

## PLYMOUTH CITY COUNCIL

**Compliance of planning conditions imposed upon Plan ref 11/00750** (for the construction of Energy from waste plant in Her Majesty's Naval Base, Devonport.)

<b>Committee:</b>	Planning Committee
<b>Date:</b>	20 <sup>th</sup> September 2012
<b>Cabinet Member:</b>	Councillor Brian Vincent
<b>CMT Member:</b>	Anthony Payne Director of Place
<b>Author:</b>	Alan Hartridge Planning Services on behalf of the Assistant Director for Planning Paul Barnard.
<b>Contact:</b>	Tel: 01752 304207 e-mail: alan.hartridge@plymouth.gov.uk
<b>Ref:</b>	11/00750
<b>Key Decision:</b>	No
<b>Part:</b>	I

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### **Purpose of the report:**

Monitoring and Compliance report required by the 23<sup>rd</sup> August Planning Committee (first of a regular series)

Advice from the interim Chief Executive and independent legal advice from Foot Anstey LLP Solicitors on the implications of revoking the current planning permission was considered at the 23<sup>rd</sup> August Planning Committee when it was resolved:

- (1) to note the report;
- (2) that the committee receive regular reports from the Assistant Director for Planning on the compliance of planning conditions with recommendations for appropriate action where there is evidence of non-compliance.

The template in the attached appendix lists the conditions and S106 clauses and indicates progress being made at the time of putting this report together in monitoring the requirements in the community interest.

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### **Corporate Plan 2012-2015:**

Working with other organisations in the sub region to reduce costs in waste disposal services; dealing with waste in a way to reduce carbon emissions whilst also using planning powers as a key lever to facilitate the potential for further carbon savings ,social enterprise and Community Trust development and the delivery of business support in relation to the maritime sector

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### **Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land**

The use of planning powers associated with the imposition and monitoring of conditions and obligations will secure acceptable development at a short, medium and long term cost to the applicants that is considered reasonable and in the community interest whilst saving public expenditure and the development itself secures a pooling of sub regional resources to address rising landfill costs. There are no abnormal financial implications for the local planning authority in monitoring conditions and clauses although the developer will have costs through providing information required by the S106.

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**Other Implications: e.g. Child Poverty, Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:**

The use of planning powers associated with the imposition and monitoring of conditions and obligations will secure acceptable development mindful that the principle Health and Safety and Risk Management issues and the framework for fostering good community relations has been addressed in the determination of the planning application.

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**Recommendations & Reasons for recommended action:**

Recommendation: **The Committee are to note the position regarding compliance with conditions and obligations to date.**

Reason:

The requirements of the planning conditions and obligations are currently being complied with (see attached monitoring table appendix)

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**Alternative options considered and reasons for recommended action:**

Where a breach is identified the response has to be appropriate mindful of any demonstrable harm

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**Background papers:**

The planning conditions clauses drawings and schemes can all be found on the planning website for 11/00750

(<http://www.plymouth.gov.uk/planningonline.htm?ApplicationNumber=11%2F00750&AddressPrefix=&Postcode=&Sort2=DateReceived+DESC&innoLink=http://www.plymouth.gov.uk/planningapplications2/results.asp>)

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**Sign off:**

Fin	PC	Leg	JR 15506	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member: N/A											
Have you consulted the Cabinet Member(s) named on the report? No											

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

CONDITIONS	COMMENTS	STATUS
<p>1) List of Approved drawings:</p> <ul style="list-style-type: none"> <li>▪ PA01 A Site Location Plan May 2011 A3 1:10,000 scale</li> <li>▪ PA02 B Planning Application Boundary May 2011 A1 1:3,000 scale</li> <li>▪ PA03 - Existing Site Topography May 2011 A1 1:1,250 scale</li> <li>▪ PA04 B Aerial Photograph May 2011 A3</li> <li>▪ PA05 0 Proposed Site Layout May 2011 A0 1:500 scale</li> <li>▪ PA06A - Proposed North-West Elevation May 2011 A0 1:250 scale</li> <li>▪ PA06B - Proposed South-East Elevation May 2011 A0 1:250 scale</li> <li>▪ PA06C A Proposed North-East Elevation A0 1:250 Corrected and re-submitted 18 November 2011</li> <li>▪ PA06D A Proposed South-West Elevation A0 1:250 Corrected and re-submitted 18 November 2011</li> <li>▪ PA07A 0 Longitudinal Section of Entire Main Building May 2011 A0 1:250 scale</li> <li>▪ PA07B 0 Longitudinal Section of Water Treatment Building May 2011 A1 1:250 scale</li> <li>▪ PA07C 0 Cross Section of Waste Bunker and Bale Store Building May 2011 A1 1:250 scale</li> <li>▪ PA07D 0 Longitudinal Section of Turbine Hall May 2011 A1 1:250 scale</li> <li>▪ PA07E 0 Longitudinal Section of Tipping Hall May 2011 A1 1:150 scale</li> <li>▪ PA08A 0 EfW CHP Building Floor Plans 1 May 2011 A0 1:248 scale</li> </ul>		

