



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Mrs Barbara Lewis
14 Meadow Street
Market Harborough
Leicestershire
LE 16 7JZ

Name and address of agent

Godfrey-Payton
149 St Marys Road
Market Harborough
Leicestershire
LE16 7DZ

Part I - Particulars of application

Date of Application

23 March 2012

Application No.:

NCC: 12/00018/WAS
KBC: KET/2012/0229

Particulars and location of development

Erection of a waste storage and handling barn together with associated ancillary service buildings to facilitate the operation of a waste transfer site at Woodside, Stoke Albany Road, Desborough

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 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 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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Scope of Permission

2. Except as otherwise required by conditions (see condition 7 in particular) attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved documents:
 - (a) Application forms dated 13 February 2012.
 - (b) Planning, Design, and Access Statement dated February 2012
 - (c) Site Plan received by the Waste Planning Authority 13 February 2012
 - (d) Elevation Drawings reference 2313/1 Rev A, dated June 08
 - (e) Traffic Routing Plan received by the Waste Planning Authority 13 February 2012
 - (f) Indicative Catchment Area Plan received by the Waste Planning Authority 1 March 2012
 - (g) Further policy justification document dated 23 March 2012

Reason: For the avoidance of doubt and in the interests of amenity having regard to Policy CS14 of the Northamptonshire Core Spatial Strategy DPD (May 2010).

Operation Limits

3. The annual amount of imported waste shall not exceed a level of 20,000 tonnes per annum.
4. The development hereby permitted shall be restricted to the sorting and transfer of skip waste.
5. No chipping of timber or crushing and screening of aggregates shall take place on site.

Reason for conditions 3 to 5: To specify the scope of the permission, in the interests of clarity, to ensure compliance with Policy CS1 of the Northamptonshire Core Strategy DPD (May 2010) and to control the amenity impacts of the development having regard to Policy CS14 of the Northamptonshire Core Strategy DPD (May 2010).

Construction

6. Prior to the commencement of any part of the development hereby permitted, a Construction Management Scheme shall be submitted to and approved in writing by the Waste Planning Authority. The Construction Management Scheme shall include and specify the provision to be made for the following:

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- (a) Overall strategy for managing environmental impacts which arise during construction;
- (b) Measures to control the emission of dust and dirt during construction;
- (c) Control of noise emanating from the site during the construction period;
- (d) Provision for parking and turning within the site during the construction period;

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 residential amenity, highway safety and visual amenity having regard to Policy CS14 of the Northamptonshire Core Strategy DPD (May 2010)

Building, Plant and Machinery Details

- 7. The proposed sorting building shall not exceed a total height of 7.5 metres.
- 8. Notwithstanding the provisions of Parts 19 and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order), except for those detailed in the application, no fixed plant or machinery, buildings, structures and erections or private ways shall be erected, extended, installed, rearranged, replace, repairs or altered at the site without prior planning permission from the Waste Planning Authority.

Reason for conditions 7 to 8: In the interests of visual amenity and landscape character having regard to Policy CS14 of the Northamptonshire Core Strategy DPD (May 2010) and Policy CMD8 of the Northamptonshire Control and Management of Development DPD (June 2011).

Contaminated Land

- 9. 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 unsuspected contamination shall be dealt with. The remediation strategy shall thereafter be implemented.

Reason: To ensure that if previously undetected contamination is encountered during the redevelopment, it is dealt with in an appropriate manner and in the interests of minimising environmental impacts in accordance with Policy CS14 of the Northamptonshire Core Strategy DPD (May 2010)

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Traffic and Access

10. The total number of Heavy Goods Vehicle movements associated with this development hereby permitted shall not exceed 60 movements per week (25 in and 25 out).
11. All Heavy Goods Vehicles shall be routed in accordance with the submitted Traffic Routing Plan received by the Waste Planning Authority on 13 February 2012.
12. All operational vehicles leaving the site shall be cleansed of mud and other debris to ensure that there is no nuisance dust and no mud, debris or contaminants deposited on the public highway
13. All loaded operational vehicles arriving at and leaving the site shall be appropriately sealed or covered so as to prevent material spillage and wind blow.

