Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant  
Augean PLC  
Kings Cliffe Landfill Site  
Stamford Road  
Kings Cliffe  
Peterborough  
PE8 6XX

Name and address of agent (if any)

Part I - Particulars of application

Date of Application  
31st August 2007 (Date Received)  
13th September 2007 (Date Valid)

Application No.  
NCC – 07/00048/WAS  
ENC – 07/01838/NCC

Particulars and location of development

Soil Treatment Facility at Kings Cliffe Landfill Site, Stamford Road, Kings Cliffe, Peterborough PE8 6XX in accordance with Report Ref. AU/KC/SPH/1449/01/FIN dated August 2007.

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:-

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.
Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within seven days of commencement.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Scope of Planning Permission

2. This planning permission shall only relate to the area edged in red on the submitted plan Drawing No. AU/KC/08-07/13715 (known as the “site”) and the development hereby permitted shall be carried out in accordance with the approved schemes, planning permission EN/05/1264C and associated 106 agreement, and details submitted by way of the application dated 30th August 2007, unless otherwise approved in writing by the Waste Planning Authority and subject to the following conditions.

Reason: To specify the area for the avoidance of doubt as to the nature of the development hereby permitted and to ensure development is carried out in accordance with the approved plans.

Type and Quantity of Waste

3. No tyres or tyre shred shall be deposited or stored on the site. The total amount of waste materials imported per annum shall not exceed 100,000 tonnes.

Reason: To define the scope of this permission and in the interests of clarity.

Access and Highway Safety

4. Notwithstanding the submitted details, the development authorised by this permission shall not begin until the Waste Planning Authority has approved in writing details for the provision and installation of solid kerbed central islands at the ghosted right turn lane of the junction of Kings Cliffe Road with the A47 including associated bollards, signs, beacons, advanced signage and all other associated works as indicated on the plan (Ref NCC09) attached at Schedule 3 of the Section 106 Agreement between Northamptonshire County Council and Augean South Limited dated 29 June 2006.

5. a. The operator shall ensure that all commercial vehicles entering and leaving the site shall travel direct to and from the A47 Trunk Road via Stamford Road north of the access point with no such vehicles travelling along Stamford Road towards Kings Cliffe village south of the site access point.

b. Signs informing vehicle drivers of the requirements in a) above shall be erected and maintained in a visible location near to the egress on site.

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6. Visibility splays of 4.5 x 180m measured from a point 4.5m back from the edge of the highway carriageway shall be maintained in both directions from the site access point. For visibility purposes any obstructions within these vision splays shall be reduced to and maintained at a height not exceeding one metre above the level of the carriageway of the highway.

Reason: To ensure satisfactory means of access to the site and in the interest of amenity (Northamptonshire Waste Local Plan Policy 8).

Top Soil Storage

7. All available top soil from the area to be developed shall be stripped and stored separately for ultimate reuse in the restoration programme.

Reason: To provide for the reinstatement of in situ soils once operation has finished (Northamptonshire Waste Local Plan Policy 13).

Hours of Working

8. Except as may otherwise be agreed in writing by the Waste Planning Authority, all soil treatment operations and any associated activities shall be restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and 7.00am and 1.00pm on Saturdays, with no such operations being carried out on the site on Sundays or Public Holidays. Soil treatment operations and any associated activities will not take place outside the hours specified in this condition without the prior approval of the Waste Planning Authority.

Reason: To ensure that working on the site is carried out within reasonable hours so as to avoid disturbance and in the interests of amenity (Northamptonshire Waste Local Plan Policy 15).

Dust

9. Measures for mitigating and monitoring the effects of dust shall be implemented in accordance with the agreed dust management scheme (apertaining to planning permission EN/05/1264C) for the landfill site. The agreed scheme shall be implemented throughout the life of the operations at the site.

Reason: To safeguard the local environment and protect the amenities of local residents from unreasonable dust levels (Northamptonshire Waste Local Plan Policy 15).

Noise

10. Measures for mitigating and monitoring the effects of noise shall be implemented in accordance with the agreed noise monitoring scheme (apertaining to planning permission EN/05/1264C) for the landfill site. The agreed scheme shall be implemented throughout the life of the operations at the site.

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Reason: To safeguard the local environment and protect the amenities of local residents from unreasonable noise levels (Northamptonshire Waste Local Plan Policy 15).

Machinery Noise Suppression

11. Except as may otherwise be agreed in writing by the Waste Planning Authority, all plant, equipment and machinery used on site, including vehicular traffic to and from the site, shall be designed and maintained to reduce noise levels to a minimum and shall be operated in accordance with manufacturer’s instructions. All plant, equipment and machinery used on site, including vehicular traffic, which is capable of being fitted with the appropriate silencers, baffles, cladding and rubber linings shall be so fitted and maintained.

Reason: To minimise the noise disturbance to local residents and to ensure that plant, equipment and machinery is adequately sound-proofed in the interests of the amenities of local residents (Northamptonshire Waste Local Plan Policy 15).

Archaeology

12. Measures for investigating and preserving archaeological interests shall be implemented in accordance with the agreed written scheme of investigation and implementation programme of archaeological work (appertaining to planning permission EN/05/1264C) for the landfill site. The agreed scheme shall be implemented throughout the life of the operations at the site.

Reason: To ensure that the archaeological interest of the site is appropriately preserved or recorded (Northamptonshire Waste Local Plan Policy 10 and 11).

Protection of Fauna and Flora

13. Operations that involve the destruction and removal of vegetation or buildings (or part of a building) shall not be undertaken during the months of March to August inclusive, except when approved in writing by the Waste Planning Authority, once they are satisfied that breeding birds will not be adversely affected.

