

**DERBYSHIRE COUNTY COUNCIL**

**REGULATORY - PLANNING COMMITTEE**

**8 June 2020**

Report of the Executive Director – Economy, Transport and Environment

**2 RETENTION OF WORKSHOP/STORES BUILDING AT JOHNSONS  
RECYCLING CENTRE, CROMPTON ROAD, ILKESTON  
APPLICANT: JOHNSONS AGGREGATES AND RECYCLING LTD  
CODE NO: CW8/0819/43**

**8.1087.13**

**Introductory Summary**

This application seeks planning permission in retrospect for the erection of a building to accommodate non-waste storage, machinery, and for vehicle repair and servicing activities associated with an established Incinerator Bottom Ash (IBA) recycling facility.

The building is within a well enclosed yard area which is surrounded by industrial buildings of a similar or larger scale and similar finish. The application site is within Flood Zone 2 and the supporting Flood Risk Assessment concluded that the new building would not result in the impedance of surface water or fluvial flow, and would be at an acceptable level of flood risk. The building is located on land identified in the Erewash Core Strategy (ECS) as the Stanton Regeneration Area.

I consider that the building is needed for a use associated with an existing waste use of a wider site. I do not consider that any significant landscape, visual or amenity impacts from the building on the locality are to unacceptable detrimental levels given the pre-existing industrial character and setting of its site. I have considered three representations from members of the public which include an expression of concern that the submitted planning application is potentially misleading, and doubt on whether the use of concrete blocks is suitable in the construction, and concerns about disturbance from noise and dust emissions and detriment to amenity from HGV movements. The submitted application is clear in that the details of a large workshop/stores building and the uses for the building are explained clearly. Erewash Borough Council would address whether the use of concrete blocks in the construction of the building is structurally permissible, through its Building Regulations function. No increase in HGV movements is proposed under this application. I do not consider that the storage and servicing/maintenance activities within the building would generate significant amounts of dust. I recognise that certain activities associated with the servicing and repair of machinery and vehicles could generate noise. However, there is a noise management plan in place in respect of at the wider site of the recycling facility.

I do not consider that the development covered by the application conflicts with national or local planning policies or with the aims of the Stanton Regeneration Site Supplementary Planning Document (SPD), and it is recommended for approval subject to the conditions identified.

- (1) **Purpose of Report** To enable the Committee to determine the application.
- (2) **Information and Analysis** This planning application seeks permission for the development described below.

### **The Site**

The application site has a surface area of 340 square metres (m<sup>2</sup>) and is located on the industrial edge of Ilkeston, at the southern end of the Quarry Hill Industrial Estate (formerly the Stanton Ironworks complex and accessed off the junction of Crompton Road and Merlin Way), approximately 2.5 kilometres (km) south of Ilkeston town centre. Quarry Hill Industrial Estate is an established industrial estate with several waste facilities nearby, all sitting within part of the site of the former ironworks. The site of the proposed building is within a yard area which, in turn, is part of a large waste facility (to the north-west of the application site) specialising primarily in IBA waste with some processing of construction and demolition waste. The yard area is bounded by a 5 metres (m) high concrete sectional wall. There are no views of the application site from any public highway, public footpath or canal towpath.

The company offices are to the north-west and beyond that, further north-west, is the main production building. The waste facility imports and recycles up to 350,000 tonnes per annum (tpa) of inert waste, comprising up to 300,000 tpa of IBA and up to 50,000 tpa of waste metal.

To the north-east and east of the yard area is a large civil engineering and industrial operation with buildings/offices and yard area. To the south-west of the yard area, on higher ground, is a former branch railway line which is now covered with semi-mature, self-set trees and shrubs. Further south are the extensive open areas of the former Stanton Ironworks where many of the buildings and structures have been removed. To the north-west is the applicant company's established and extensive IBA waste management facility.

Beyond the surrounding industrial uses are residential areas. Trowell is 950m to the north-east and Stapleford is 990m to the east, both on the east side of the Erewash Canal. Hallam Fields is 800m to the north.

A culverted section of the Nutbrook Canal is 80m to the north of the application site. The River Erewash is 620m to the east. The site is within Flood Zone 2.