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<ul style="list-style-type: none"> <li>▪ PA08B 0 EfW CHP Building Floor Plans 2 May 2011 A0 1:250 scale</li> <li>▪ PA08D - Proposed Roof Plan May 2011 A0 1:250 scale</li> <li>▪ PA08E 0 EfW CHP Building Switch Gear and Control Rooms May 2011</li> <li>▪ PA09A - Proposed Administration Building Floor Plans and Roof Plan May 2011 A0 1:100 scale</li> <li>▪ PA09B - Proposed Administration Building Elevations and Section May 2011 A0 1:100 scale</li> <li>▪ PA10 - Proposed Air Cooled Condensers Plan, Sections and Elevations May 2011 A1 1:250 scale</li> <li>▪ PA11 - Gatehouse Plan and Elevations May 2011 A1 1:50 scale</li> <li>▪ PA12 - Stores and Workshop Plans and Elevations May 2011 A1 1:200 scale</li> <li>▪ PA13 - Proposed Cycle Shed May 2011 A3 1:50 scale</li> <li>▪ PA14 0 Transformer Enclosure May 2011 A2 1:250 scale</li> <li>▪ PA15 0 Emergency Generator Elevation and Section May 2011 A2 1:250 scale</li> <li>▪ PA16 - North Intake Substation Details May 2011 A3 1:50 scale</li> <li>▪ PA17 R Landscape Masterplan Revised – Sep 2011 A1 1:1,250 scale</li> <li>▪ PA18A I Landscape Sections 1-1 and 2-2 Revised – Nov 2011 A1 1:500 (section) 1:2,000 (key plan)</li> <li>▪ PA18B B Landscape Section 3-3 May 2011 A1 1:500 (section) 1:2,000 (key plan)</li> <li>▪ PA18C B Landscape Section 4-4 May 2011 A1 1:500</li> </ul>		
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## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p>(section) 1:2,000 (key plan)</p> <ul style="list-style-type: none"> <li>▪ PA18D A Landscape Section 5-5</li> <li>▪ PA18E A Section 6 Roof Terrace to 9 Talbot Gardens Nov 2011 A3 Not to scale</li> <li>▪ PA19A B Site Access Right Turn Option Revised – Sep 2011 A1 1:500 scale</li> <li>▪ PA19B A Site Access Long Section Revised – Sep 2011 A1 1:500 (horizontal) 1:100 (vertical)</li> <li>▪ PA19D A Site Access Right Turn Option Exceedence Pathways and Overland Flow Routes Nov 2011 A1 1:750 scale</li> <li>▪ PA19E A Drainage Grip Nov 2011 A3 1:20 scale</li> <li>▪ PA20A - Bull Point Access Road May 2011 A1 1:500 (plan) 1:500 (horizontal) 1:100 (vertical)</li> <li>▪ PA20B - Bull Point Road Access Tracking May 2011 A1 1:500 scale</li> <li>▪ PA20C A Bull Point Road Access Exceedence Pathways and Overland Flow Routes Nov 2011 A1 1:500 scale</li> <li>▪ PA21 E Drainage Layout Plan Sep 2011 A3 1:1,250 scale</li> <li>▪ PA21-1 - Drainage Layout Plan – Bull Point Access Road Detail Sep 2011 A3 1:1,000 scale</li> <li>▪ PA22 - Clear Span Bridge Plan and Elevation May 2011 A1 1:200 (plan) 1:100 (elevation)</li> </ul>		
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## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

	<p>PA24RevB with Road Safety Study and Technical Note (required by conditions 44 and 46)</p> <ul style="list-style-type: none"> <li>▪ The Landscaping details shown on drawings D 123356-001-Z; 012-D; 013-B; 014; 015; 016; 200-A; 201-C; 202-D; 204-B; 205-B; 206-A; 301-F; 304; 305-B; 306; 307-A; 308-A; 309-A; 408-B; 500-A; 501-A; 502; 503; 504-A; 601; 602-A; 603; 604; 605-A; 606-A; 607-A; 608-A; 609; 610-A; 611; 612; 613; 614; 615A; 616; 617; 618; 619; and 620 (<b>approved</b> to comply with the requirements for such by condition 50) and the Camels Head Junction Sculpture Area Plan and section drawing 305-B was accepted to comply with condition 50 on 7<sup>th</sup> March and as part of the Entrance Sculpture scheme required by condition 3 (emails confirming agreements dated 22<sup>nd</sup> May 2012).</li> <li>▪ Amenity Complaints Protocol documents MED/WI/Complaints/01 and VA-4.2-01MED (<b>approved</b> to comply with the requirements for such by condition 56).</li> <li>▪ Measures to control pests/vermin/odours during construction ( <b>approved</b> 30<sup>th</sup> May to comply with CEMP condition 18)</li> <li>▪ Weekend/extended hours working 8<sup>th</sup>,9<sup>th</sup>,10<sup>th</sup> June ( <b>approved</b> 1<sup>st</sup> June to comply with CEMP condition 18)</li> <li>▪ Treatment of unforeseen land contamination (<b>approved</b> 8<sup>th</sup> June to comply with CEMP condition 18)</li> </ul>	<p style="text-align: center;"><b>Approved</b></p> <p style="text-align: center;"><b>Approved</b></p> <p style="text-align: center;"><b>Approved</b></p> <p style="text-align: center;"><b>Approved</b></p>
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	<ul style="list-style-type: none"> <li>▪ Operational Odour, Litter and Dust Management Plan <b>approved</b> 10<sup>th</sup> August (condition 23)</li> <li>▪ Local Employment Scheme <b>approved</b> 15<sup>th</sup> June 2012.</li> <li>▪ Temporary site investigation works in the Stage 2 Main Construction area (<b>approved</b> 2<sup>nd</sup> July to comply with CEMP condition 18 and phasing plan condition 4)</li> <li>▪ Reduction of piling programme and use of 7 rigs instead of 3 –variation of CEMP (<b>approved</b> 16<sup>th</sup> August 2012)</li> <li>▪ Community Trust Scheme Plan <b>approved</b> 4<sup>th</sup> July 2012.</li> <li>▪ Ecological mitigation Enhancement Management Plan <b>approved</b> 6<sup>th</sup> August</li> <li>▪ Noise Management Plan <b>approved</b> 10<sup>th</sup> August.</li> <li>▪ Air Quality Management Plan <b>approved</b> 10<sup>th</sup> August</li> <li>▪ Surface Water and Swale Management Plans <b>approved</b> 13<sup>th</sup> August</li> </ul>	<p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p>
<p><b>COMMENCEMENT</b> (2)The development hereby permitted shall be commenced before the expiration of three years from the date of this permission</p>	<p>Yes --Development commenced 20<sup>th</sup> February 2012</p>	

