning Authority.

*Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with MLP policies S1, S10 and DM1, WLP policies W10E and W10F and BDLPR policies RLP 36 RLP 62 and RLP 90.*

- 36 No waste or processed materials shall be imported or exported from any part of the IWMF other than between the following hours:  
07:00 and 18:30 hours Monday to Friday; and,  
07:00 and 13:00 hours on Saturdays,  
and not on Sundays, Public or Bank Holidays except for clearances from Household Waste Recycling Centres on Sundays and Bank and Public Holidays between 10:00 and 16:00 hours as required by the Waste Disposal Authority and previously approved in writing by the Waste Planning Authority.

*Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with WLP policies W10E and W10F and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 37 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the signage for Public Rights of Way where they cross the access road. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawing no. IT569/S278\_01G entitled "Footpath crossing typical detail" dated 12/11/15. The signage for Public Rights of Way implemented in accordance with the approved details and shall be maintained throughout the life of the IWMF.

*Reason: In the interest of the safety of all users of both the Right of Way and the haul road and to comply with MLP policies S1, DM1, WLP policies W3A, W4C, W8A, W10E and W10G and BDLPR policies RLP 36, RLP 49, RLP 62 and RLP 90*

- 38 Except for temporary operations, as defined in Condition 42, between the hours of 07:00 and 19:00 the free field Equivalent Continuous Noise Level (LAeq 1 hour ) at noise sensitive properties adjoining the Site, due to operations in the Site, shall not exceed the LAeq 1 hour levels set out in the following table:

Noise Sensitive Properties Location	Criterion dB LAeq 1 hour
Herring's Farm	45
Deeks Cottage	45
Haywards	45
Allshot's Farm	47
The Lodge	49
Sheepcotes Farm	45
Greenpastures Bungalow	45
Goslings Cottage	47
Goslings Farm	47
Goslings Barn	47
Bumby Hall	45
Parkgate Farm Cottages	45

Measurements shall be made no closer than 3.5m to the façade of properties or any other reflective surface facing the site and shall have regard to the effects of extraneous noise and shall be corrected for any such effects.

*Reason: In the interests of residential and local amenity and to comply with MLP policies S1, S10, DM1, WLP policies W3A, W8A, W10E, W10F and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 39 The free field Equivalent Continuous Noise Level (LAeq 1 hour) shall not exceed 42 dB(A) LAeq 1 hour between the hours of 19:00 and 23:00, as measured or predicted at noise sensitive properties, listed in Condition 38, adjoining the site. Measurements shall be made no closer than 3.5m to the façade of properties or any other reflective surface facing the site and shall have regard to the effects of extraneous noise and shall be corrected for any such effects.

*Reason: In the interests of residential and local amenity and to comply with WLP policies W3A, W8A, W10E, W10F and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 40 The free field Equivalent Continuous Noise Level (LAeq 1 hour) shall not exceed 40 dB(A) LAeq 5min between the hours of 23:00 and 07:00, as measured and/or predicted at 1 metre from the façade facing the site at noise sensitive properties, listed in Condition 38, adjoining the site.

*Reason: In the interests of residential and local amenity and to comply with WLP policies W3A, W8A, W10E, W10F and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 41 Noise levels shall be monitored at three monthly intervals at up to five of the locations, listed in Condition 38, as agreed with the Waste Planning Authority. The results of the monitoring shall include the LA90 and LAeq noise levels, the prevailing weather conditions, details of the measurement equipment used and its calibration and comments on the sources of noise

which control the noise climate. The survey shall be for four separate 15 minute periods, two during the working day 0700 and 1830, and two during the evening/night time 18:30 to 07:00 hours, the results shall be kept by the operating company during the life of the permitted operations and a copy shall be supplied to the Waste Planning Authority. After the first year of operation of the IWMP, the frequency of the monitoring may be modified by agreement with the Waste Planning Authority.

*Reason: In the interests of residential and local amenity and to comply with MLP policies S1, S10, DM1, WLP policies W3A, W8A, W10E, W10F and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 42 For temporary operations at the site in relation to the excavation of materials, the free field noise level at sensitive properties, listed in Condition 38, adjoining the site shall not exceed 70dB LAeq 1 hour, due to operations on the site. Temporary operations shall not exceed a total of eight weeks in any continuous 12 month period for work affecting any noise sensitive property. Not less than 5 days written notice shall be given to the Waste Planning Authority in advance of the commencement of any temporary operation. Temporary operations shall include site preparation, bund formation and removal, site stripping and restoration, and other temporary activity as may be agreed, in advance of works taking place, with the Waste Planning Authority.

