



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant	Name and address of agent (if any)
Fox's Pallets Limited Glebe Farm Rothwell Road Kettering NN16 8XF	Philip Evans Victoria House Victoria Street Kettering NN16 0BU

Part I - Particulars of application

Date of Application	Application No.
3 July 2013	NCC Ref: 13/00003/WASFUL KBC Ref: KET/2013/0455/NCC

Particulars and location of development

Change of use of land and related works to provide pallet storage and refurbishment and waste recycling facility. (in combination with retained agricultural use for part of site) at Glebe Farm, Rothwell Road, Kettering, NN16 8XF.

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. Scope of the Permission

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:

- Site Location Plan, Drawing No. 272806 dated 21 August 2013
- Site Layout Plan, Drawing No. 272802 revision A dated 19 October 2012
- Site Boundary Plan, Drawing No. 272801 revision A dated 19 October 2012

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- Topographical Survey dated 15 June 2012
- Miscellaneous Buildings, Drawing No. 272804 dated 29 October 2012
- Weighbridge Portacabins and Door to Former Grain building, Drawing No. 272805 dated 2 November 2012
- Application Forms received 9 January 2013
- Planning Statement, Reference FOX/GF/AO/1632/01 dated June 2013
- Design and Access Statement dated November 2012
- Transport Statement dated November 2012
- Sustainability Appraisal and Energy Statement dated November 2012
- Fire Risk assessment dated 14 May 2013

Reason: To specify the approved documents and secure the mitigation measures set out in the application in the interests of amenity and the environment having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

2. Site Access Improvements

Within three months of the date of this permission a scheme for access improvements shall be submitted to the Waste Planning Authority for approval in writing. In particular the scheme shall include details for:

- a) Improvements to the access road from the A14 Junction 7 roundabout to the point where the access diverges to the farm shop and including widening the access with level, hard surface paving to facilitate two large articulated vehicles passing each other;
- b) Improvements to forward and vehicle inter-visibility around the bend in the access road closest to the A14 Junction 7 roundabout;
- c) Improvements by way of an additional lane / access markings / central hatching to ensure vehicles, including large articulated vehicles, can pass each other around the bend in the access road closest to the A14 Junction 7 roundabout; and
- d) Additional road markings emphasising the need to turn left out of the access on to the A14 Junction 7 roundabout.

The scheme shall be fully implemented within six months of the date of this permission unless otherwise agreed in writing by the Waste Planning Authority in consultation with the Highway Authority. The access shall be maintained in accordance with the approved scheme for the lifetime of the development hereby permitted.

Reason: In the interests of highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

3. Screening

Within three months of the date of this permission a revised scheme for screening the site shall be submitted to the Waste Planning Authority for approval in writing. The scheme shall include:

- a) A revised landscaping plan / hedgerow planting scheme for the existing
- b) soil bund to the south and west of the site with a focus on locally native

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- species to soften the impact of the development on views from the south and west;
- c) Plans for improved screening / landscaping along the northern
 - d) boundary of the site to soften the impact of the development on views from the A14;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule and prescriptions for management actions; and
 - g) Personnel responsible for implementation of the plan

The scheme shall be fully implemented in the first available planting season following approval and shall be maintained for the lifetime of the development hereby permitted. 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.

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

4. Waste Types

The development hereby permitted shall be restricted to the import, sorting, chipping, temporary storage and transfer of non hazardous wood waste, plastics and cardboard only. The developer shall ensure that processes are in place to prevent the delivery of prohibited waste and to deal with any incidental quantities delivered to site.

Reason: 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 CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

5. Storage

Pallets, imported wood waste and chipped wood waste shall be stored and processed in the identified areas shown on the submitted Site Layout Plan, Drawing No. 272802 revision A dated 19 October 2012

Reason: To restrict the operations to those specified in the application in the interests of amenity and the environment having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

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6. Vehicle Movements

The total number of Heavy Goods Vehicle movements shall not exceed 20 movements [10 in and 10 out] per day (Mondays to Saturdays) based on a weekly average.

Reason: In the interests of amenity protection and highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

7. Highway Safety

The Heavy Goods Vehicle access to and from the site shall only be via the access road from the A14 Junction 7 roundabout with no Heavy Goods Vehicle access to the site via Junction 6 of the A14.

Reason: In the interests of highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

8. Highway Safety

All Heavy Goods Vehicles arriving at and leaving the site 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.

Reason: In the interests of amenity protection and highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

9. Highway Safety

All Heavy Goods Vehicles arriving at and leaving the site shall be appropriately sealed or covered to prevent material spillage or wind blow.