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<p><b>ENTRANCE SCULPTURE</b></p> <p>(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</p>	<p>The base area for the sculpture will be part of stage 2 works and the Design Competition Brief and timetable and Panel needs agreement before operation –all within applicant's £30,000 budget. The 1:100 scale detailed Camels Head Junction Sculpture Area plan and section drawing 305-revB was accepted to comply with condition 50 on 7<sup>th</sup> March and as part of the Entrance Sculpture scheme required by condition 3 (emails confirming agreements to updated text and drawings dated 29<sup>th</sup> May).Other approved detailed landscape plans approved 7th March relating to this area are platform detail drawing 014 (also on the approved scheme document); general planting plan 500 rev A ; and hedge planting drawing 504 rev A.</p>	<p><b>Awaited</b></p>
<p><b>PHASING OF DEVELOPMENT</b></p> <p>(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:</p> <ul style="list-style-type: none"> <li>a) 2 weeks in advance of the date of commencement of the construction of Base Enhancement works;</li> <li>b) 2 weeks in advance of the date when the main construction works commences.</li> </ul>	<p>Yes in respect of (a) –Notice given 03/02/2012 that date of commencement of the construction of Base Enhancement works would be 20/02/2012;</p> <p>In respect of (b) Notice given 23/07/2012 that date of commencement of the construction of Main Development works would be 06/08/2012 subject to discharge of conditions/clauses and applicants indicated intention to commence stage 2 Main Construction Works on 14<sup>th</sup> August after receiving formal confirmation that Base Enhancement Works were satisfactory. Applicants reminded of need for condition 45 junction details to be discharged.</p> <p>Applicants indicated on 11<sup>th</sup> June that they would be submitting application for a revised Stage 1 area (and revision</p>	



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<p><b>HEIGHT AND EXTERNAL MATERIALS OF MAIN BUILDING</b> (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</p>	<p style="color: red;">No check required yet</p>	
<p><b>WASTE CATEGORY AND PUBLIC SAFETY</b> (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.</p>	<p style="color: red;">No check required yet</p>	
<p><b>RECYCLING WASTE INDUSTRIAL BOTTOM ASH (IBA)</b> (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</p>	<p style="color: red;">Following legal challenge, the requirements and intentions of this condition (and the Committee report relating to it) have been considered by the Administrative Court and the Court of Appeal and have been found to be sound. Informal drafts received 15<sup>th</sup> May and 15<sup>th</sup> June and 13<sup>th</sup> July - informal responses given 12<sup>th</sup> June and 5<sup>th</sup> July.) Chairman of</p>	

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<p>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%.</p>	<p>Planning rang 14<sup>th</sup> June and requested to see the details when submitted. Submitted 19<sup>th</sup> July and Chairman advised and EA comments sought. Suggestion given for statement to avoid stockpiling sent 1<sup>st</sup> August 2012 and Addendum received 2<sup>nd</sup> August 2012 and Chairman advised 3<sup>rd</sup> August 2012. Scheme approved 9<sup>th</sup> August.</p>	<p><b>Approved</b></p>
<p><b>SURFACE WATER MANAGEMENT STAGE I</b> (9)No development within the area delineated as stage I 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:-</p> <ul style="list-style-type: none"> <li>▪ details of the drainage during the relevant construction phase;</li> <li>▪ details of the final sustainable drainage scheme;</li> <li>▪ provision for exceedance pathways and overland flow routes;</li> <li>▪ measures to prevent pollution of the water environment beyond the site</li> <li>▪ a timetable of construction;</li> <li>▪ a construction quality control procedure;</li> <li>▪ a plan for the future maintenance and management of the system and overland flow routes.</li> </ul> <p>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</p>	<p>These details were <b>agreed</b> 7<sup>th</sup> March subject to:</p> <ol style="list-style-type: none"> <li>1 Site office contact details being provided prior to commencement of development. (Notified 8<sup>th</sup> March that site telephone number will be: 07786 626 515.A site visit check was carried out by Jeremy Sable 17<sup>th</sup> May and applicants reminded of this requirement )</li> <li>2 A detailed plan of the proposed green swales (within vicinity of 4 car park bays SW of the proposed weighbridge and SE of the proposed new bridge deck) being submitted to, and approved in writing by the lpa, <u>prior to the commencement of stage 2 works.</u> Following informal comment –email 21<sup>st</sup> May to MVV re visitor parking area – revised details for this area submitted 18<sup>th</sup> July and <b>approved</b> 31<sup>st</sup> July.</li> <li>3 Existing trees along the creek side north of the</li> </ol>	<p><b>Approved</b></p>