Local Wildlife Site (LWS) ER215 Erewash Canal is 415m to the east of the site. LWS ER055 West Hallam Towpath Scrub is 385m to the east. LWS ER201 Quarry Hill Lagoons is 180m to the north-west. LWS ER217 Stanton Ironworks is 70m to the west of the site. LWS ER188 Ilkeston Road Pond and Nutbrook Canal is 270m to the south-west of the site. LWS ER168 Trowell Marsh is 530m to the north-west. There are no Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR), Regionally Important Geological/Geomorphological Sites (RIGS), or Special Areas of Conservation (SAC) within or in the vicinity of the site.

Public Right of Way (PROW) E6/81/7 follows the canal towpath on the west side of the Erewash Canal and is 410m to the east of the site. PROW E14/5/2 runs in a south-west to north-east direction and is 460m to the south-west of the site. The Nutbrook Trail is a Greenway multi-user trail 67 and is 175m to the north-west and 165m to the north and 390m to the east of the application site.

There are no statutory and non-statutory cultural heritage designations within the site, however, there are several nearby:

**Grade II Listed Buildings:**

DDR 1909 Hallam Fields Bridge is 500m to the north-east.

DDR1987 Hallam Fields Lock is 510m to the north-east.

DDR1979 New Stanton Cottages is 1180m to the west.

DDR1947 Tower of St. Bartholomew's Church is 555m to the north.

There are no Conservation Areas or Scheduled Monuments within, or in the vicinity of, the site. There are no World Heritage Sites, Scheduled Ancient Monuments, Registered Parks and Gardens or Registered Battlefields recorded within the study area.

The site is within a Coal Authority Development High Risk Area. This is part of the coal mining reporting area which contains one or more recorded coal mining related features which have the potential for instability or a degree of risk to the surface from the legacy of coal mining operations.

**The Development**

The development comprises the construction and use of a covered building which has already been built and is already being used for the maintenance, repair and servicing of plant, machinery and vehicles. The building would also be used for the storage of equipment and machinery. The dimensions of the building area 25.2m long x 13.54m wide x 5.2m to eaves (7.0m to roof apex). The south-west and south-east elevations of the building are constructed from large interlocking concrete blocks placed on a pre-existing impermeable concrete hardstanding with no foundation works. The north-west elevation is constructed from four steel shipping containers secured to the ground. The north-east elevation is open and is proposed to remain open as an entrance and exit for vehicles and plant being taken in and out. A pitched roof covers

the three elevations. The exterior elevations (the concrete sectional walls and the steel shipping containers) and the roof are all finished in Goose Wing Grey (colour code: RAL7038).

### Recent Planning Application and Consent History for the Recycling Facility

Planning Application Reference No.	Description of Development	Decision/Date
CW8/0817/37	Extension of storage facilities.	Approved 5 March 2018
CW8/0417/1	Application not to comply with conditions 3 and 6 of planning permission CW8/0413/17 to allow the import and processing of waste materials (instead of construction and demolition waste and soils).	Approved 20 July 2017
CW8/0616/25	Proposed variation of Condition 3 of planning permission CW8/0413/17 to allow a minor change to the external arrangements of the site.	Approved 1 December 2016
CW8/0616/24	Raise the roof of an existing building and the erection of a dryer stack (chimney).	Approved 1 December 2016
CW8/0413/17	Proposed processing and recycling of incinerator bottom ash, aggregates and soils.	Approved 22 May 2014

The applicant has recently submitted to the Council for determination two applications for permission under section 73 of the Town and County Planning Act 1990 to seek to obtain an extension in the operating hours for the recycling facility that have been set by condition 5 to permission CW8/0817/37 and condition 6 to permission CW8/0417/1. The Council is, however, not yet in a position to proceed to determine these applications.

### Consultations

#### Local Member

Councillor Frudd (Ilkeston South) and Councillor Major (Sandiacre) were requested to respond by 24 February 2020.

#### Erewash Borough Council (Planning)

Erewash Borough Council (EBC) (Planning) was requested to respond by 24 February 2020.

**Erewash Borough Council (Environmental Health Officer)**

EBC Environmental Health Officer (EHO) responded on 19 December 2019 and has no objections.

**Erewash Borough Council (Building Control)**

EBC (Building Control) confirmed on 11 March 2020 that the workshop/stores building requires Building Regulations Approval which had not been applied for by then. EBC has contacted Johnsons Aggregates and Recycling Ltd over this issue.

