



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Corby Ltd
c/o Agent

Name and address of agent

Andrew McPheat
Iceni Projects
Da Vinci house
44 Saffron Hill
London
EC1N 8FH

Part I - Particulars of application

Date of Application

4th April 2019

Application No.:

NCC Ref: 19/00027/WASFUL
CBC Ref: 19/00215/COC
ENC Ref: 19/00777/NCC

Particulars and location of development

Construction of Energy Recovery Facility comprising proven combustion technology, with an education visitor centre, access, landscaping and associated works.
Land at Shelton road, Willowbrook East Industrial Estate, Corby NN17 5XH.

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:-

Commencement

1. 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

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commencement shall be sent to the Waste Planning Authority within seven days of such commencement.

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

Scope of the Permission

2. Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved documents, plans and mitigation measures:

- Application Forms dated 4 April 2019.
- Planning Statement dated March 2019.
- Design and Access Statement dated March 2019.
- Statement of Community Involvement dated February 2019.
- R1 Calculation and Supporting Statement (Ref: CEL-REP-T-049) dated 31 January 2018
- CHP Assessment undated but comprising 17 pages and a one page Non-Technical Summary.
- BREEAM Pre-assessment Review for Planning Dated 7 March 2019.

Drawings

- Application Plan (Land Registry title plan)
- Drawing 218097-0001 Rev P1 - Site Plan
- Drawing 218097-0002 Rev P1–Building Elevations Sheet 1 of 4
- Drawing 218097-0003 Rev P1–Building Elevations Sheet 2 of 4
- Drawing 218097-0004 Rev P1–Building Elevations Sheet 3 of 4
- Drawing 218097-0005 Rev P1–Building Elevations Sheet 4 of 4
- Drawing 218097-0008 Rev P1-3D View (with google image)
- Drawing SK03- Indicative Catchment Area Plan

Environmental Statement

- Section 4 The Proposed development
- Section 5 Alternatives and Design Evolution
- Section 6 Development Programme and Construction
- Section 7 Transport and Access
- Section 8 Air Quality and Odour
- Section 9 Noise and Vibration
- Section 10 Townscape and Views
- Section 11 Ecology and Nature Conservation
- Section 12 The Water Environment
- Section 13 Soils, Geology and Land Contamination
- Section 14 Waste Management
- Section 15 Archaeology and Cultural Heritage

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- Appendix 5 the Proposed Development
- Appendix 7 Traffic and Access
- Appendix 8 Air Quality and Odour
- Appendix 9 Noise and Vibration
- Appendix 10 Townscape and Visual
- Appendix 11 Ecology and Nature Conservation
- Appendix 12 Water Quality and Hydrology
- Appendix 13 Soils Geology and Contaminated Land
- Appendix 15 Archaeology and Cultural Heritage
- Appendix 16 Green House Gas Assessment
- Appendix 17 Mitigation Schedule

Reason: To specify the approved documents and secure the mitigation measures set out in the Environmental Statement in the interests of amenity and the environment having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Waste Operations

3. The first commercial import of waste, including pre-treated materials, shall not take place until the plant has been constructed and is ready to commence commissioning. The Waste Planning Authority should be given notice of 10 working days of (a) when commissioning is due to commence and (b) when the first commercial import of waste is due to take place.
4. Prior to the first commercial import of waste to site the operator shall implement procedures to ensure that the site accepts and processes only waste of a non-hazardous nature and that a system is in place to deal with any other waste delivered to site.
5. Waste to be processed through the plant shall be confined to Refuse Derived Fuel and residual wastes after the removal of recyclates.

Reason for conditions 3 to 5: To restrict the waste types and processes to those specified in the application in the interests of amenity and the environment having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Operational Limits, including the Catchment Area for Waste

6. The amount of imported waste/fuel shall not exceed 260,000 tonnes per annum (tpa).

Reason: To restrict the waste types and processes to those specified in the

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application in the interests of amenity protection and highway safety having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

7. Waste/fuel material in the form of RDF to be processed on the site shall originate from locations within a regional catchment area as specified in the Northamptonshire Minerals and Waste Local Plan. All residual waste to be processed on site shall originate from locations within a sub-regional catchment area predominately focussed on Northamptonshire. Before any waste/fuel is imported to the site indicative catchment area maps for both the regional and sub-regional catchment areas shall be submitted to the waste planning authority for approval. Waste cannot originate from outside the areas identified on each catchment area map. The area shown on each catchment area map can jointly or separately be amended if expressly approved in writing by the Waste Planning Authority as long as the geographical extent (in km²) remains the same.