*Reason: In the interests of amenity and to comply with MLP policies S1, S10, DM1, WLP policies W3A, W8A, W10E, W10F and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 43 The development hereby permitted shall be implemented in accordance with the details submitted with respect to lighting. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following documents:

- Condition 43 Construction lighting By Honace
- Hilcare Ltd – Project P118536R2a – Reschemed scheme as a flat open area using 6m columns and the specified number of flood lights dated 03/08/2015 including with data sheets, light locations and light level calculations

The lighting shall be erected, installed and operated in accordance with the approved details throughout the life of the IWMP. The lighting details with respect to excavation of materials shall not be illuminated outside the hours of 0700 and 1830 Monday to Friday and 0700 and 1300 Saturday and at no time on Sundays, Bank or Public Holidays except for security and safety lighting activated by sensors. No lighting for construction of the IWMP shall be illuminated outside the hours of 0700 and 1900 Monday to Sunday and at no time on, Bank or Public Holidays except for security and safety lighting activated by sensors. The lighting shall be maintained such that no lighting shall exceed 5 lux maintained average luminance.

*Reason: In the interests of residential and local amenity and protection of the environment and in the interest of protecting biodiversity and in the interests of highway safety and to comply with MLP policies S1, S10, S12, DM1, WLP policies W3A, W8A, W10E and W10F, BCS policies CS5 and CS8 and BDLPR policies RLP 36, RLP 62, RLP 65 and RLP 90.*

- 44 No lighting for use during operation of the IWMF within the site shall be erected or installed until details of the location, height, design, sensors, times and luminance have been submitted to and approved in writing by the Waste Planning Authority. The lighting details shall be such that no lighting shall exceed 5 lux maintained average luminance. The lighting details shall be such that the lighting shall not be illuminated outside the hours of 0700 and 1830 Monday to Friday and 0700 and 1300 Saturday and at no time on Sundays, Bank or Public Holidays except for security and safety lighting activated by sensors. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage from the boundaries of the site. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

*Reason: In the interests of residential and local amenity and protection of the environment and in the interest of protecting biodiversity, in the interests of highway safety and to comply with MLP policies S1, S10, S12, DM1, WLP policies W3A, W8A, W10E and W10F, BCS policies CS5 and CS8 and BDLPR policies RLP 36, RLP 62, RLP 65 and RLP 90.*

- 45 The development hereby permitted shall be implemented in accordance with the details submitted with respect to phasing of the construction of the access road, creation of the retaining structures around the site of the IWMF and extraction of the minerals. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings:

Drawing Ref	Title	Dated
IT569_PAA_12	Access Road construction phasing	Jul 2015
142064-DC-GA-C-118 B	Proposed earthworks sequencing	25/01/16

*Reason: In the interests of residential and local amenity and protection of the environment and in the interest of protecting biodiversity, in the interests of highway safety and to comply with MLP policies S1, S10, S12, DM1, WLP policies W3A, W8A, W10E and W10F, BCS policies CS5 and CS8 and BDLPR policies RLP 36, RLP 62, RLP 65 and RLP 90.*

- 46 The development hereby permitted shall be implemented in accordance with the details submitted with respect to soil handling, soil storage and machine movements and the end use of soils as approved on 16 February 2016 under condition 46 of planning permission ESS/55/14/BTE. The approved details include: application for approval of details reserved by condition dated 4 August 2015 and the following documents:
- Condition 46 – Soil Handling by Honace
  - Figure 5-1 Agricultural land classification – Rivenhall Airfield RCF



dated 10 July 2006

- Figure 5-2 Soil types – Rivenhall Airfield RCF dated 10 July 2006
- Drawing no. 5-4 Agricultural Land Classification – Site A2 Bradwell Quarry dated 11 May 2011
- Drawing 5-5 Soil types – Site A2 Bradwell Quarry dated 11 May 2011