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<p>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.</p>	<p>proposed new access road being protected from damage during drainage and construction engineering works in that area. (site visit check carried out 17<sup>th</sup> May –OK)</p>	
<p><b>SURFACE WATER MANAGEMENT STAGE 2</b> (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:-</p> <ul style="list-style-type: none"> <li>• details of the drainage during the relevant construction phase;</li> <li>• details of the final drainage sustainable scheme;</li> <li>• a timetable of construction;</li> <li>• a construction quality control procedure;</li> <li>• a plan for the future maintenance and management of the system and overland flow routes.</li> <li>• measures to prevent pollution of the water environment beyond the site</li> </ul> <p>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.</p>	<p>Details received by hand 19<sup>th</sup> June and EA suggested that further information needed 13<sup>th</sup> July and these were received 30<sup>th</sup> July then withdrawn as EA still had concerns. Additional information submitted 3<sup>rd</sup> August and scheme <b>approved 13<sup>th</sup> August 2012</b> subject to:</p> <ol style="list-style-type: none"> <li>1) Records being kept during the construction phase to demonstrate to the written satisfaction of the local planning authority that the system has been constructed in accordance with the submitted details.</li> </ol>	<p><b>Approved</b></p>

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<p><b>SURFACE WATER MANAGEMENT OF SWALE</b> (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.</p> <p>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.</p>	<p>Details received by hand 19<sup>th</sup> June and EA suggested that further information needed 13<sup>th</sup> July and these were received 30<sup>th</sup> July then withdrawn as EA still had concerns. Additional information submitted 3<sup>rd</sup> August and scheme <b>approved 13<sup>th</sup> August 2012</b> subject to:</p> <p>1) Records being kept during the construction phase to demonstrate to the written satisfaction of the local planning authority that the system has been constructed in accordance with the submitted details.</p>	<p><b>Approved</b></p>
<p><b>DESIGN OF ACCESS BRIDGE AND RELATED SECURITY SCREEN</b> (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.</p> <p>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</p>	<p>Draft details received by hand 19<sup>th</sup> June and 13<sup>th</sup> July of proposed change to the detail design of the access bridge structure due to construction constraints. Applicants' formal submission 17<sup>th</sup> July <b>approved 31<sup>st</sup> July</b> (see also condition 1 and 9 and 33).</p>	<p><b>Approved</b></p>

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<p>Planning Authority.</p>		
<p><b>FLOOD EMERGENCY MANAGEMENT PLAN</b> (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.</p>	<p>No check required yet</p>	
<p><b>IMPLEMENTATION OF APPROVED REMEDIATION SCHEME FOR GROUND GAS</b> (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.</p>	<p>On the 11<sup>th</sup> July applicants suggested that the condition should not have been drafted as a pre-main works condition as its implementation is actually part of the main construction works. Applicants require that the gas protection installation should be within 2 months of commencement. Positive conditional response given 30<sup>th</sup> July (following discussion with Senior lawyer legal services).</p>	
<p><b>SITE PREPARATION AND INVESTIGATION OF LANDSCAPED AREAS</b> (15)Prior to the plant being brought into use, an investigation and risk assessment of all landscaped areas within the site in</p>	<p>No check required yet</p>	



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<p>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.</p>		
<p><b>REPORTING OF UNEXPECTED CONTAMINATION</b> (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</p>	<p>Report on discovery of some asbestos containing material (ACM) and remediation scheme received 30<sup>th</sup> May 2012 and <b>agreed 8<sup>th</sup> June</b> in accordance with condition 18 – approved CEMP. Applicants advised 6<sup>th</sup> September that the Verification Report will be submitted to the LPA in the next week.</p>	
<p><b>BLACKIES WOOD RISK ASSESSMENT</b> (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</p>	<p>No check required yet</p>	

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<p>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.</p>		
<p><b>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</b> (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.</p>	<p>These details were <b>agreed 13<sup>th</sup> March</b> and with revisions on the 10th May 2012, subject to:</p> <p>1) Details shall be submitted to the local planning authority of the control measures specified in Attachment 4 of the CEMP for each of the following phases prior to the commencement of development in that phase :</p> <ul style="list-style-type: none"> <li>▪ Earthworks and Excavations (Main construction months 1 &amp; 2)</li> <li>▪ Rotary Bored Piling (Main construction months 2-8)</li> <li>▪ Reinforced Concrete Construction (Main construction months 2-13)</li> <li>▪ Steelworks and Cladding Erection (Main construction months 14-21)</li> </ul> <p>The development within each phase shall take place strictly in accordance with the approved detailed control measures.</p> <p>2) Throughout the construction period construction traffic shall follow routes away from the identified local sensitive receptors unless in accordance with temporary arrangements agreed in writing by the local planning authority.</p> <p>3) Excepting temporary emergency works there shall be no use of equipment outside normal site working hours without</p>	<p><b>Approved</b></p>



## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

	<p>June (Chairman advised) and the proposal was <b>approved 2<sup>nd</sup></b> July subject to compliance with the above conditions and for a temporary 6 week period following commencement.</p> <p>Notified by email on the 10<sup>th</sup> July that the applicants required a variation to the piling concept in the approved CEMP to reflect a revised methodology and programme for the piling works to be carried out in the Main Works Construction period .The applicants provided these details with revised noise implications on 17<sup>th</sup> July and informal comment response given 30<sup>th</sup> July. Formally received 1<sup>st</sup> August --Reduction of piling programme and use of 7 rigs instead of 3 –variation of CEMP (<b>approved 16<sup>th</sup> August 2012</b>) subject to:</p> <ol style="list-style-type: none"><li>1) During the period when piling activities take place on the main construction site, 'rest periods' each of 30 minutes minimum duration shall take place between the hours of 10:00 and 11:00 (morning break) and 13:00 and 14:00 (lunch time break) . The location of piling rigs will be planned to avoid simultaneous operation in areas of the site near to the closest receptors but in the event that piling activities have to be concentrated in the 'intensive piling zone' shown in the location on the attached drawing Figure 1 an additional rest period of minimum 30 mins duration will take place between the hours of 15:30 and 16:30. No piling rigs will be in use for the duration of these</li></ol>	<p><b>Approved</b></p>
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## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

	<p style="color: red;">rest periods.</p> <p style="color: red;">2) No more than 7 piling rigs shall be operated on the site.</p>	
<p><b>NOISE LEVELS DURING CONSTRUCTION</b> (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.</p>	<p style="color: red;">Check when undertaking Site visits shortly</p>	
<p><b>COMMISSIONING MANAGEMENT PLAN</b> (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.</p>	<p style="color: red;">No check required yet</p>	

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p>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.</p>	<p>No check required yet</p>	
<p>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</p>	<p>These protocol details were agreed 13th March</p>	<p>Approved</p>

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p>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 the Local Planning Authority. The arrangements that are approved shall be implemented and maintained throughout the life of the site.</p>		
<p><b>OPERATIONAL ODOUR, LITTER AND DUST MANAGEMENT PLAN</b>  (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:-</p> <ul style="list-style-type: none"> <li>▪ The restrictions over outdoor storage of waste and the waste sorting location</li> <li>▪ The covering requirements of vehicles</li> <li>▪ 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.</li> <li>▪ The details of access road odour control measures.</li> </ul>	<p>Details requested by email 16<sup>th</sup> May and draft scheme received for informal comment on 14<sup>th</sup> June. Applicants met PPS Unit end of 27<sup>th</sup> June and submitted revised draft scheme on 12<sup>th</sup> July. PPS Unit considered draft scheme and applicant thereafter given informal responses on 30<sup>th</sup> July and 3<sup>rd</sup> August. Submission 3<sup>rd</sup> August, concerns expressed 9<sup>th</sup> August led to additional information received 10<sup>th</sup> August and plan approved 10<sup>th</sup> August 2012.</p>	<p><b>Approved</b></p>
<p><b>NOISE MITIGATION –ACOUSTIC BARRIERS AND LOUDSPEAKERS</b>  (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</p>	<p>Details approved 7th March 2012</p>	<p><b>Approved</b></p>

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p>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.</p>		
<p><b>WORKSHOP OPERATION</b> (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.</p>	<p style="color: red;">Not built yet --No check required yet</p>	
<p><b>NOISE MITIGATION DURING PERIODS OF SHUT DOWN</b> (26)In accordance with section 14.6.64 of the ES, no balin storage of wastes shall take place on the site other than periods of breakdown, planned shutdown or maintenance facility.</p>	<p style="color: red;">Not built yet --No check required yet</p>	
<p><b>OPERATIONAL TONAL NOISE</b> (27)There shall be no tonal element to the noise emitted from the plant during operation at night (23:01 hrs to 06:59hrs), as measured by the methodology set out within BS 7445.</p>	<p style="color: red;">Not built yet --No check required yet</p>	
<p><b>OPERATIONAL NOISE LEVELS</b> (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</p>	<p style="color: red;">Not built yet --No check required yet</p>	



## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p>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.</p>		
<p><b>HANDLING OF WASTE AND RECYCLABLE MATERIALS</b> (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</p>	<p>Not built yet --No check required yet</p>	
<p><b>IMPORT/EXPORT HOURS</b> (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. The procedures for this review shall have had the written agreement of the Local Planning Authority prior</p>	<p>Not built yet --No check required yet</p>	

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p>to the commencement of development. The opening hours are</p> <ul style="list-style-type: none"> <li>▪ Monday to Friday 08.00 – 19.00</li> <li>▪ Saturday 08.00 – 18.00</li> <li>▪ Sunday 10.00 – 16.00</li> <li>▪ Bank Holidays (except Christmas Day and Boxing 10.00 – 16.00</li> <li>▪ Christmas Day Closed</li> <li>▪ Boxing Day 10.00 – 16.00</li> </ul> <p>No HGV vehicles shall enter or leave the Site outside times.</p>		
<p><b>NOISE MONITORING ARRANGEMENTS</b> (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.</p>	<p style="color: red;">Not built yet --No check required yet</p>	