**Stanton by Dale Parish Council**

Stanton by Dale Parish Council responded on 6 December 2019 with no objections.

**Derbyshire Wildlife Trust**

Derbyshire Wildlife Trust (DWT) responded on 16 January 2020 advising that no ecological impacts were anticipated as a result of the development.

**Environment Agency**

The Environment Agency (EA) responded on 19 December 2019 and stating that it had no comments to make.

**The Coal Authority**

The Coal Authority responded on 13 December 2019 and 21 February 2020 with confirmation that the application site is within a defined Development High Risk Area. The Coal Authority notes the previously submitted Coal Mining Risk Assessment Report dated 20 December 2017 as part of planning permission code no. CW8/0817/37 and also notes that the development does not require foundations or earthworks. On this basis, the Coal Authority concluded that a Coal Mining Risk Assessment was not required and had no objections to the development.

**Nottinghamshire County Council**

Nottinghamshire County Council responded on 4 December 2019 and 18 February 2020 stating that it had no comments to make.

**East Midlands Airport Safeguarding**

East Midlands Airport responded on 5 December 2019 without objections.

**County Highway Authority**

The County Highway Authority responded on 10 February 2020 and stated that the development would not impact on existing highway conditions.

**Lead Local Flood Authority**

The County Council, as Lead Local Flood Authority, responded on 19 December 2019 and 14 February 2020 without comments.

## Publicity

The application was advertised by site notices and a press advert in the Derbyshire Times on 12 December 2019 with a request for observations by 6 January 2020. One site notice was also hand delivered to a neighbouring business with a request for observations by 6 January 2020. Three representations, all objecting to the proposal, have been received in response to the publicity. The objections raised are summarised as follows:

- Application perceived as being misleading (not stating that it is for waste management development).
- Concern over construction materials used.
- Impact on nature and environment.
- Dust nuisance.
- Noise nuisance.

With regard to comments about the application being misleading, I consider that the planning application is clear in describing a large workshop/stores building and its intended use.

## Planning Considerations

Section 38(6) of the Planning and Compulsory Planning Act 2004 requires that planning applications are determined in accordance with the provisions of the development plan unless other material considerations indicate otherwise. In the context of this proposal, the development plan consists of the saved policies of the Derby and Derbyshire Waste Local Plan (2005) (DDWLP) (adopted 2005), the Erewash Core Strategy (ECS) (2016) and the Saved Policies of the Erewash Borough Local Plan (2005) (Amended 2014) (EBLP). The application site is within Stanton-by-Dale Parish and is close to the boundary with Ilkeston (unparished). Neither are yet covered by an adopted Neighbourhood Development Plan. Other material considerations include national policy, as set out in the National Planning Policy Framework (2019) (NPPF), and associated Planning Practice Guidance (PPG), the Waste Management Plan for England (WMPE) and within the National Planning Policy for Waste (2014) (NPPW) and the Stanton Regeneration Site SPD (2017).

### **Saved Policies of the Derby and Derbyshire Waste Local Plan (2005)**

W1b: Need for the Development.

W7: Landscape and Other Visual Impacts.

W6: Pollution and Related Nuisances.

W9: Protection of Other Interests.

### **Erewash Core Strategy (2014) Policies**

1: Climate Change.

10: Design and Enhancing Local Identity.

20: Stanton Regeneration Site.

### **Stanton Regeneration Site SPD**

The site is also located on land identified in the ECS as Stanton Regeneration Site and the Stanton Regeneration Site SPD (2017) is therefore also a material consideration. Policy SR1: Land Uses is relevant to this proposal.

### **Saved Policies of the Erewash Borough Local Plan (2005) (Amended 2014)**

DC7: Development and Flood Risk.

EV16: Landscape Character.

### **National Planning Policy Framework**

A revised NPPF was published in February 2019. The NPPF provides guidance on material considerations in the context of determining planning applications. It states there should be a presumption in favour of sustainable development. The term 'sustainable development' is defined as '*meeting the needs of the present without compromising the ability of future generations to meet their own needs*'. The NPPF goes on to say that achieving sustainable development means that the framework has three overarching objectives, economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

Those sections of the NPPF that are particularly relevant to this proposal are:

12: Achieving well designed places.

14: Meeting the challenge of climate change, flooding and coastal change.