*Reason: To minimise structural damage and compaction of the soil and ensure sustainable use of surplus soils and to aid in the restoration and planting of the site and to comply with MLP policies S1, S10 and DM1 and WLP policies W3A and W10E.*

- 47 Unless otherwise agreed in writing by the Waste Planning Authority, no topsoil, subsoil and/or soil making material shall be stripped or handled unless it is in a dry and friable condition<sup>3</sup> and no movement of soils shall take place:

During the months November to March (inclusive);

(a) When the upper 50 mm of soil has a moisture content which is equal to or greater than that at which the soil becomes plastic, tested in accordance with the 'Worm Test' as set out in BS1377:1977, 'British Standards Methods Test for Soils for Civil Engineering Purposes'; or

(b) When there are pools of water on the soil surface.

<sup>3</sup> The criteria for determining whether soils are dry and friable involves an assessment based on the soil's wetness and lower plastic limit. This assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean glazed tile using light pressure from the flat of the hand. If a thread of 15cm in length and less than 3mm in diameter can be formed, soil moving should not take place until the soil has dried out. If the soil crumbles before a thread of the aforementioned dimensions can be made, then the soil is dry enough to be moved.

*Reason: To minimise structural damage and compaction of the soil and to aid in the restoration and planting of the site and to comply with MLP policies S1, S10 and DM1 and WLP policies W3A and W10E.*

- 48 No minerals processing other than dry screening of excavated sand and gravel or in the reformation of levels using Boulder or London Clays shall take place within the site.

*Reason: To ensure that there are no adverse impacts on local amenity from the development not previously assessed in the planning application and Environmental Statement and to comply with MLP policies S1, S10, DM1 and DM3, WLP policies W3A, W8A and W10E, BCS policy CS5 and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 49 Any fuel, lubricant or/and chemical storage vessel whether temporary or not shall be placed or installed within an impermeable container with a sealed sump and capable of holding at least 110% of the vessel's capacity. All fill,

draw and overflow pipes shall be properly housed within the bunded area to avoid spillage. The storage vessel, impermeable container and pipes shall be maintained for the duration of the development.

*Reason: To minimise the risk of pollution to water courses and aquifers and to comply with MLP policies S1, S10 and DM1, WLP policies W3A, W4A, W4B, W8A, and W10E and BDLPR policies RLP 36 and RLP 62.*

- 50 The development hereby permitted shall be implemented in accordance with the details submitted with respect to temporary and permanent site perimeter fencing. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the drawings and documents

Drawing Ref	Title	Dated
CCE-HZI-500430049 Rev 0.3	Construction site layout	17/12/2015
732.1/08A HDA D1	Rabbit proof fence detail	Jun 2015
732.1/10A HDA D3	Tree protection fencing – BS 5837:2012	Jul 2015

- Condition 50 Temporary & permanent fencing by Honace
- Jacksons – Securi Mesh 358 Mesh – welded mesh panels
- Jacksons – Securi Mesh Gates – welded mesh panel

The temporary and permanent fencing and gates shall be erected in accordance with the details approved and maintained throughout the life of the IWMF.

*Reason: In the interest of visual amenity, to protect the countryside and to comply with MLP policies S10 and DM1, WLP policy W10E and BCS policies CS5 and BDLPR policies RLP 36, RLP 65 and RLP 90.*

- 51 (a) The development hereby permitted shall be implemented in accordance with the details submitted with respect to a scheme and programme of measures for the suppression of dust as approved on 16 February 2016 under condition 51a of planning permission ESS/55/14/BTE. The approved details include: application for approval of details reserved by condition dated 4 August 2015 and the following documents:

- Condition 51a – Dust minimisation scheme by Honace
- Construction dust – HSE Information Sheet no. 36 (revision 2)

(b) No beneficial occupation of the IWMF shall commence until a scheme and programme of measures for the suppression of dust, have been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include:

- (i) The suppression of dust caused by handling, storage and processing of waste; and
  - (ii) Dust suppression on haul roads, including speed limits.
- In relation each scheme provision for monitoring and review.

The development shall be implemented in accordance with the approved schemes and programme for the duration of the development hereby permitted.