Reason: In the interests of amenity protection and highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

10. Hours of Working

The development hereby permitted shall only be carried out during the following times:

0700 to 1630 Mondays to Fridays

0700 to 1100 Saturdays

No operations shall take place on Sundays or Public Holidays.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

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11. Noise

No vehicles or mobile plant used exclusively on site shall be operated unless they have been fitted with white noise alarms or an alternative system to be agreed in writing with the Waste Planning Authority.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

12. Noise

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.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

13. Dust

The dust mitigation measures set out in the application shall be maintained for the lifetime of the development, including:

- a) Operation of the dust suppression system to spray water over the chipped wood during dry or windy conditions;
- b) Loading of chipped wood in the dedicated loading bay; and
- c) Storage of waste wood and chipped wood in dedicated storage bays.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

14. Lighting

No additional external lighting shall be erected or installed unless a scheme has been submitted in writing and approved by the Waste Planning Authority. The scheme shall include a layout plan with beam orientation and schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

15. Complaints

In the event that complaints regarding odour, noise, lighting and/or dust are received by the Waste Planning Authority from any sensitive receptor, 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

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removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures and works to be undertaken shall be submitted to the Waste Planning Authority no later than five working days from the receipt of the complaint, unless a later date is otherwise agreed in writing by the Waste Planning Authority. The remedial measures agreed shall be implemented in accordance with agreed timescales and thereafter maintained.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

16. Catchment Area

All waste materials to be processed on the site shall originate from locations within the area shown on the submitted Catchment Area Plan, Drawing No. 272807 dated 29 August 2013.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interest of self sufficiency and sustainability having regard to Policy CS9 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policy CMD1 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

17. Monitoring

The operating company shall submit an annual report in writing to the Waste Planning Authority at 12 monthly intervals from the date of this permission. The report shall include detailed information on the types, quantities and sources of all waste materials brought on to the site and taken off the site, including records of vehicle movements demonstrating compliance with condition 6. The annual report shall also incorporate records that demonstrate compliance with the catchment area condition (condition 16). The information required by this condition shall also be supplied at any other time on request by the Waste Planning Authority.

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policy CS1 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policies CMD1 and CMD14 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011) and to ensure that waste materials are dealt with close to their source in accordance with Policy CS9 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

REASONS FOR APPROVAL

This application is primarily to regularise existing wood waste, plastic and cardboard recycling operations. To facilitate these operations a weighbridge, two portacabins (stacked on top of each other), a staff car park and bicycle shed have been installed. In total an additional 191 square metres of gross internal floor space has been created. The site also uses part of the former grain store that forms part of a

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complex of buildings historically associated with the farm operations. Under these proposals a new roller door is proposed on the southern elevation of the grain store building to provide access from the building to this storage area. A screening bund has also been constructed and landscape planting undertaken. There is existing fencing to the south and east of the site with palisade fencing proposed at the western entrance to fully enclose the area.

The application sets out an estimated maximum throughput of 10,000 tonnes per annum and Heavy Goods Vehicle movements of up to 20 per day. The Highway Authority has raised a number of concerns, particularly regarding the proposed access to the site and recommended conditions require significant access improvements. Both Thorpe Malsor Parish Council and Kettering Borough Council's planning department have made lengthy comments in response to the application and the issues they raised have been assessed.

Subject to recommended conditions it is considered that the operations are acceptable having regard to the local development plan and in particular Policies CS1, CS2 and CS14 of the Northamptonshire Core Strategy DPD (May 2010) and Policies CMD1 and CMD8 of the Northamptonshire Control and Management of Development DPD (July 2011). It is considered that the development is acceptable in principle and that there are no traffic and access, amenity or landscape impacts that would justify refusal of the application subject to conditions. On balance it is considered that planning permission should be granted, subject to the recommended conditions of consent.

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application the Waste Planning Authority has worked with the applicant in a positive and proactive manner. Concerns and issues raised during consultation on the submitted application have been considered by the Waste Planning Authority, discussed with consultees and the applicant/agent and are addressed by conditions where appropriate.

The 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) (Amendment No.2) Order 2012.

INFORMATIVE

1. Foul water drainage – Foul water is to be discharged to an existing non-mains drainage system (septic tank). To prevent pollution of the water environment, it is your responsibility to ensure that the septic tank is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading that may occur as a result of the proposed development.
2. Surface water drainage – Surface water is to be discharged to a soakaway system. To prevent pollution of the water environment, it is your responsibility

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to ensure that only clean, uncontaminated surface water is discharged to the soakaway system.

3. Pollution prevention – Persons involved in construction and demolition site works may be required to comply with a number of different environmental regulations to prevent pollution of the environment. Practical advice and guidance on how to prevent pollution can be found in Pollution Prevent Guide 6 (PPG6): working at Construction and demolition sites. The guide is interactive and can be found at: <http://www.environment-agency.gov.uk/static/documents/Business/EA-PPG6 - 03 2012 Final.pdf>
4. If the applicant or agent wishes to discuss the above informatives further they should contact Antony Mould (Environment Management Officer at the Environment Agency) on 01522785555.
5. The applicant's attention is drawn to the protection given to breeding birds under the Wildlife and Countryside Act 1981. To avoid contravening the relevant provisions of the Act it would be advisable to avoid carrying out any work that might damage an active nest during the bird breeding season (March to September inclusive) or to ensure that an appropriate inspection is undertaken by a competent person to ensure that no breeding birds will be adversely affected.

Date 30th September 2013

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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