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p><b>VEHICLE SHEETING REQUIREMENTS</b> (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.</p>		
<p><b>STREET DETAILS (STAGE 1)</b> (33)No development within the area delineated as Stage 1 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.</p>	<p>Details agreed 7th March and 14th May subject to: 1. The proposed trees and hedges to be planted in the locations shown on drawing 47031683-300 Rev C shall be planted within the first planting season following the felling of any of the eight avenue trees identified for felling to facilitate the road widening scheme in this area and the trees identified for protection shall be fenced prior to the commencement of development in accordance with the details shown on the drawing. (Check protection measures when undertaking Site visits shortly) 2. A revised detailed plan of the proposed car park bays SW of the proposed weighbridge and SE of the proposed new bridge deck being submitted to, and approved in writing by the lpa, prior to the commencement of stage 2 works. (Notice given on 13th July that the parking area in the vicinity of the weighbridge would be reconfigured and revised layout submitted 17th July. It was approved 31st July 2012.</p>	<p style="text-align: center;">Approved</p> <p style="text-align: center;">Approved</p>

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p><b>STREET DETAILS (STAGE 2)</b>  (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.</p>	<p>Details received by hand 19<sup>th</sup> June and applicants advised of Transport Unit concerns on 28<sup>th</sup> June. Reminder sent 17<sup>th</sup> July and response received 30<sup>th</sup> July and clarification was sought about revised plans 30<sup>th</sup> July. Details <b>approved</b> 3<sup>rd</sup> August 2012 subject to:</p> <p>1) All footways within the site beyond the bridge (and in particular the combined footway/cycleway) shall be a minimum of 2m in width.</p> <p>2) Detailed measures shall be taken to make it clear to drivers that there is a change in vehicular priority at the junction between the HGV vehicles leaving the tipping hall and cars leaving the car park. Such measures shall include at least a red stop sign together with white lining and STOP lettering on the road surface and such shall be laid out to the satisfaction of the local planning authority prior to the plant being brought into use.</p>	<p style="text-align: center;"><b>Approved</b></p>
<p><b>CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)</b>  (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</p>	<p>Details <b>approved</b> 7<sup>th</sup> March 2012 – (see S106 S3 for Construction Workers Travel Plan details)</p>	<p style="text-align: center;"><b>Approved</b></p>

## Planning Permission for North Yard Energy from Waste Plan (11/00750)

### Monitoring Compliance with Conditions and Clauses

<p>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.</p>		
<p><b>ACCESS – CONTRACTORS</b>  (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.</p>	<p>Details approved 7<sup>th</sup> March 2012</p>	<p>Approved</p>
<p><b>PEDESTRIAN/CYCLE ACCESS</b>  (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.</p>	<p>Not built yet --No check required yet</p>	
<p><b>CAR PARKING PROVISION</b>  (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.</p>	<p>Not built yet --No check required yet</p>	
<p><b>CYCLE PROVISION</b>  (39)The Energy from Waste plant shall not be brought into use until space has been laid out within the site in accordance</p>	<p>Not built yet --No check required yet</p>	

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

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.		
<b>CYCLE STORAGE</b> (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.	Not built yet --No check required yet	
<b>LOADING AND UNLOADING PROVISION</b> (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.	Not built yet --No check required yet	
<b>HGV ROUTE PLAN</b> (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.	Details approved 7 <sup>th</sup> March 2012. The temporary HGV Route signing for the construction phase accepted by email on 17 <sup>th</sup> July.	Approved
<b>C&amp;I WASTE DELIVERY VEHICLES</b> (43)No waste delivery vehicles of less than 4 tonnes nett payload will be permitted to deliver Commercial & Industrial waste to the EfW plant.	Not built yet --No check required yet	
<b>GRAMPIAN CONDITION - A38 WESTON MILL JUNCTION</b> (44)No works shall commence on-site until details of a scheme of improvements to the junction of the A38 Parkway with	Details approved 7 <sup>th</sup> March 2012	

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p>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 1 Construction Works (Base Enhancement Works as shown on Drg. No. 009-02-D123356-406).</p>	<p>(On 13th July e-mail received stating that the Highways Agency had confirmed completion of the S6 Agreement for Weston Mill Junction and that the PCC Local Highway Authority had completed the associated Section 278 Agreement for the works to the Highway. Checked and agreed 10<sup>th</sup> August 2012).</p>	<p style="color: green; text-align: center;"><b>Approved</b></p>
<p><b>GRAMPIAN CONDITION - WESTON MILL DRIVE/WOLSELEY ROAD JUNCTION</b> (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.</p>	<p>Letter dated 14<sup>th</sup> August with list of previously submitted and approved drawings of 10<sup>th</sup> and 23<sup>rd</sup> February 2012 and explanation of an oversight relating to the previous submissions --<b>approved 15<sup>th</sup> August</b> subject to:</p> <ol style="list-style-type: none"> <li>1) The signals shall be in operation to the satisfaction of the local planning authority for the use of all site construction vehicle traffic within 6 weeks of this consent. In the event that the connection is not operational to the local planning authority's satisfaction by that date there shall be no further construction vehicle traffic to the site until such time as the local planning authority gives its written approval.</li> </ol>	<p style="color: green; text-align: center;"><b>Approved</b></p>
<p><b>HIGHWAYS AGENCY DIRECTION 1</b> (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</p>	<p>Details <b>approved 7<sup>th</sup> March 2012</b> (On 13th July e-mail received stating that the Highways Agency had confirmed completion of the S6 Agreement for Weston Mill Junction and that the PCC Local Highway</p>	<p style="color: green; text-align: center;"><b>Approved</b></p>