*Reason: To reduce the impacts of dust disturbance from the site on the local environment and to comply with MLP policies S1, S10, DM1, WLP policies W3A, W8A and W10E and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 52 (a) The development hereby permitted shall be implemented in accordance with the details submitted with respect to measures to control fugitive odour from the excavation of materials and construction of the IWMF as approved on 16 February 2016 under condition 52a of planning permission ESS/55/14/BTE. The approved details include: application for approval of details reserved by condition dated 4 August 2015 and the following document "Condition 52a – Odour minimisation scheme by Honace"

(b) No beneficial occupation of the IWMF shall commence until details of equipment required to control any fugitive odour from the handling/storage/processing of waste have been submitted to and approved in writing by the Waste Planning Authority. The details shall be implemented as approved.

*Reason: In the interests of local amenity and to comply with WLP policies W3A, W8A and W10E and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 53 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the ecological information and mitigation. The approved ecological information and mitigation includes the following:

Ecological information approved on 27 July 2011 in accordance with condition 53 of planning permission Ref. APP/Z1585/V/09/2104804 (ECC ref ESS/37/08/BTE). The details approved included letter dated 19 May 2011 from Golder Associates with accompanying application form and Ecology report dated October 2010.

The application for approval of details reserved by condition dated 4 August 2015 and the information contained within the Ecological report by Green Environmental Consultants dated July 2015 and Appendix 7-1 Baseline ecology report August 2008.

Ecological mitigation shall be carried out in accordance with the approved details throughout the life of the IWMF.

*Reason: To make appropriate provision for conserving and enhancing the natural environment, in the interests of biodiversity and in accordance with MLP policies S10 and DM1, WLP policies W8A and W10E, BCS policy CS8 and BDLPR policies RLP 80, RLP 81 and RLP 84.*

- 54 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the habitat management plan. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the “Habitat Management Plan – revised July 2015 – report number 499/10” by Green Environmental Consultants and appendices A to E.

The development shall be implemented in accordance with the approved habitat management plan throughout the life of the IWMF.

*Reason: To make appropriate provision for conserving and enhancing the natural environment, in the interests of biodiversity and in accordance with MLP policies S10 and DM1, WLP policies W8A and W10E, BCS policy CS8 and BDLPR policies RLP 80, RLP 81 and RLP 84.*

- 55 No demolition, excavation works or removal of hedgerows or trees shall be undertaken on the site during the bird nesting season [1 March to 30 September inclusive] except where a suitably qualified ecological consultant has confirmed that such construction etc. should not affect any nesting birds. Details of such written confirmations shall be sent to the Waste Planning Authority 14 days prior to commencement of the works.

*Reason: To make appropriate provision for conserving and enhancing the natural environment, in the interests of biodiversity and in accordance with MLP policies S10 and DM1, WLP policies W8A and W10E, BCS policy CS8 and BDLPR policies RLP 80, RLP 81 and RLP 84.*

- 56 Only one stack shall be erected on the site to service all elements of the IWMF. The height of the stack shall not exceed 85 m Above Ordnance Datum.

*Reason: In the interest of visual amenity, to protect the countryside and to comply with WLP policies W8A and W10E, BCS policy CS5 and BDLPR policies RLP 36, RLP 65 and RLP 90.*

- 57 The development hereby permitted shall be implemented in accordance with the details submitted with respect to bunding and planting. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings

Drawing Ref	Title	Dated
732.1_07B HDA SA1	Soft landscape proposals site access	Jun 2015
732.1_02G HDA SL1	Soft landscape proposals sheet 1 of 5	18/12/15
732.1_03G HDA SL2	Soft landscape proposals sheet 2 of 5	18/12/15
732.1_04G HDA SL3	Soft landscape proposals sheet 3 of 5	18/12/15
732.1_05G HDA SL4	Soft landscape proposals sheet 4 of 5	18/12/15
732.1_06G HDA SL5	Soft landscape proposals sheet 5 of 5	18/12/15
732.1_09 HDA D2	Standard tree pit detail	Jun 2015

*Reason: To comply with section 197 of the Town and Country Planning Act 1990 (as amended), to improve the appearance of the site in the interest of visual amenity, to protect the countryside and to comply with MLP policies S10 and DM1, WLP policies W8A and W10E, BCS policies CS5 and CS8 and BDLPR policies RLP 36, RLP 62, and RLP 90.*

- 58 Any tree or shrub forming part of the retained existing vegetation or the planting scheme approved in connection with the development that dies, is damaged, diseased or removed within the duration of 5 years during and after the completion of construction of the IWMF, shall be replaced during the next available planting season (October-March inclusive) with a tree or shrub to be agreed in advance in writing by the Waste Planning Authority.