Reason: To ensure that the materials are dealt with as close to their source as possible in the interests of self-sufficiency and sustainability having regard to Policy 12 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Storage and Processing

8. No processing or storage of waste shall take place outside the proposed main tipping hall and waste processing building as shown on the Site Plan drawing No. 218097-001.

Reason: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Construction Management Scheme

9. Prior to the commencement of development a Construction Management Scheme shall be submitted to and approved in writing by the Waste Planning Authority. The Construction Management Scheme shall include the relevant mitigation measures set out in the Environmental Statement and specify the provision to be made for the following:
 - a. Overall strategy for managing environmental impacts which arise during construction;
 - b. Measures to control the emission of dust and dirt during construction;

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- c. Control of noise emanating from the site during the construction period;
- d. Construction Plant Directional signage (on and off site);
- e. Provision for emergency vehicles;
- f. Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials;
- g. Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
- h. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- i. Storage of plant and materials used in constructing the development;
- j. Measures for the protection of trees, shrubs and hedges; and
- k. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved Construction Management Scheme shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of amenity protection and highway safety having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Construction Traffic Management Plan

- 10. Prior to the commencement of the development a Construction Traffic management Plan shall be submitted which covers the requirements in the Highway authority's consultation response revision C dated 5 August 2019. The scheme as approved shall be implemented in full throughout the construction operations.

Reason: In the interests of amenity protection and highway safety having regard Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

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Hours of Working – Construction Phase and Deliveries and Collection

11. Except as otherwise approved in writing by the Waste Planning Authority all construction activities shall be restricted to between the hours of 07.00 and 19.00 Mondays to Fridays and 07.00 to 16.00 Saturdays with no construction activities on Sundays or Public and Bank Holidays.
12. Except as otherwise approved in writing by the Waste Planning Authority all deliveries and collection of feedstock (RDF, residual waste), and collections of operational wastes shall be restricted to be between the hours of 06.00 and 23.00 Monday Friday and 08.00 hours to 16.00 hours Saturday and Sunday with no deliveries on Public Holidays.

Reason: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Site Access and Highway Improvements

13. The sole vehicular access for the development hereby permitted shall be located as shown on the Site Plan Drawing 218097-001 RevP1. No development shall commence until details of access improvements have been submitted to and approved in writing by the Waste Planning Authority. The improvements shall include:
 - a. Means of drainage to prevent the unregulated discharge of surface water onto the adopted highway;
 - b. Maximum gradient (1 in 15) in the positive or negative direction, for the first 5.0 metres from the rear of the highway boundary, back of the footway and be hard paved;
 - c. Entrance gates set back a minimum of 16m from the rear of the adopted highway boundary (back of verge) and hung to open inwards;
 - d. The site entrance and internal road shall be maintained in a condition free from potholes while in use.
 - e. The access to have a gradient no steeper than 1:40.

The improvements shall be completed in strict accordance with the approved details prior to the first commercial import of waste to the site and shall be maintained thereafter.

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14. No development shall commence until details of improvements to Shelton Road have been submitted to and approved in writing by the Waste Planning Authority. The improvements shall include:
- a. Removal of the existing gates and palisade fencing across Shelton Road with subsequent remediation of the carriageway and verge to comply with current commercial street constructional details;
 - b. Provision of a footway no less than 2m wide from the northern extent of the existing footway on the western side of Shelton Road to the proposed footway shown on the Site Plan;
 - c. Upgrading of the nearest bus stop on Steel Road to include a boarder kerb, plinth, post and flag.

The improvements shall be completed in strict accordance with the approved details prior to the first commercial import of waste to the site and shall be maintained thereafter.