Reason for conditions 10 to 13: In the interests of highway safety and local amenity having regard to Policy CS14 of the Northamptonshire Core Strategy DPD (May 2010).

Amenity Impacts

14. Unless otherwise approved in writing by the Waste Planning Authority, the construction and operations hereby permitted shall only be carried out during the following times:
07:00 to 17:00 hours Mondays to Fridays
08:00 to 13:00 hours Saturdays.

No operations shall take place on Sundays, Bank and Public Holidays.
15. No site preparation works shall take place until details of measures to control noise, vibration and dust have been submitted to and approved in writing by the Waste Planning Authority. The approved scheme shall be implemented and adhered to at all times.
16. All sorting of waste shall be undertaken within the proposed building. No unsorted waste materials shall be tipped on the ground outside the proposed building.
17. No vehicles and mobile plant used exclusively on site shall be operated unless they have been fitted with "white" noise reversing alarm or an alternative system following written agreement from the Waste Planning Authority.
18. 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.

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All vehicles, plant, equipment and machinery shall be maintained in accordance with the manufacturer's specification.

19. In the event that complaints regarding noise, vibration or dust are received by the Waste Planning Authority, and thereafter notified to the operator, an assessment of the complaint shall be undertaken. 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 to be undertaken shall be submitted to the Waste Planning Authority no later than five working days from the receipt of the complaint.
20. No fixed or temporary lighting shall be erected or installed unless full details of the location, height, design, sensors and luminance have been submitted to and approved in writing by the Mineral Planning Authority. The details shall ensure that the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties, natural environment and highways. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason for conditions 14 to 20: To protect the interests of local amenity having regard to Policy CS14 of the Northamptonshire Core Strategy DPD (May 2010).

Landscaping

21. Prior to the commencement of any part of the development hereby permitted, a detailed method statement, incorporating plans and specifications (including a programme for implementation) for landscaping screening improvement works shall be submitted to and approved in writing by the Waste Planning Authority. The approved scheme shall be implemented in full.
22. Trees, shrubs and hedges planted in accordance with the approved scheme shall be maintained and any plants which within five 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.
23. Prior to the commencement of any part of the development hereby permitted, a scheme for the protection of trees, scrub and hedgerows to be retained within the vicinity of the development shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall include:
 - (a) A plan that shows the position, crown spread and root protection area in accordance with section 5.2 of BS5837 of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on the plan.
 - (b) Details and positions of the Ground Protection Zones and Construction Exclusion Zones in accordance with section 9.3 of BS5837.

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- (c) A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work. All tree works shall be carried out in accordance with BS3998:2010, 'Recommendations for Tree Work'.
- (d) Details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area of any retained tree, including those on neighbouring or nearby ground in accordance with section 5.2 of BS5837.

The scheme of tree protection shall be carried out in accordance with the approved details and retained until construction work has been completed.

Reason for conditions 21 to 23: in the interest of biodiversity and visual amenities of the area having regard to Policy CS14 of the Northamptonshire Core Strategy DPD (May 2010) and Policy CMD7 of the Northamptonshire Control and Management of Development DPD (June 2011).

Catchment Area

- 24. All waste materials to be processed on the site shall originate from locations within the area shown on the indicative catchment area plan submitted to the Waste Planning Authority on 1 March 2012.

Monitoring

- 25. 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, quantities and sources of all waste materials brought on to the site for re-use, recovery and sent for disposal, including records of vehicle movements demonstrating compliance with condition 10 relating to Heavy Goods Vehicle movements. The annual report shall also incorporate records that demonstrate compliance with the annual import restriction (condition 2) and indicative catchment area condition (condition 24). The information required by this condition shall also be supplied at any other time on request by the Waste Planning Authority. All such information will be treated on a confidential basis.

Reason for conditions 24 to 25: To ensure that waste materials are dealt with as close to their source as possible in the interests of self sufficiency and sustainability having regard to Policy CS9 of the Northamptonshire Core Strategy DPD (May 2010) and to enable the Waste Planning Authority to monitor progress towards achieving the principles in Policy CS1 of the Northamptonshire Core Strategy DPD (May 2010) and Policy CMD14 of the Northamptonshire Control and Management of Development DPD (June 2011).