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p>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.</p>	<p>Authority had completed the associated Section 278 Agreement for the works to the Highway. Checked and agreed 10<sup>th</sup> August 2012 and copy sent to HA and the applicants then agreed that the basework of a sign is to be finished properly—then confirmed 6<sup>th</sup> September that this had happened ).</p>	
<p>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).</p>	<p>Not built yet --No check required yet</p>	
<p>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</p>	<p>Details approved 7<sup>th</sup> March 2012</p>	<p>Approved</p>



## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p>of State for Transport). The method statement/management plan shall include details of the following:</p> <ul style="list-style-type: none"> <li>▪ on-site construction worker parking;</li> <li>▪ anticipated number, frequency and size of construction vehicles entering/exiting the site;</li> <li>▪ delivery times of construction material;</li> <li>▪ construction operating hours</li> </ul> <p>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.</p>		
<p><b>HIGHWAYS AGENCY DIRECTION 4</b> (49)No part of the development hereby approved shall be occupied or brought into it's 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.</p> <p>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:</p> <ul style="list-style-type: none"> <li>▪ The identification of targets for trip reduction and modal shift</li> <li>▪ The methods to be employed to meet these targets</li> <li>▪ The mechanisms for monitoring and review</li> <li>▪ The mechanisms for reporting</li> </ul>	<p>No check required yet</p>	

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<ul style="list-style-type: none"> <li>▪ The penalties to be applied in the event that targets are not met</li> <li>▪ The mechanisms for mitigation</li> <li>▪ Implementation of the travel plan to an agreed timescale or timetable and its operation thereafter</li> <li>▪ Mechanisms to secure variations to the Travel Plan following monitoring and reviews</li> </ul> <p>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.</p>		
<p><b>LANDSCAPING</b> (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.</p>	<p>Details <b>approved</b> 7<sup>th</sup> March 2012 subject to : The programme of landscape works shall be carried out in accordance with the strategy agreed with the local planning authority and the notes on the drawings 009/02/D123356-500 Rev A and -001 rev Z which broadly refer to the timing of planting works except that the proposed shrubs, trees and hedges to be planted east of the railway embankment in the locations shown on drawings 009/02/D123356-001-Z and 500 - A shall be planted within the first planting season following the felling of any of the existing creek-side trees to facilitate the construction of the new access road (or at an alternative early stage as agreed in writing by the local planning authority) and the trees identified for protection shall be protected in</p>	<p><b>Approved</b></p>

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

	accordance with the details shown on the submitted drawings. (Check when undertaking Site visits shortly)	
<p><b>C022LANDSCAPE WORKS IMPLEMENTATION</b> (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.</p>	Check when undertaking Site visits	
<p><b>APPEARANCE OF THE SITE</b> (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.</p>	No check required yet	
<p><b>LIGHTING</b> (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.</p>	Not built yet --No check required yet	

## Planning Permission for North Yard Energy from Waste Plan (11/00750) Monitoring Compliance with Conditions and Clauses

<p><b>TELECOMMUNICATIONS SYSTEMS</b> (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.</p>	<p>Not built yet --No check required yet</p>	
<p><b>CESSATION AND DECOMMISSIONING ENVIRONMENTAL MANAGEMENT PLAN (DEMP)</b> (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</p>	<p>Not built yet</p>	

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<p>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.</p> <p>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.</p>		
<p><b>AMENITY COMPLAINTS PROTOCOL</b> (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.</p>	<p>Details approved 13<sup>th</sup> March 2012</p>	<p>Approved</p>
<p><b>MARINE LITTER MONITORING AND REMOVAL</b> (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</p>	<p>Details in respect of potential submission received 22<sup>nd</sup> August for informal comment responded 30<sup>th</sup> August.</p>	<p>Awaited</p>

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<p>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 106 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.</p>		
<p><b>SURFACE WATER RUNOFF</b> (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 106 Agreement). During the main constructional works development the developer is to carry out daily visual observations of the</p>	<p>(Draft monitoring scheme submitted for informal comment 22<sup>nd</sup> June and EA consulted and applicants advised informally of acceptability on 13<sup>th</sup> July). Formal submission made 17<sup>th</sup> July, views of EA awaited and <b>approval</b> issued 3<sup>rd</sup> August 2012.</p>	<p style="text-align: center;"><b>Approved</b></p>

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<p>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.</p>		
<p><b>STANDARD OF DEVELOPMENT</b>          (59)The Energy from Waste plant shall achieve a quality index score of no less than 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.</p>	<p>Certification records <b>approved</b> by email 13<sup>th</sup> March but future certification records would be needed when the plant is built.</p>	<p><b>Approved</b></p>