*Reason: To comply with section 197 of the Town and Country Planning Act 1990 (as amended), to improve the appearance of the site in the interest of visual amenity, to protect the countryside and to comply with MLP policies S10 and DM1, WLP policies W8A and W10E, BCS policies CS5 and CS8 and BDLPR policies RLP 36, RLP 62 and RLP 90.*

- 59 The development hereby permitted shall be implemented in accordance with the details submitted with respect to tree retention and protection measures. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings:

Drawing Ref	Title	Dated
732.1_07B HDA SA1	Soft landscape proposals site access	Jun 2015
732.1_02G HDA SL1	Soft landscape proposals sheet 1 of 5	18/12/15
732.1_03G HDA SL2	Soft landscape proposals sheet 2 of 5	18/12/15
732.1_04G HDA SL3	Soft landscape proposals sheet 3 of 5	18/12/15
732.1_05G HDA SL4	Soft landscape proposals sheet 4 of 5	18/12/15
732.1_06G HDA SL5	Soft landscape proposals sheet 5 of 5	18/12/15
732.1_10A HDA D3	Tree protection fencing	Jul 2015
732.1_08A HDA D3	Rabbit proof fence detail	Jun 2015

The tree protection measures shall be implemented at the time of planting and maintained throughout the life of the IWMF.

*Reason: In the interest of visual amenity, to ensure protection for the existing natural environment, including adjacent TPO woodland and to comply with MLP policies S10 and DM1, WLP policies W8A and W10E, BCS policies CS5 and CS8 and BDLPR policies RLP 80, RLP 81 and RLP 90.*

- 60 The development hereby permitted shall be implemented in accordance with the details submitted with respect to management and watering of trees adjacent to the retaining wall surrounding the IWMF. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the statement by HDA entitled "Rivenhall

Integrated Waste Management Facility – Condition 60” dated 8 June 2015. The management and watering shall be carried out in accordance with the approved details throughout the life of the IWMF.

*Reason: In the interest of visual amenity, to ensure protection for the existing natural environment, including adjacent TPO woodland and to comply with MLP policies S10 and DM1, WLP policies W8A and W10E, BCS policies CS5 and CS8 and BDLPR policies RLP 80, RLP 81 and RLP 90.*

- 61 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the layout of parking area including hard and soft landscaping and lighting adjacent to Woodhouse Farm. The approved details include: the application for approval of details reserved by condition dated 4 August 2015, the Statement by Honace entitled “Condition 61 Woodhouse Farm Parking & Lighting” and the followings drawings:

Drawing ref	Title	Dated
IT569/CP/01 Rev B	Woodhouse car park layout and typical details	21/07/15
732.1_05G HDA SL4	Soft landscape proposals sheet 4 of 5	18/12/15
DW40019H001 Rev p1	Proposed lighting layout	22/07/15

The parking, lighting and landscaping shall be maintained in accordance with the details approved throughout the life of the IWMF.

*Reason: To protect the setting of the Listed Buildings and in the interest of visual amenity and to comply with MLP policy DM1, WLP policies W8A and W10E, BCS policy CS9 and BDLPR policies RLP 36, RLP 65, RLP 90 and RLP 100.*

- 62 The development hereby permitted shall be implemented in accordance with the details submitted with respect to traffic calming measures designed to reduce the speed of traffic using the access road in the vicinity of the River Blackwater. The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings:

Drawing Ref	Title	Dated
IT569_S278_01G	Footpath crossing typical detail	12/11/15
IT569_S278_02C	Vole and otter crossing	24/07/2015
SignPlot v3.10	“Vole and otter crossing” sign	

The traffic calming measures shall be maintained throughout the life of the IWMF in accordance with the approved details.