15. Prior to commencement of development a Route Management Scheme shall be submitted to and approved in writing by the Waste Planning Authority. The Route Management Scheme shall set out how Heavy Goods Vehicles will be directed to the highest category routes available. The approved scheme shall be adhered to throughout the construction and operational periods of the development.

Reason for conditions 13 to 15: In the interests of amenity protection and highway safety having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Highway Safety

16. Prior to commencement of development schemes for cleansing of the wheels of all HGVs leaving the site during construction and waste operations shall be submitted to and approved in writing by the Waste Planning Authority. The schemes as approved shall be fully implemented in accordance with the approved details prior to the commencement of construction and waste operations respectively. The schemes shall be maintained for the duration of construction and waste operations respectively.
17. All HGVs arriving at and leaving the site during the construction and operational phases shall be cleansed of mud and other debris to ensure that there is no nuisance dust and no mud or debris deposited on the public highway.

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18. All HGVs arriving at and leaving the site during the construction and operational phases shall be sheeted or enclosed to prevent material spillage or wind blow. HGV's importing or exporting hazardous materials shall be within enclosed vehicles.

Reason for conditions 16 to 18: In the interests of amenity protection and highway safety having regard Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Landscape and Ecological Management/Construction Environmental Management

19. No development (including demolition, ground works, vegetation clearance) shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the waste planning authority. The CEMP shall include the following:
- a. Risk assessment of potentially damaging construction activities.
 - b. Identification of biodiversity protection zones.
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
 - d. The location and timing of sensitive works to avoid harm to biodiversity features.
 - e. A working method statement for the protection of Great Crested Newts.
 - f. A pre-commencement check for badgers as recommended in the badger survey report.
 - g. Measures for the protection of trees, shrubs and hedges at the site boundary including for protection of trees on the northern boundary where the site meets the Potential Wildlife Site.
 - h. The times during construction when specialist ecologists need to be present on site to oversee works.
 - i. Responsible persons and lines of communication.
 - j. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - k. Use of protective fences, exclusion barriers and warning signs.

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The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

20. A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the waste planning authority prior to the commencement of development. The content of the LEMP shall include the following:
- a. Description and evaluation of features to be managed.
 - b. Ecological trends and constraints on site that might influence management.
 - c. Aims and objectives of management.
 - d. Appropriate management options for achieving aims and objectives.
 - e. Prescriptions for management actions.
 - f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g. Details of the body or organisation responsible for implementation of the plan.
 - h. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The LEMP shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still deliver the fully functioning biodiversity objectives of the originally approved scheme. The approved LEMP will be implemented in accordance with the approved details.

21. Prior to the commencement of the development a Protected Species Precautionary Working Method Statement shall be submitted to the Waste Planning Authority for approval in writing. The statement as approved shall be implemented in

Reason for conditions 19 to 21: In the interests of amenity protection, landscape character and biodiversity having regard to Policies 18, 20 and 21 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policies 3,4, 8 and 19 of the North Northamptonshire Joint Core Strategy (July 2016).

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Landscaping, Planting and Maintenance

22. Prior to the commencement of development a landscaping scheme for planting of trees, shrubs, hedgerows and species rich grassland with details of numbers, size and species shall be submitted to the Waste Planning Authority for agreement in writing. The scheme as agreed shall be implemented in full in the first planting season following the completion of the plant construction works.
23. Trees, shrubs and hedges planted in accordance with the approved scheme shall be maintained and any plants which within ten years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the Waste Planning Authority. All landscaping shall be carried out in accordance with the landscaping scheme approved under condition 19 and to a standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice.

Reason: In the interests of amenity protection, landscape character and biodiversity having regard to Policies 18, 20 and 21 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policies 4 and 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Tree Protection

24. All trees, hedgerows and shrubs to be retained shall be protected from any development, including site clearance and the storage of earth and materials, by means of appropriate fencing in accordance with the provisions of the BS5837:2005. The fencing shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Waste Planning Authority.