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<u>SI06 PAYMENTS</u>	<u>COMMENTS</u>	<u>STATUS</u>
<p>Schedule 2 Clause 1.1 -£500,000 First Low Carbon Infrastructure Contribution <b>Paid</b></p> <p>Schedule 2 Clause 6.5a -£3,000 MVV Construction Trade Apprenticeship (per year)</p> <p>Schedule 2 Clause 6.5b - £3,000 Supplier Construction Trade Apprenticeship (every subcontractor &gt; £20m, if the subcontractor agrees) (per year).</p> <p>Schedule 2 Clause 7.1 - £5,000 Operational Apprenticeships (per year)</p> <p>Schedule 2 Clause 8.2 - £5,000 Bursary for local student (per year)</p> <p>Schedule 3 Clause 1.1 - £100,000 Initial Weston Mill Drive Contribution</p> <p>Schedule 3 Clause 2.1 - £68,000 Low Noise Surface Contribution <b>PAID</b></p> <p>Schedule 3 Clause 3.1 - £14,000 Travel Plan Sum (bank deposit)</p> <p>Schedule 3 Clause 4.2 - £20,000 Construction Works Travel Plan Sum (bank deposit)</p> <p>Schedule 4 Clause 2.1 - £390,000 Visual Impact Mitigation Contribution <b>PAID</b></p> <p>Schedule 4 Clause 3.1 - £100,000 First Biodiversity Contribution <b>PAID</b></p> <p>Schedule 5 Clause 2.5 - £5,000 Weston Mill School Air Quality Protection <b>Paid</b></p> <p>Schedule 5 Clause 4.1 - £1,000 Computer Facilities Sum <b>Paid</b></p> <p>Schedule 5 Clause 2.4 -£10,000 NO2 diffusion tubes</p>	<p><b>MVV confirmed 3<sup>rd</sup> September that they had sent the first annual payment of £3k to the City College</b></p> <p><b>PAID</b></p> <p><b>PAID</b></p> <p><b>PAID</b></p> <p><b>PAID</b></p> <p><b>PAID</b></p> <p><b>PAID</b></p>	



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<p>Schedule 5 Clause 2.4- £65,000 Air Quality Monitoring Equipment  Schedule 5 Clause 3.1 £5,000 complaint administration and attendance costs  Schedule 6 Clause 2.1 - £10,000 North Yard Community Trust Administration Contribution <b>Paid</b>  Schedule 6 Clause 3.1 - £150,000 First Community Fund Contribution <b>PAID</b>  Schedule 8 Clause 1.1 - £24,210 Management Fee <b>Paid</b></p>	<p><b>PAID</b> <b>PAID</b> <b>PAID</b></p> <p>Payment monitoring procedures still require improvement (email sent to MVV 24<sup>th</sup> May)</p>	
<p><b>S106 SCHEMES</b></p>	<p><b>COMMENTS</b></p>	<p><b>STATUS</b></p>
<p>S2 Clause 2 District Heating Network - <b>Awaited</b>  S2 Clause 4 Devonport Dockyard Naval Base Energy Monitoring Scheme <b>Awaited</b>  S2 Clause 6 Local Employment Scheme-</p> <p>S3 Clause 4 Construction Workers Travel Plan</p>	<p>Doc.110512- clean submitted 3<sup>rd</sup> May in accordance with 6.1 and revised 11 May – Applicants agreed 28<sup>th</sup> May to revise it further (with statements addressing some concerns) and it was revised by applicants following comments and re-submitted 7<sup>th</sup> June 2012. (LPA confirmed that reasonable endeavors were being taken by the applicant to finalise the scheme in accordance with clause 6.2. Discussed with local members 12<sup>th</sup> June). <b>Approved</b> 15<sup>th</sup> June 2012.</p> <p>The procedures and plan in document 080212 <b>approved</b> 7<sup>th</sup> March 2012. An informal update submitted 10<sup>th</sup> May –</p>	<p><b>Approved</b></p> <p><b>Approved</b></p>

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<p>S3 Clause 5 Variable Pricing Structure <b>Awaited</b></p> <p>S4 Clause 1 Savage Road Works and Management Plan <b>Awaited</b></p> <p>S4 Clause 4 Ecological Mitigation Enhancement Management Plan –</p> <p>S5 Clause 1 Noise Management Plan S5 Clause 2 Air Quality Management Plan</p> <p>S6 Clause 1 North Yard Community Trust Scheme</p> <p>S7 Clause 1 Education Programme <b>Awaited</b></p>	<p>response given 22<sup>nd</sup> May –shuttle bus details still <b>Awaited</b></p> <p>Draft received 14<sup>th</sup> May (CD) -- response given 23<sup>rd</sup> May and revised draft received 15<sup>th</sup> June and response given 19<sup>th</sup> June. Formal submission received 16<sup>th</sup> July and Addendum received 3<sup>rd</sup> August. <b>Approved</b> 6<sup>th</sup> August 2012..</p> <p>Draft received 14<sup>th</sup> May (CD) – response given 23<sup>rd</sup> May and meeting took place with PPS Unit 27<sup>th</sup> June Applicants submitted informal draft of scheme 17<sup>th</sup> July and response to it given 1<sup>st</sup> August. Received 2<sup>nd</sup> August and <b>approved</b> 10<sup>th</sup> August.</p> <p>submitted 4th May – Discussed with local members 12<sup>th</sup> June and the applicants were advised how they might revise their formal submission on 18<sup>th</sup> June.)Re-submission received 26<sup>th</sup> June <b>approved</b> 4<sup>th</sup> July.</p>	<p style="text-align: center;"><b>Approved</b></p> <p style="text-align: center;"><b>Approved</b></p> <p style="text-align: center;"><b>Approved</b></p>
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<b>OTHER S106 REQUIREMENTS</b>		
S6 Clause 2 North Yard Community Trust Venue S7 Clause 2 Appointment of Community Liaison Manager -	Appointed 5 <sup>th</sup> March 2012	Appointed