14. Measures for preventing harm to the great crested newt population shall be implemented in accordance with the agreed written scheme of investigation and implementation programme of mitigation measures (appertaining to planning permission EN/05/1264C) for the landfill site, and any appropriate licenses acquired from DEFRA. The agreed scheme shall be implemented throughout the life of the operations at the site.

15. Measures for mitigating against the loss of reptile habitat shall be implemented in accordance with the agreed scheme investigation and implementation programme of mitigation measures (appertaining to planning permission EN/05/1264C) for the landfill site. The agreed scheme shall be implemented throughout the life of the operations at the site.

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Reason: To ensure protection of fauna and flora (Northamptonshire Waste Local Plan Policy 10 and 11).

Design

16. Unless otherwise agreed in writing by the Waste Planning Authority the development shall be painted in accordance with the submitted details and shall be thereafter maintained.

17. Except as may otherwise be agreed in writing by the Waste Planning Authority the height of:-

a. The compound fencing shall not exceed 1.8m above the existing ground level.

b. The immobilisation silo shall not exceed 14m above the existing ground level.

c. The soil washing plant shall not exceed 8m above the existing ground level.

Reason: To ensure the impact on visual amenity is minimised (Northamptonshire Waste Local Plan Policy 7).

Floodlighting

18. No permanent or temporary floodlighting shall be installed at the site, unless a scheme including details has been submitted to and approved in writing by the Waste Planning Authority.


Monitoring

19. The operators of the site will at a minimum of 12 monthly intervals provide in writing to, and upon request by, the Waste Planning Authority detailed information on the quantities and types of all waste materials brought onto the site for re-use, recovery and sent for disposal. Such information will only be used in aggregated format as part of an Annual Monitoring Report produced by the Waste Planning Authority.

20. The operating company shall keep records of the quantity of waste received by weight and its source and these records shall be provided to the Waste Planning Authority within seven days of written request. All such information supplied will be treated on a confidential basis.

21. A copy of the terms of this permission, including all documents hereby permitted and any documents subsequently approved in accordance with this permission (or amendments approved pursuant to this permission) shall be displayed at the site.

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site office and shall be made known to any person given responsibility for the management or control of operations on the site.

Reason: To be in keeping with the proximity principle, national waste policy and the imposition of the landfill regulations and future changes to the planning system and waste management system and to monitor the effect of the imposition of the directive regulations (Northamptonshire Waste Local Plan Policy 27).

Final Restoration

22. Unless the Waste Planning Authority otherwise agree in writing any building, plant, machinery, foundation, hardstanding, roadway, bunding, structure or erection in the nature of plant or machinery used in connection with the development hereby permitted shall be removed from the site no later than 6 months of the operation ceasing or when they are no longer required for the purposes for which they are installed and in any case not later than 31st August 2013 (two thousand and thirteen) and upon their removal the land shall be restored in accordance with the conditions of planning permission EN/05/1264C and this planning permission.

Reason: To ensure the proper restoration of the site in accordance with the submitted plans and to ensure the enhancement of the development through the retention of existing natural features by safeguarding their health and stability (Northamptonshire Waste Local Plan Policy 16).

Aftercare

23. Except as may otherwise be agreed by the Waste Planning Authority, a five year strategy of aftercare shall be submitted to the Waste Planning Authority for approval in writing 6 months from the agreed date for the removal of all plant and equipment in condition 22 of this planning permission. Unless otherwise agreed in writing by the Waste Planning Authority, the scheme shall be implemented and maintained in accordance with the approved details.

Reason: To ensure the proper restoration of the site in accordance with the submitted plans and to ensure the enhancement of the development through the retention of existing natural features by safeguarding their health and stability (Northamptonshire Waste Local Plan Policy 16).

REASONS FOR APPROVAL

The proposed soil treatment facility aims to drive contaminated soil from brownfield development sites up the waste hierarchy by recovering material for reuse and minimising the volume for disposal to landfill. Approximately 80% of soil treated will be recovered for reuse and the remaining 20% will be disposed of at the landfill. The soil treatment processes are consistent with the best available techniques currently available. It is understood there are only three soil treatment centres in England, however the process is used extensively in other European countries, for example

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The Netherlands. One of the main proposals of the Northamptonshire Waste Local Plan (2006) is to promote new technologies to manage our waste. The soil treatment facility will be tied to the life of the landfill site i.e. restoration by August 2013. Many of the concerns and issues can be dealt with by the proposed mitigation measures and the imposition of planning conditions.

No issues or objections have been raised which would justify refusing this planning application, which has been subject of Environmental Impact Assessment. In principle the proposal accords with Northamptonshire Waste Local Plan Policies 1, 2, 4 and 17 and in environmental, amenity and traffic terms the proposal accords with Policies 7, 8, 9, 10, 11, 13, 15, 16 and 27. It is therefore recommended that planning permission be granted accordingly.

Date: 10th January 2008
Signed: [Signature]
On behalf of the Chief Planning Officer

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1. **Highway Authority Consultation Response dated 12 October 2007**

No works within the existing public highway may commence without the express written permission of the Highway Authority. This planning permission does not give or infer such permission. The Highway Authority, will only give consent to commence works subject to the completion of an Agreement, under Section 278 of the Highways Act 1980. Full engineering, drainage, street lighting and constructional details will be required to process such an agreement. Any details submitted will be subject to a technical and safety audit that may result in changes to the details of the street and junction etc required to discharge the relevant conditions above.

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