Reason: In the interests of amenity protection, landscape character and biodiversity having regard to Policies 18, 20 and 21 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policies, 4 and 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Perimeter Fencing and Planting

25. Prior to commencement of development, details of the proposed locations, heights, materials, design and colour of perimeter fencing shall be submitted

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to and approved in writing by the Waste Planning Authority. The approved fencing shall be installed prior to the operation of the building and shall be maintained in accordance with the approved details for the lifetime of the development.

Reason: In the interests of amenity protection and landscape character having regard to Policies 18 and 21 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Contaminated Land

26. Prior to commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Waste Planning Authority.
- a. A preliminary risk assessment which has identified:
 - i) all previous uses;
 - ii) potential contaminants associated with those uses;
 - iii) a conceptual model of the site indicating sources, pathways and receptor;
 - iv) potentially unacceptable risks arising from contamination at the site.
 - b. A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c. The results of the site investigation and detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Waste Planning Authority. The scheme as approved shall be implemented in

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full.

27. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Waste Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan as approved shall be implemented in full.
28. If during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Waste Planning Authority for a remediation strategy detailing how this contamination shall be dealt with.

Reason for conditions 26 to 28: To ensure that risks from land contamination are minimised and to ensure that the development can be carried out safely without unacceptable risks to human health and the environment having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

29. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Waste Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.
30. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that risks from land contamination are minimised and to ensure that the development can be carried out safely without unacceptable risks to human health and the environment having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

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Flood Risk and Drainage

31. No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Surface Water Drainage Design 219048-MSJ-ZZ-XX-RP-D-4000-S2-P3 rev P3 ref 219048 prepared by MSJ dated 12 June 2019 has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The details of the scheme shall include:
- a. Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
 - b. Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and any other flow control devices.

Reason: To reduce the risk of flooding, both on and off site, in accordance with the NPPF, Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 5 of the North Northamptonshire Joint Core Strategy (July 2016) by ensuring the satisfactory means of surface water attenuation and discharge from the site.

32. No operations shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Waste Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required.

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Reason: To ensure the future maintenance of drainage systems associated with the development in order to reduce the risk of flooding, both on and off site, in accordance with the NPPF, Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 5 of the North Northamptonshire Joint Core Strategy (July 2016) by ensuring the satisfactory means of surface water attenuation and discharge from the site

33. No operations shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified independent drainage engineer and approved by the Waste Planning Authority prior to operation of the site based on the approved Surface Water Drainage Design 219048-MSJ-ZZ-XX-RP-D-4000-S2-P3 rev P3 ref 219048 prepared by MSJ dated 12 June 2019. These shall include:
- a. Any departure from the agreed design is keeping with the approved principles.
 - b. Any As-Built Drawings and accompanying photos.
 - c. Results of any performance testing undertaken as a part of the application process (if required / necessary).
 - d. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in order to reduce the risk of flooding, both on and off site, in accordance with the NPPF, Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 5 of the North Northamptonshire Joint Core Strategy (July 2016) by ensuring the satisfactory means of surface water attenuation and discharge from the site.

Noise

34. Prior to the installation of any external/internal plant and equipment, a noise scheme must be submitted to and agreed in writing by the Waste Planning Authority. The scheme must be carried out in accordance with BS4142:2014+A1:2019 'Method for rating and assessing industrial and commercial sound and must determine the current background noise levels for daytime and night (at the nearest existing noise sensitive premises). The rating level (as defined in BS4142:2014+A1:2019) of noise emitted at the application site (fixed plant, deliveries, operational activities) shall be no more than 5 dB(A) above background levels during the day (0700-2300 hours) or night (2300-0700 hours) as measured or calculated 3.5m from the façade of any existing residential property at a height of 1.2 or 1.5m at the closest existing noise sensitive windows. The assessment period shall be one hour during the day and fifteen minutes at night.