15: Conserving and enhancing the natural environment.

### **Planning Policy Guidance (Waste) (PPG-W)**

On-line national planning policy guidance.

### **National Planning Policy for Waste (NPPW) (2014)**

Chapter 7: Determining Planning Applications.

Appendix B: Locational Criteria.

### **Need for and Principle of Development**

Chapter 7: Determining Planning Applications of the NPPW advises waste planning authorities to only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. The advice adds that in such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need. Data collected as the evidence base for the emerging Derbyshire and Derby Waste Local Plan indicates that the future need for waste facilities will predominantly be focussed around the mid-section of the waste hierarchy, specifically transfer, treatment and reprocessing in driving waste up the hierarchy. In that simple "need" context this application fits with that requirement.

DDWLP Policy W1b: Need for the Development presumes in favour of waste development if it would help to cater for the needs of the local area in terms of quantity, variety and quality, as part of an integrated approach to waste management. Waste development catering primarily for the needs of other areas will be permitted only if the development would satisfy a need which could not realistically be met closer to the source of the waste and the development would contribute to an integrated system of waste management. The wider site benefits from planning consent for the processing and recycling of IBA waste and the proposed workshop/store building is part of the necessary infrastructure being developed on the site to provide for the most efficient waste management operations practicable. It is considered that there is no policy conflict with W1b.

In principle, the need for the proposal is considered to be proven. The acceptability of the planning application must be considered further against planning policy and its merits. In the context of the current development plan and national guidance, I have given consideration as to whether the development would be likely to give rise to any significantly different or additional impacts to those previously considered. I consider that the main issues that need to be considered for this planning application are:

- Location of Development.
- Design and Landscape/Visual Impacts.
- Amenity Impacts.
- Flood Risk.

### **Location of the Development**

The application site is located within an established industrial estate on land identified in the ECS as part of the Stanton Regeneration Site. Although located within the regeneration area, the Land Use Masterplan within the SPD also identifies this area as an '*existing industrial area/permissions*' and is close to the area identified as the industrial park. The building would be located on an established waste site with extant planning permissions for waste processing operations. I am therefore satisfied that the proposal would not conflict with the purposes of the Policy 20 of the ECS and the SPD, and would be acceptable in this location.

### **Design and Landscape/Visual Impacts**

The NPPF supports good design, most notably at Section 12. Paragraph 170 of the NPPF (Chapter 15: Conserving and enhancing the natural environment) advises that planning decisions should protect and enhance landscapes. Appendix B of the NPPW lists locational criteria, the most relevant in respect of landscape and visual impacts being criteria C (i) which considers the potential for design-led solutions to produce acceptable development and C (ii) which recognises the need to protect landscapes. Policy W7: Landscape and Other Impacts of the DDWLP presumes in favour of waste development where the appearance of the development would respect the character and



local distinctiveness of the area, would not materially harm the local landscape and would be located and designed to be no larger than necessary. This policy also seeks that the visual impact of the proposed development is minimised or the appearance of the landscape is improved.

ECS Policy 10: Design and Enhancing Local Identity expects the design of all new development to make a positive contribution to the public realm, creating an attractive environment with regard to local context. Policy EV16: Landscape Character of the Saved Policies of the EBLP states that development should recognise and accord with the landscape character within which it is located, having regard to materials of construction, design, scale, massing and landscaping.

The application site is not within, or adjacent to, any designated special landscapes. The proposed structure is of substantial scale and massing at 25.2m long x 13.54m wide x 5.2m to eaves (7.0m to roof apex) to be finished in Goose Wing Grey (colour code: RAL7038). The surrounding structures are of similar industrial scale and massing, however, many of the surrounding buildings are also finished in a similar shade of grey. The design is functional and industrial in appearance, given the buildings intended use. It is considered that the scale, massing, design and finish of the proposed new building would not bring a detrimental element to what is a predominantly industrial landscape. The proposed structure would be screened from public view by the existing structure surrounding it.

I consider that the materials utilised in the construction are satisfactory from an aesthetic point of view in this enclosed industrial setting. I do not consider that there would be material harm to the local landscape or visual amenity as a result of the proposed development. As such, I consider that the proposal accords with national planning guidance (the NPPF), NPPW, DDWLP Policy W7, ECS Policy 10 and Saved Policy of the EBLP Policy EV16.