***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 S10 and DM1, WLP policies W8A and W10E, BCS policy CS8 and BDLPR policy RLP 84.*

- 63 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the lining and signing of the crossing points of the access road with Church Road and Ash Lane. . The approved details include: the application for approval of details reserved by condition dated 4 August 2015 and the following drawings:

Drawing ref	Title	Dated
IT569/S278/03 C	Proposed improvements to site access road junction with Church Road	June 2015
IT569/S278/04 C	Proposed improvements to site access road junction with Ash Lane	June 2015
SignPlot v3.10	"Heavy Plant crossing" sign	
SignPlot v3.10	"Stop" sign	
SignPlot v3.10	Priority sign	

The lining and signing shall be maintained in accordance with the approved details throughout the life of the IWMF.

***Reason:** In the interests of highway safety, safeguarding local amenity and to comply with MLP policies S1 and DM1, WLP policies W4C, W8A, W10E and W10G and BDLPR policies RLP 36 and RLP 49.*

- 64 The development hereby permitted shall be implemented in accordance with the details submitted with respect to the scheme and programme of historic building recording for Woodhouse Farm and buildings (including Bakehouse & pump) approved on 16 February 2016 under condition 64 of planning permission ESS/55/14/BTE. The approved details include: application for approval of details reserved by condition dated 4 August 2015 and the following documents:

- Brief for Historic Building Recording at Woodhouse Farm, Kelvedon by Place Services.
- Written Scheme of Investigation Historic Building Recording at Woodhouse Farm ASE Project 8293
- Figure 2 Location of buildings to be recorded at Woodhouse Farm, IWMF, Rivenhall dated Feb 2015

The written scheme and programme of historic building recording shall be implemented prior to the commencement of any demolition, works or conversion of any kind taking place at Woodhouse Farm and buildings as part of this permission. Upon completion of the programme of historic building recording, the recordings shall be written up in a report and submitted for approval in writing by the Waste Planning Authority.

***Reason:** To ensure that any heritage interest has been adequately investigated and recorded prior to the development taking place and to*

*comply with MLP policies S10 and DM1, WLP policy W10E, BCS policy CS9 and BDLPR policy RLP 100 and the NPPF.*

- 65 There shall be no use of the access road from the A120 to the IWMF except by traffic associated with the IWMF, Bradwell Quarry or to access agricultural land for agricultural purposes.

*Reason: In the interests of highway safety, as traffic movements above those associated with the IWMF, Bradwell Quarry and existing agricultural movements would need to be considered afresh and to comply with MLP policies S1 and DM1, WLP policies W4C, W8A and W10E and BDLPR policies RLP 36 and RLP 54.*

- 66 In the event that the IWMF is not brought into beneficial use within 5 years of commencement of the development (as notified under condition 1) the operator shall within 6 months of the end of the 5 year period submit a plan of action for an alternative use or a scheme of rehabilitation for the site for approval by the Waste Planning Authority. The plan of action for an alternative use or scheme of rehabilitation shall be implemented within 6 months of approval by the Waste Planning Authority.

*Reason: To ensure that if the development of the IWMF is not progressed to a beneficial use within a reasonable period, that the site is either planned for an alternative use or the site rehabilitated in the interests, of minimising the adverse environment impacts of incomplete implementation and in accordance with WLP W8A, W10E and MLP DM1 and BCS policies CS5 and CS8.*

- 67 No clearance works within the Woodhouse Farm complex (comprising Woodhouse Farmhouse, the Bakehouse, and the listed pump together with the adjoining land outlined in green on Plan 1 [which can be found in the S106 legal agreement dated 30 October 2009 associated with ESS/37/08/BTE]) shall be undertaken until the Waste Planning Authority has been provided with a copy of a licence issued by Natural England pursuant to Regulation 53 of the Conservation and Species Regulations 2010, giving authorisation for the works.

*Reason: In the interests of protection of protected bat species and in accordance with MLP policies S10 and DM1, WLP policies W10E, BCS policy CS8 and BDLPR policy RLP 84.*

- 68 Within 6 years of the date of commencement of development as notified under condition 1, Woodhouse Farm and buildings shall be refurbished to a visitor and education centre.

*Reason: To ensure the timely refurbishment of the Listed Buildings and their being brought into beneficial in order to protect thee heritage assets and to comply with MLP policies S10 and DM1, WLP policy W10E, BCS policy CS9 and BDLPR policy RLP 100 and the NPPF.*



- 69 Following the approval of details required by condition 19 and prior to the installation of process equipment and plant, an updated noise assessment shall be undertaken and submitted to the Waste Planning Authority for approval to demonstrate that the maximum noise levels set out in condition 38 would not be exceeded. Installation of process equipment and plant for the IWMF shall not commence until the updated noise assessment has been approved by the Waste Planning Authority.

