Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant  Name and address of agent

Mr Dhanesh Ruparelia
Monoworld Recycling Ltd
19 to 26 Sanders Lodge Industrial Estate
Rushden
NN10 6BQ

Part I - Particulars of application

Date of Application  Application No.:
15 November 2016  NCC Ref 16/00053/WASFUL

Particulars and location of development
Construction of industrial building for storage and processing of recyclable materials and adjoining sealed covered area. Monoworld Recycling Ltd, Plots 19 to 26, Sanders Lodge Industrial Estate, Rushden, NN10 6BQ.

Part II - Particulars of decision:

The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

1. Commencement

The development hereby permitted shall be begun before the expiry of three years from the date of this permission. Written notification of the date of commencement shall be provided in writing to the Waste Planning Authority within seven days of such commencement.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
Reason: To comply with Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

2. Scope of the Permission

Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be implemented and maintained in accordance with the following approved documents and plans:

- Application forms dated 20 October 2016
- Supporting Planning Statement received 15 November 2016
  - Drawings
- Existing Site Plan and Application Area received 15 November 2016
- Elevation Proposal – ref: 26598/2
- Layout of Proposal – ref: 26598/1
- Outline Drainage Plan – ref: 23976/01
- Drainage Statement – ref: 16/23976

Reason: To secure implementation and maintenance of the development in accordance with the approved documents and plans and secure the mitigation measures set out in the application.

3. Waste Inputs

The building hereby permitted shall be restricted to the storage and processing of waste recyclable materials.

Reason: To define the scope of the development in the interests of amenity protection having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

4. Storage and Processing

Prior to the use of the building, full details of a fast opening and closing shutter door system shall be submitted to and approved in writing by the Waste Planning Authority. The system shall be implemented and installed in accordance with the approved details which shall thereafter be retained and maintained for the duration of the development hereby permitted.

Reason: In the interests of amenity having regard to Policy 22 of the Northamptonshire Mineral and Waste Local Plan (October 2014).

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5. Materials

The materials, colours and finishes to be used on the building shall be as indicated in the submitted planning application form. The development shall be implemented and maintained in accordance with these approved details.

Reason: In the interests of amenity protection and landscape character having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

6. Construction Hours of Working

All construction activities shall be restricted to between the hours of 0700 and 1800 Mondays to Fridays and 0700 to 1300 Saturdays with no construction activities on Sundays or Public and Bank Holidays.

Reason: To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to amenity in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

7. Lighting

No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Waste Planning Authority. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties the natural environment and highways. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason: In the interests of amenity protection and landscape character having regard to Policy 22 of the Minerals and Waste Local Plan (October 2014).

8. Fire Risk Management

Prior to the use of the building to recycle or store waste materials, a Fire Risk Management Plan (FRMP) identifying the measures to mitigate and manage the risk of fire associated with waste storage on the application site and whole Monoworld site (outlined in red and blue on the submitted drawing ‘Existing Site Plan and Application Area’ shall be submitted to and approved in writing by the Waste Planning Authority. The plan as agreed in writing shall be implemented and maintained thereafter unless any changes to the plan are subsequently agreed in writing by the Waste Planning Authority. In the event that any measures stipulated in the FRMP conflict with measures subsequently agreed as part of the Environmental Permit (EP) for the waste facility then the

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measures in the EP shall supersede those agreed by the Waste Planning authority. (See Informative for information from the Environment Agency)

Reason: In the interests of safety having regard to Policy 27 of the Minerals and Waste Local Plan (October 2014).

9. **Drainage**

All surface water drainage on site shall be prevented from discharging off the Monoworld site in accordance with the submitted Drainage Statement and Outline Drainage Plan; Drawing No. 23976/01.

Reason: To reduce flood risk having regard to Policy 22 of the Minerals and Waste Local Plan (October 2014).

**POSITIVE AND PROACTIVE MANNER STATEMENT**

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**Informative**

*Information for Applicant from the Environment Agency*

**Environmental Permitting**

Waste facilities, such as the proposed development, have the potential to impact on amenity, particularly in respect of pests, odour, fire risk and noise. The site currently operates under an Environmental Permit. The Environmental Permit is currently subject to a revocation notice which the operator is in the process of appealing. The site has a very poor compliance history and there is a lack of detail in the application for us to assess how these potential impacts will be mitigated.