### **Amenity Impacts**

The application site is within the existing extensive IBA facility which is itself within an area of heavy industry. DDWLP Policy W6: Pollution and Related Nuisances states that: “*waste development will not be permitted if the development would result in harm caused by contamination, pollution or other adverse environmental or health effects.*” Policy W9: Protection of Other Interests of the DDWLP presumes in favour of waste development where it would not affect other land uses to the extent that it would materially impede or endanger the social or economic activities or interests of the community. The proposed structure would be enclosed within the existing IBA site and further screened by the existing industrial structures that surround it. The site is a considerable distance away from residential areas.

With respect to the representation comments with regard to noise and dust nuisance, I note that this representation has been submitted in respect of three planning applications: the application under consideration in this report

(CW8/0819/43); a pending planning application (CW8/0120/70) at the same site (Johnsons Aggregates and Recycling Ltd) to vary a condition of an existing planning permission to increase working hours and; a pending planning application (CW8/0220/75) at the nearby Donald Ward Ltd waste site to consolidate historic planning permissions and the continuation of waste recycling/waste processing.

I acknowledge the concerns raised in respect of nuisance noise and dust emissions and nuisance from HGV movements on local residential areas, the environment and nature. The planning application under consideration in this report is for a large workshop/stores building. There may be the potential for noise emissions from machinery and vehicle maintenance and servicing activities, however, the site is a considerable distance away from residential areas and that there are existing noise and dust management plans in place. I consider that necessary protection of amenity would be ensured by inclusion of conditions to apply plans and mitigation measures equivalent to those contained in the current conditions to the main existing permission for the recycling facility, particularly in respect of its noise and dust management, and restriction of operational hours to generally align with those to which the recycling site works are generally restricted (0600 hours – 1800 hours Monday to Saturday inclusive , with no working on Sundays, Bank Holidays or other National Holidays), with exceptional provision for such essential plant servicing and maintenance and similar work as requires working outside the restricted hours.

I do not consider that there would be any impact on the community in terms of interests, economic or social activities. I consider that the proposal accords with the requirements of DDWLP policies W6 and W9.

### **Flood Risk**

Paragraph 163 of the NPPF (Chapter 14: Meeting the challenge of climate change, flooding and coastal change) advises planning authorities to ensure that flood risk is not increased elsewhere and, where appropriate, that planning applications are supported by a site specific flood risk assessment. ECS Policy 1: Climate Change, specifically criterion 5: Flood Risk and Sustainable Drainage supports development that does not increase the risk of flooding elsewhere. The application site is within Flood Zone 2. The planning application is supported by a Flood Risk Assessment which concludes that the proposed new building would not result in the impedance of surface water or fluvial flow and is at an acceptable level of flood risk. As such, it is considered that the proposed development accords with the NPPF and the requirements of Policy 1: Climate Change of the ECS.

### **Conclusion**

In conclusion, I consider that the continued presence of the completed building and its use as a workshop/stores for vehicle and plant repair maintenance and servicing is acceptable in this enclosed site within an established industrial setting. I do not consider that the substantial scale and

massing of this structure is incongruous in this industrial landscape. The site is surrounded by industrial buildings of similar or larger scale. I also note the proposed choice of colour finish of Goose Wing Grey (colour code: RAL7038) and that many of the surrounding buildings are finished in a similar shade of grey. I consider that the location, scale, massing, design and finish of the building is acceptable and would not result in any detriment to other land uses, the landscape, the local environment and neighbouring amenity. I also find the location of the building in the Stanton Regeneration area to be acceptable. I do not consider that there would be any impediment or endangerment to the social or economic activities or interests of the local community.

I have considered the objections raised by members of the public. I consider that the planning application is clearly seeking retrospective planning permission for a large building for storage purposes and for the maintenance and servicing of machinery and vehicles and is not misleading in any way. The issue of whether the large concrete blocks are suitable structurally for the construction of such a building would be determined by EBC's Building Control Department, once a building control application is made to it. As to the aesthetics of the blocks, I consider that they are satisfactory in this enclosed industrial setting.