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INFORMATIVES

Flood Risk Standing Advice

1. The applicant's attention is drawn to the Environment Agency Flood Risk Standing Advice which can be viewed on the Environment Agency web site at www.environment-agency.gov.uk.

Pollution Prevention

2. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination must be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water must not pass through the interceptor. All surface water from roofs must be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
3. Facilities should be provided within the site drainage systems for the interception and storage of contaminated water used in fire fighting. Advice on suitable means is available from the Environment Agency in conjunction with the Fire Authority. A closure valve should be installed at the oil separator outlet to contain any polluting material in the event of an emergency.

Waste

4. The proposed development or activity will require a Waste Management Licence and the applicant is advised to contact the Environment Agency at www.environment-agency.gov.uk for further information on applying for a Licence.
5. Waste from the development must be re-used, re-cycled or otherwise disposed of in accordance with waste management legislation and in particular the Duty of Care. Further information can be obtained from www.environment-agency.gov.uk.

Non-mains drainage

6. If you wish to discharge treated sewage effluent into a surface water or to ground you may require an Environmental Permit from us. In some cases you may be able to register an exemption. You should apply online at <http://www.environment-agency.gov.uk/business/topics/permitting> or contact us for an Environmental Permit application form and further details on 08708 506506.
7. The granting of planning permission does not guarantee the granting of a permit under the Environmental Permitting Regulations 2010. A permit will be granted where the risk to the environment is acceptable.
8. To qualify for a registered exemption the rate of sewage effluent discharge must be 2 cubic metres a day or less to ground or 5 cubic metres a day or less to watercourse. You must also be able to satisfy a number of specific criteria.

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9. A Standard Rules Permit is available for discharges of secondary treated sewage (to surface water only) of between 5 cubic metres a day and 20 cubic metres a day.
10. Discharges of treated sewage greater than 2 cubic metres a day to ground and greater than 20 cubic metres a day to surface water require a Bespoke Permit.

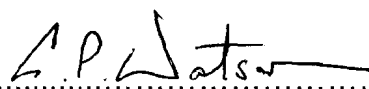
REASONS FOR APPROVAL

This application is to import skips to a proposed new building where they would be sorted by hand and/or a lifting machine. Sorted materials comprising soils, hardcore, wood, plastics, paper and metals would be stored in internal and external bays before removal off site in skips for further recycling or disposal. The applicant proposes to process up to 20,000 tonnes per annum (tpa) with average HGV movements for the import and export of material likely to be between 7 and 9 return trips per day on average.

An objection was received from Kettering Borough Council and from local residents. Subject to conditions, in particular the reduction in height of the proposed building, the Kettering Borough Council objection has been withdrawn. There are however outstanding objections from local residents concerned about the site location and amenity and highways impacts. Overall it is considered that the proposals, subject to recommended conditions of consent, will not give rise to any significant impacts to justify refusal of the application. In particular it is considered that the proposed building has the potential to reduce amenity impacts associated with the current operations on site. It is important to note that the Environment Agency, Kettering Borough Council and the Highways Authority do not object to these proposals and that further controls will be in place under the pollution control regime.

The proposals have also been assessed against the local development plan, in particular Policies CS1, CS2 and CS14 of the Northamptonshire Core Strategy DPD (May 2010) and Policies CMD1, CMD7, CMD8 and CMD14 of the Northamptonshire Control and Management of Development DPD (July 2011). It is considered that the development is acceptable in principle having regard to the local development plan policies and that there are no traffic and access or amenity grounds for the Waste Planning Authority to refuse the application. On balance it is considered that planning permission should be granted, subject to the recommended conditions of consent.

Date 22nd June 2012

Signed 

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.*

4. *Guidance on using the Planning Portal's online appeals service, see leaflet PCS4 available at http://www.planningportal.gov.uk/PpWeb/jsp/redirect.jsp?url=http%3A/www.planningportal.gov.uk/uploads/pins/pcs_a5_leaflet.pdf*

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