*Reason: In the interests of residential and local amenity and to comply with WLP policies W3A, W8A, W10E, W10F and BDLPR policies RLP 36, RLP 62 and RLP 90.*

## INFORMATIVES

- This planning permission is subject to a legal agreement
- Reference to Solid Recovered Fuel (SRF) for the purposes of this planning permission is considered to be the same as Refuse Derived Fuel (RDF)
- The material used to surface the haul road would preferably be hot rolled asphalt.

## Reason for Approval

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against the following policies of the development plan:

### Essex & Southend Waste Local Plan (WLP) adopted 2001

W3A - Waste Strategy  
W3C - Receipt of Essex wastes only  
W4A - Flooding and surface water  
W4B - Surface & ground water  
W4C - Highways  
W7A - Composting within buildings  
W7C - Support for anaerobic digestion and composting  
W7G - Energy from waste incineration  
W8A - Preferred locations for waste management  
W10E - Development control criteria  
W10F - Hours of working  
W10G - Safeguarding/improvements to Rights of Way

### Minerals Local Plan (MLP) adopted 2014

P1 - Preferred and reserve sites for sand and gravel extraction  
S1 - Presumption in favour of sustainable development/ Sustainable development locations  
S10 - Protecting and enhancing the environment and local amenity

S11 - Access and transportation  
S12 - Mineral site restoration and afteruse  
DM1 - Development management criteria  
DM2 - Planning conditions and legal agreements  
DM3 - Primary processing plant

**Braintree District Council Local Development Framework Core Strategy (BCS) adopted 2011**

CS5 - Countryside  
CS6 - Promoting accessibility for all  
CS8 - Natural Environment and Biodiversity  
CS9 - Built and Historic Environment

**Braintree District Local Plan Review (BDLPR) 2005**

RLP 36 - Industrial & Environmental Standards  
RLP 54 - Transport Assessments  
RLP 62 - Pollution control  
RLP 63 - Air quality  
RLP 64 - Contaminated land  
RLP 65 - External Lighting  
RLP 71 - Water supply and land drainage  
RLP 72 - Water quality  
RLP 80 - Landscape Features and Habitats  
RLP 81 - Trees, Woodland, Grasslands and Hedgerows  
RLP 84 - Protected species  
RLP 86 - Rivers corridors  
RLP 87 - Protected Lanes  
RLP 90 - Layout and design of development  
RLP 100 - Alterations, extensions and changes of use to Listed Buildings and their settings  
RLP 105 - Archaeological Evaluation  
RLP 106 - Archaeological Excavation and Monitoring

**Statement of Reasons**

The key overarching purpose of planning is to deliver sustainable development. The NPPF in particular promotes a presumption in favour of sustainable development; referred to as the 'golden thread' running through decision taking. The National Planning Policy for Waste, the BCS, the WLP and the emerging RWLP also refer to sustainability objectives.

At paragraph 6 of the Framework it is stated that "*the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.*" In an economic role planning should "*be contributing to building a strong, responsive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.*" In a social role planning should be "*supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations;*

*and by creating high quality built environment, with accessible local services that reflect the community's needs and support is health, social and cultural well-being."* In an environmental role planning should be *"contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy."*

While the amendments would result in a change in capacities of the IWMF it is still considered that the facility would provide an integrated approach to waste management. The MBT & MRF would ensure recyclables are recovered prior to use of the residue as a fuel source for the CHP, in accordance with the principle of pushing waste up the waste hierarchy. The on-site de-ink paper pulp plant would make direct efficient use of the heat and steam from the CHP and produce recycled paper pulp in the UK reducing the need for imported supplies. The remaining capacity of the CHP, in combination with biogas from the AD facility, would generate "green" electricity, contributing to sustainable development, reducing carbon emissions from non-fossil fuel electricity generation and contributing to reducing the impacts of climate change.