In respect of the concerns raised over dust and noise nuisance, and disturbance from HGV movements, I note that these are made with regard to three pending planning applications: this planning application for the new building, a planning application to increase the working hours of the site within which the new building would be sited, and a planning application to consolidate historic permissions and activities at the nearby Donald Ward Ltd waste site. I do not consider that the presence and use of the new building in itself contributes to nuisance emissions and detriment to amenity from HGV movements. It is located well within the Johnsons Aggregates and Recycling Ltd site, which is itself a considerable distance away from residential areas. There may be the potential for noise associated with the servicing and repair of machinery and vehicles from within the building, however, there are nuisance emission management plans in place at the site, including for noise.

Subject to the recommended conditions, I do not consider that the proposal conflicts with national or local planning policies and it is recommended for approval subject to the conditions identified.

(3) **Financial Considerations** The correct fee of £3,234 has been received.

(4) **Legal Considerations** This is an application submitted under Part III of the Town and Country Planning Act 1990, which falls to this Authority to determine as the Waste Planning Authority.

I do not consider that there would be any disproportionate impacts on anyone's human rights under the European Convention on Human Rights as a

result of this permission being granted subject to the conditions referred to in the Officer's Recommendation.

(5) **Environmental and Health Considerations** As indicated in the report.

### Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, property, social value and transport considerations.

(6) **Background Papers** File No 8.1087.13  
Application documents received from Johnson Aggregates and Recycling Ltd (Agent: Bond Planning Consultancy) dated 12 July 2019:  
1APP form dated 12 July 2019;  
Planning Statement, author: Bond Planning Consultancy Version 1.0 (no reference), dated May 2019.  
Location Plan (no reference and undated).  
Site Layout Plan (no reference and undated).  
Flood Risk Assessment, author: BWB, dated November 2019.  
North-East Elevation (no reference and undated).  
North-West Elevation (no reference and undated).  
South-East Elevation (no reference and undated).  
South-West Elevation (no reference and undated).  
Email from Agent confirming colour finish, dated 10 December 2019.

Two representations from members of the public dated 3 and 4 March 2020.

Nottinghamshire County Council responses dated 4 December 2019 and 18 February 2020.

East Midlands Airport Safeguarding response dated 5 December 2019.

Stanton-by-Dale Parish Council response dated 6 December 2019.

Internal County Landscape Officer responses dated 12 December 2019 and 11 February 2020.

Environment Agency response dated 19 December 2019.

Erewash Borough Council (Environmental Health) response dated 19 December 2019.

Internal Lead Local Flood Authority responses dated 19 December 2019 and 14 February 2020.

Derbyshire Wildlife Trust responses dated 16 January 2020.

Internal County Highways Authority response dated 10 February 2020.

(7) **OFFICER'S RECOMMENDATION** That the Committee resolves that planning permission is authorised to be **granted** subject to a set of conditions to be drawn up by the Executive Director – Economy, Transport and Environment, for ensuring that, in the interest of local amenity, the development to be granted permission proceeds in conformity with those

restrictions on working hours and noise traffic and visual impact and other environmental mitigation measures as are provided by the conditions to which the planning permission CW8/0417/1 (in respect of the associated waste recycling) is subject, and further conditions substantively as follows:

### **Form of Development**

- 1) The development shall at all times from the date of this permission accord with the details in the 1APP form dated 12 July 2019 and the following:
  - Planning Statement, author: Bond Planning Consultancy Version 1.0 (no reference), dated May 2019.
  - Location Plan (no reference and undated).
  - Site Layout Plan (no reference and undated).
  - Flood Risk Assessment, author: BWB, dated November 2019.
  - Drawing entitled 'North-East Elevation'.
  - Drawing entitled 'North-West Elevation'.
  - Drawing entitled 'South-East Elevation'.
  - Drawing entitled 'South-West Elevation'.
  - Email from Bond Planning Consultancy confirming colour finish, dated 10 December 2019.

**Reason:** To specify documents containing details pertaining to the development under this permission and facilitate effective monitoring of the development by the Waste Planning Authority for compliance with the details, in the interests of the amenity of the area.

- 2) No waste items or waste materials shall be brought into, onto or be-side the building. The building shall be used only for the storage of non-waste items or non-waste materials associated with use of the adjacent site identified on drawing number [to be inserted] attached to this planning permission as a recycling facility and/or for the servicing and repair of machinery and vehicles associated with that use.