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35. No development shall take place until a scheme for monitoring noise levels arising from the operations at the site at the nearest residential properties, has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall provide for:
- a. Details of the noise monitoring locations.
 - b. Attended measurements by a competent person of Laeq 5 minute noise levels over 1 hour at each of the monitoring locations identified. Measurements to be taken within one month of waste processing operations at the site commencing and then at 6 monthly intervals or such other frequency as may be agreed in writing with the Mineral Planning Authority for the first two years of operation;
 - c. Details of equipment proposed to be used for monitoring.
 - d. Monitoring during typical working hours with the main items of plant and machinery in operation;
 - e. The logging of all weather conditions, approximate wind speed and direction and both on site and off site events occurring during measurements including 'phased out' extraneous noise events;
 - f. Monitoring results to be forwarded to the Waste Planning Authority within 14 days of measurement
36. No vehicles and mobile plant used exclusively on site shall be operated unless they have been fitted with and use white noise reversing alarms. HGV's entering the site shall either be fitted with and use white noise reversing alarms, or other non-tonal alarms, or be routed and managed to minimise reversing manoeuvres.
37. No vehicle, plant, equipment or machinery used exclusively on site shall be operated at the site unless it has been fitted with and uses an effective silencer. All vehicles, plant, equipment and machinery shall be maintained in accordance with the manufacturer's specification.

Reasons for conditions 34 to 37: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Lighting

38. No external lighting shall be erected or installed until a scheme has been submitted in writing and approved by the Waste Planning Authority. The

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scheme shall include a layout plan that covers all new proposed external lighting and details the proposed beam orientation and schedule of equipment in the design, including luminaire type, mounting height, aiming angles and luminaire profiles. This should be in accordance with Guidance Note 08/18 Bats and artificial lighting in the UK by the Bat Conservation Trust and Institution of Lighting Professionals. In addition a lighting contour map shall be submitted along with detail of the proposed operating hours for the lighting and how these would be controlled. The approved scheme shall be installed, maintained and operated in accordance with the approved details for the lifetime of the development.

Reason: In the interests of amenity protection and landscape character having regard to Policies 18 and 21 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Design

39. Within 12 months of the first commercial import of waste to the site, a certificate to confirm that a Building Research Establishments Environmental Assessment Method (BREEAM) rating of 'very good' or better has been achieved shall be submitted to and approved in writing by the Waste Planning Authority.

Reason: In the interests of sustainability having regard to Policy 26 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 9 of the North Northamptonshire Joint Core Strategy (July 2016).

Building, Plant and Machinery

40. No fixed, buildings, structures, plant or machinery shall be erected until details of the proposed location and external materials, colour and finishes have been submitted to and approved in writing by the Waste Planning Authority. Development shall be implemented in accordance with the approved details.

Reason: In the interests of amenity protection and landscape character having regard to Policies 18 and 21 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Fire Risk Management

41. Prior to the importation of waste at the site, a fire risk management plan identifying the measures to mitigate and manage the risk of fire at the site shall be submitted to and approved in writing by the Waste Planning Authority. The plan shall take be based on the guidance by the Environment

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Agency 'Fire Prevention Plans Version 1, March 2015' and the Waste Industry Safety and Health Forum (WISH) 'Reducing the Fire Risk at Waste Management Sites'. The plan as agreed in writing shall be implemented and maintained thereafter.

Reason: In the interests of safety and amenity protection having regard to Policy 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Odour Management Plan

42. No intake of waste to the site shall take place until an Odour Management Plan with details of measures to prevent odour nuisance at residential and industrial premises beyond the site boundary have been submitted to and approved in writing by the Waste Planning Authority. The development shall be implemented in accordance with the approved details which shall thereafter be retained and maintained for the duration of the development hereby permitted. If amended or additional measures are required through the Environmental Permitting process these shall supersede the agreed plan.

Reason: In the interest of local amenity and having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Travel Plan

43. The Staff Travel Plan submitted in the Transport Assessment shall be implemented upon operation of the site and subsequently be reviewed after three months of operations, and thereafter at five yearly intervals. Any proposed updates to the Travel Plan shall be submitted to the Waste Planning Authority for approval in writing within three months of each review.

Reason: To reduce the number of car borne journeys related to the development and to encourage the use of means of transport other than the private car having regard to Policy 19 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Complaints Procedure

44. In the event that complaints regarding noise, odour or dust during construction or operational phases are received by the Waste Planning Authority and thereafter notified to the operator, an assessment of the complaint shall be undertaken by the operator. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures (if necessary) to be undertaken shall be submitted to the

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Waste Planning Authority no later than five working days from notification of the complaint to the operator, unless a later date is otherwise agreed in writing by the Waste Planning Authority. The approved remedial measures shall be implemented in full and thereafter maintained.