We therefore highly recommend that you provide a detailed proposal which addresses how the potential impacts from odour, noise and pests will be mitigated.

**Odour and Pests**

Consideration should be given to access points to the building, they should avoid wash out of odour or the escape of pests through the use of high speed roller shutter doors for example and designing the containment of waste to segregate areas of potential low and high odour. Areas of potential higher odour should be remote from

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main areas of access. We would advise that techniques such as an air extraction system is investigated to prevent the build-up of odours or gasses. The system may need to be designed to allow higher numbers of air changes within the building where there is possibility of higher or more acute odour release. Any air movement should be controlled to ensure air flows are from low odour areas to high odour areas. Any abatement system considered must be specifically designed to minimise the release of odour, there are a number of suitable abatement techniques:

1. Bio filtration
2. Wet Chemical Scrubbing
3. Activated Carbon
4. Ozone Treatment.

The techniques may be used in isolation or in combination depending on the species to be abated and other site specific factors such as the proximity of receptors and available space. The operator should deploy the technique or techniques which most effectively prevent or minimise the emission of odours.

We are concerned that the proposed vented cladding built into the walls may not keep a building of this size sufficiently cool. The building erected on the same site in early 2016 was built to a similar specification and was extremely warm and humid during the summer months. This warmth and humidity provided favourable conditions for fly breeding, as demonstrated by the Agency’s fly monitoring data, which exacerbated the fly issues onsite. The supporting planning information states that “an entomologist suggested that vented cladding will keep the building temperature ambient with the outside temperature and reduce moisture”. Consideration should be given to the installation of a cooling system such as air conditioning or a heat exchanger. No scientific evidence has been provided to demonstrate how this building will resolve the site’s ongoing fly issues and the operator does not have an Environment Agency approved Pest Control Plan as stated in the supporting information (page 6).

**Noise**
Waste operations present potential emissions from noise in respect of mechanical handling equipment, vehicle movements and waste processing. In the case of increased capacity or new facilities there may also be additional noise from traffic and construction activities. Planning applications for industrial facilities address noise using a British Standards BS 4142 noise assessment. We advise the assessment is undertaken and the findings of any such rating assessment can be used to inform the sites management system.

**Drainage and onsite Tanks**
The operator needs to ensure the whole operational area has a fully contained drainage system. The site must have an impermeable surface and an appropriate bunded area as required to prevent potential spillages from causing pollution to the groundwater and/or surface waters.

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Storage tanks should be located on an impermeable surface with sealed construction joints and must be provided with appropriate secondary containment that can accommodate a volume at least 110% of the total capacity of the tank.

Any bunds used shall be regularly inspected to ensure that rainwater is regularly emptied and all connections and fill points should be within the bunded area with no pipework penetrating the bund wall.

Fire Prevention Plan
The purpose of this building is for the storage of baled, recyclable waste plastics. The Environment Agency's Fire Prevention Plan Guidance (FPP) states that waste cannot be stored within 6 metres of the wall of a building, inside or out, unless the operator can provide evidence that the proposed construction materials have fire resistant properties capable of containing or significantly slowing the spread of a fire, the 6 metre rule could be relaxed under these circumstances. The proposed material for this building (galvanised sheet steel) is unlikely to have such fire resistant properties in which case the 6 metre rule will apply. This is likely to have a significant impact on the amount of material that can be stored in the building.

The FPP guidance also requires an approved sprinkler system be fitted, and for provision to be made so that any fire can be extinguished within four hours. This detail has not been provided.

Ultimately developers and operators risk the closure of their facility if they cannot adequately mitigate odour, noise or pests from negatively impacting on amenity, it is therefore important to fully understand how the operator intends to minimise these potential impacts. Assessment of the potential impact of odour, noise and pests control should cover a range of reasonably foreseeable operations and receptor exposure scenarios, including emergency events and the effect of different mitigation options.

Date: 10th February 2017
Signed: C. O. Watson
For Assistant Director of Environment and Planning

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1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements (a), to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.


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