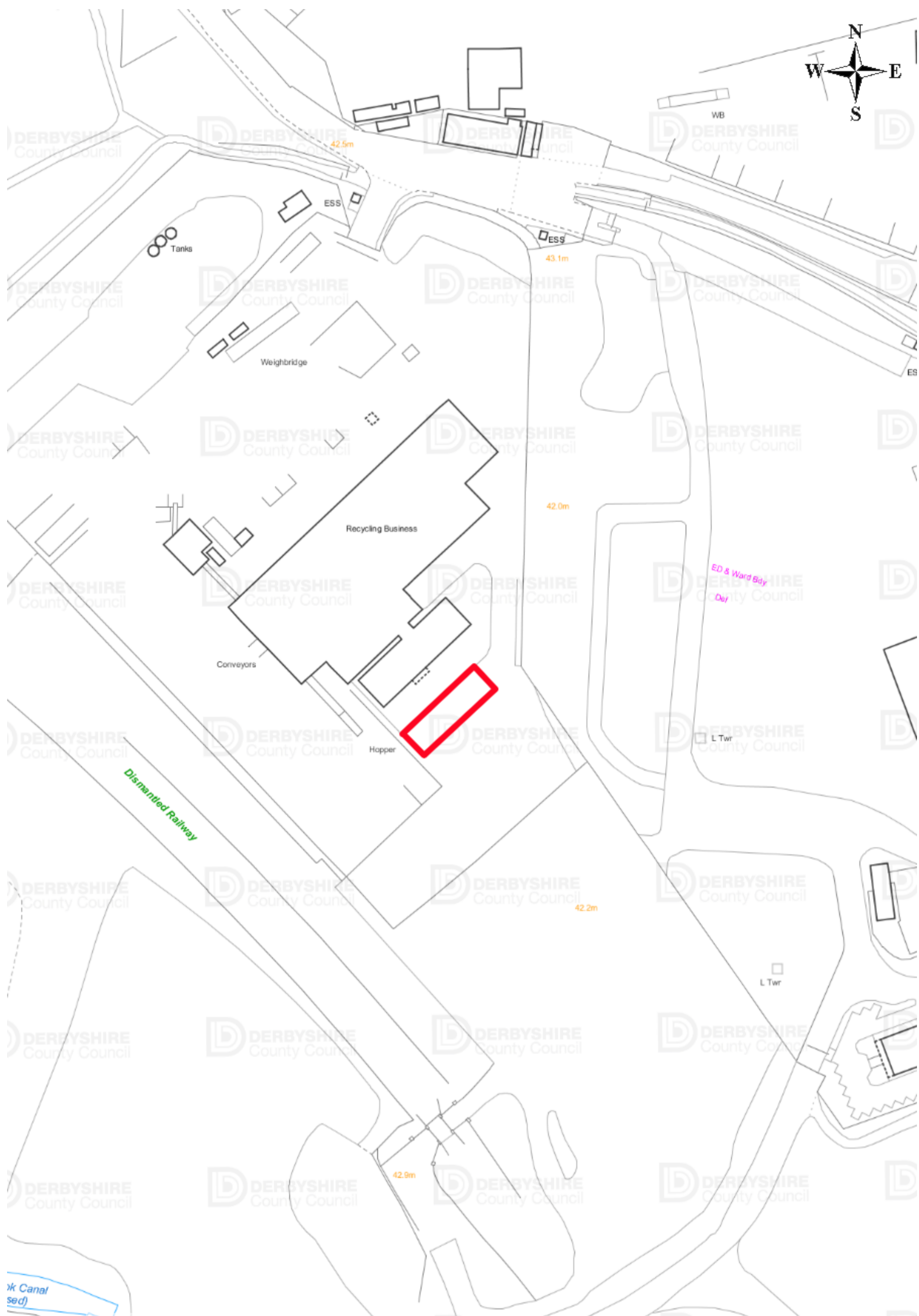
**Reason:** For the avoidance of doubt.

### **Statement of Compliance with Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015**

The Authority worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in the processing of planning applications in full accordance with this Article. The applicant had engaged in pre-application discussions with the Authority prior to the submission of the application. The applicant was given clear advice as to what information would be required.

**Mike Ashworth**  
**Executive Director - Economy, Transport and the Environment**

CW8/0819/43 - Proposed Workshop and Stores Building, Johnsons Aggregates and Recycling Ltd.,  
Crompton Road, Ilkeston



19-Mar-2020