Reason: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016) .

Monitoring

45. The operating company shall submit an annual report in writing to the Waste Planning Authority within one month of the first anniversary of operations commencing and at 12 monthly intervals thereafter. The report shall include detailed information on the types (including proportion of RDF and residual waste, quantities and sources of all waste materials brought on to the site and or taken off the site, including records that demonstrate compliance with the limit on imported waste (Condition 6) and the relevant indicative catchment area plans (Condition 7). The information required by these conditions shall also be supplied at any other time on written request by the Waste Planning Authority.

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policies 10, 12, 18, 19 and 25 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Flue Stack Height

46. The flue stack shall be restricted to a maximum height of 75 metres in accordance with the submitted application.

Reason: To safeguard the visual amenity and the townscape and the settings of historic assets in the vicinity of the site (in particular the Grade 1 Listed Kirby Hall) having regard to: the NPPF; Policies 18, 21 and 22 of the Northamptonshire Minerals and Waste Local Plan (July 2017); and Policies 2, 3 and 27 of the North Northamptonshire Joint Core Strategy (July 2016).

Local Liaison Group

47. Prior to the commencement of the development details of a Local Liaison Group to be established, including proposed membership and ongoing facilitating arrangements, shall be submitted to the Waste Planning Authority for agreement in writing. The first meeting shall be arranged prior to the date of commencement as notified under condition 1. Subsequent meetings shall be arranged at six monthly intervals, or such other time period as agreed by the Waste Planning Authority, for the life of the operations.

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Reason: To discuss and review the operator's current working practices and their future intentions and to monitor compliance with the Planning Permission in discussion with local community representatives and regulators having regard to Policy 25 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Reinstatement

48. Following the date of first commencement, in the event that there is a cessation of the operations hereby permitted and the Waste Planning Authority reasonably considers that (a) the works to build the renewable energy plant have been permanently abandoned by the project company, or (b) following completion of such works, that commercial operations at the renewable energy plant have ceased permanently (it being reasonable to reach such conclusion where construction or electricity generation has ceased at the renewable energy generation plant for a continuous twelve month period, disregarding periods of reinstatement following events such as a change in law, insured event, grid curtailment, force majeure and planned outage), it shall notify the project company of its consideration and, unless written evidence has been submitted to and received by the Waste Planning Authority from the project company within 30 days of such notice which clearly demonstrates its intention to complete the works or recommence electricity generation (as applicable), a full scheme for the decommissioning of the plant, and restoration of the site including dismantling the buildings, flue stacks and other structures comprised in the renewable energy generation facility, and clearance of the site, shall be submitted in writing within 30 days of such notice for agreement and approval by the Waste Planning Authority. The scheme as agreed by the Waste Planning Authority shall thereafter be implemented and the site shall then be decommissioned and cleared in full accordance with the approved scheme and timescales as agreed in writing.

Reason: To safeguard townscape character should the development cease and to enable the site to be appropriately reinstated to an acceptable condition having regard to Policy 21 and Policy 24 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

POSITIVE AND PROACTIVE STATEMENT

In determining this application the Waste Planning Authority has worked positively and proactively with the applicant. The proposals and the content of the application have been assessed against relevant Development Plan policies, the National Planning Policy Framework, the National Planning Policy for Waste and the National Planning Policy Guidance. The Waste Planning Authority has identified all material

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considerations; considered any valid representations received; liaised with consultees to resolve issues; and, progressed towards a timely determination of the application. Issues of concern have been raised with the applicant, through negotiation and acceptable amendments to the proposals. The applicant has been given advance sight of the draft planning conditions. This approach to this application has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Date: 04/10/2019

Signed 

For Assistant Director of Environment,
Planning and Transport

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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.*
4. *Guidance on using the Planning Portal's online appeals service is available at <https://www.planningportal.co.uk/info/200207/appeals>*

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