The IWMF would provide waste management capacity for C & I waste within Essex & Southend further up the waste hierarchy and thereby reducing C & I waste going to landfill. The IWMF would create capacity to utilise SRF/RDF generated in the county. Even if the IWMF was not awarded the contract for the management of SRF/RDF generated at Tovi Eco Park by the WDA the IWMF capacity to deal with SRF/RDF would ensure that Essex & Southend had capacity to deal with SRF/RDF helping to achieve net self-sufficiency for the County's waste management needs. The spare capacity in the CHP would encourage waste currently landfilled to be used as a resource from which energy could be recovered again helping to move waste management up the waste hierarchy.

No objection has been received from the Environment Agency with respect to the potential emissions from the CHP plant and Government guidance is clear that unless statutory bodies raise concerns with respect to emissions it is not the planning authorities' role to refuse the application on pollution or health grounds. These will be addressed through the Environmental Permit and the planning authority should assume these control mechanisms would work effectively.

The concern that the application should have been a new full application was considered by the WPA and it was concluded that the way the conditions were imposed in the 2010 planning permission reflected the Inspector's intention to allow flexibility in the implementation of the consent and that the application could be considered by way of a variation to the original consent.

The application was supported by an Environmental Statement. No significant adverse effects have been identified arising from the proposed changes which were not already addressed by mitigation or secured by condition. As a result of the amendments, there would be no additional impacts with respect to traffic, landscape, visual impact, impacts on the Historic environment, archaeology, ecology or impacts of residential amenity, which are not already mitigated by the proposals and/or controlled by existing or proposed conditions or obligations of the legal agreement.

While the facility would utilise more water from an existing permitted abstraction licence, there is storage capacity within the site to utilise this abstraction and ensure adequate water supply even in dry periods, without adverse impact. Therefore the proposals are in accordance with WLP policies W8A, W4A, W4B, W4C, W10E and BDLP policies RLP 36, 54, 62, 63, 64, 65, 71, 72, 80, 81, 84, 86, 87, 90, 100, 105 and 106.

The Inspector in considering the original application stated

*The eRCF is consistent with the key planning objectives set out in PPS10 [now superseded and embodied within the NPPW]. It would help to deliver sustainable development by driving waste management up the waste hierarchy and addressing waste as a resource. It would reduce the need for disposal by landfill and would recycle waste into marketable products. Moreover, it would have benefits in terms of climate change. It would also contribute towards ensuring the timely provision of sufficient waste management facilities to meet the needs of the community and assist in the implementation of ECC's strategy to provide a framework within which the community takes more responsibility for its own waste. The eRCF would contribute to the implementation of the national waste strategy.*

It is not considered that the proposed changes would undermine these original conclusions. The proposal is sustainable development, in that it meets the needs of Essex & Southend; contributes to the sustainable management of waste; provides recycling capacity for C & I waste; provides reprocessing capacity for recovered paper efficiently using on site heat and power; provides a source of energy offsetting fossil fuels and reducing greenhouse gases from alternative forms of energy, better waste management, in particular by providing capacity to divert C & I waste from landfill; and is in accordance with the principles of the waste hierarchy set out in the National Planning Policy for Waste.

The development is therefore considered to represent sustainable development for the purposes of the NPPF and is considered to comply with the relevant policies of the development plan taken as a whole.

**There are no other policies or other material considerations which are overriding or warrant the withholding of permission.**

#### **THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (as amended)**

The proposed development would not be located adjacent to a European site. Therefore, it is considered that an Appropriate Assessment under Regulation 61 of The Conservation of Habitats and Species Regulations 2010 is not required.

#### **STATEMENT OF HOW THE LOCAL AUTHORITY HAS WORKED WITH THE APPLICANT IN A POSITIVE AND PROACTIVE MANNER**

The Waste Planning Authority has engaged with the applicant prior to submission of the application, advising on the validation requirements and likely issues.

Throughout the determination of the application, the applicant has been kept informed of comments made on the application and general progress. Additionally, the applicant has been given the opportunity to address any issues with the aim of providing a timely decision.

Dated: 26 February 2016

COUNTY HALL  
CHELMSFORD

Signed:

A handwritten signature in black ink, appearing to be 'A. Cook', written over a horizontal line.

Andrew Cook - Director for Operations, Environment and Economy

**IMPORTANT - ATTENTION IS DRAWN TO THE NOTES ON THE NEXT PAGE**

## NOTES

### TOWN AND COUNTRY PLANNING ACT 1990

#### NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

##### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision that relates to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- Alternatively, if an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.