



## Town and Country Planning Act 1990

### PLANNING PERMISSION

#### Name and address of applicant

WEEE Environmental  
c/o Agent

#### Name and address of agent (if any)

Mr Al Morrow  
Phillips Planning Services Ltd  
Kingsbrook House  
7 Kingsway  
Bedford  
Bedfordshire  
MK42 9BA

### Part I - Particulars of application

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#### Date of Application

24 October 2014

#### Application No.

**NCC Ref:** 14/00081/WASFUL

**KBC Ref:** KET/2015/0012/NCC

### Particulars and location of development

Proposed change of use from truck sales and service centre to recycling of electrical products at Volvo Truck And Bus Ltd, Pytchley Lodge Road Industrial Estate, Pytchley Lodge Road, Kettering, Northamptonshire, NN15 6JJ.

### 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. Time Limit

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

Reason: To comply with Section 91 of the Town and Country Planning Act as

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amended by the Planning and Compulsory Purchase Act 2004.

## 2. **Scope of the Permission**

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

- Application forms dated 22 October 2014
- Planning, Design and Access Statement dated October 2014
- NVC Noise Impact Assessment dated 15 October 2014 – ref: R14.0909/DRK  
*Drawings*
- Site Plan dated 24 October 2014
- Drawing ref: PDL1 rev A - Storm drainage dated 7 October 2014
- Drawing ref: CNS100S-11-SALES Sheet 1/2 – Separator – Full Retention – CNS100S

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

## 3. **Operational Limits**

The annual amount of imported waste shall not exceed an annual throughput of 15,000 tonnes per annum.

Reason: To define the scope of the permission and in the interest of clarity, amenity protection and highway safety having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

## 4. **Operational Limits**

All deliveries of WEEE outside of the operational hours referred to in condition 7 of this permission shall be restricted to commercial fridges which shall only be delivered and unloaded onto the site. No processing of these fridges shall be undertaken whatsoever during the out of hours period.

Reason: To define the scope of the permission and in the interest of clarity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

## 5. **Operational Limits**

No waste other than those waste materials defined in the application details shall enter the site.

Reason: To restrict the waste types to those specified in the application in the interest of amenity and the environment having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

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## 6. Storage and Processing

Processing of waste shall be confined to within the existing buildings on the site hereby permitted.

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

## 7. Hours of Working

All operations at the site, other than the delivery of commercial refrigeration units, shall be carried out between the following times:

0700 and 1800 Mondays to Fridays

0700 to 1400 Saturdays

No activities on Sundays or Public and Bank Holidays.

Works audible at the site boundary, including any work undertaken by contractors and sub contractors, must not exceed the following times:

0800 and 1800 Mondays to Fridays

0830 and 1330 Saturdays

No activities on Sundays or Public and Bank Holidays.

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

## 8. Noise

The development permitted by this planning permission shall be carried out in accordance with the approved Noise Impact Assessment dated 15 October 2014, in particular, the noise control measures outlined in paragraph 7.4.2 and 7.4.3. These measures shall be implemented on commencement of operations at the site and maintained throughout the development hereby permitted.

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

## 9. Noise

Noise levels from day time and night time operations at the site shall be controlled to ensure that site noise contribution to background noise levels measured in accordance with BS 4142: 1997 are not increased as a result of the operations on site and the following shall not be exceeded:

- a) Weekday daytime site noise contribution shall not exceed 48dB LAeq 1hr
- b) Saturday daytime site noise contribution shall not exceed 42dB LAeq 1hr
- c) Night-time site noise contribution shall not exceed 40dB LAeq 5mins

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

10. **Noise**

Prior to bringing the site into operation, the acoustic screen shall be constructed in accordance with the site plan and description in section 7.4.2 of the NVC Noise Impact Assessment and maintained thereafter unless otherwise agreed in writing by the Waste Planning Authority as a consequence of additional mitigation measures required under condition 11 of this permission.

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

11. **Noise Complaints**

In the event that complaints regarding noise 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 removing, reducing or mitigating identified adverse effects 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. If complaints relate to noise and these continue after remedial measures have been implemented, noise monitoring shall be undertaken to verify whether the requirements of condition 9 are being met following receipt of written notification from the Waste Planning Authority. If the noise monitoring results demonstrate non-compliance with condition 9, further mitigation measures shall be submitted for agreement in writing within 7 days. The measure as agreed shall thereafter be implemented and maintained.

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

12. **Noise**

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.

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

13. **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

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

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

#### 14. **Wheel Cleaning**

All HGVs 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 highway safety and local amenity having regard to Policy 22 of Northamptonshire Minerals and Waste Local Plan (October 2014).

#### 15. **Vehicle Sheeting**

All operational vehicles arriving at and leaving the site shall be sheeted to prevent material spillage or wind blow.

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

#### 14. **Lighting**

No additional external lighting shall be erected or installed until a scheme has been submitted in writing and approved by the Waste Planning Authority. The 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. 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: To protect the interests of local amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

#### 15. **Fire Risk Management**

Prior to the commencement of the development, 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 as agreed in writing shall be implemented and maintained thereafter.

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

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## 16. Catchment Area

All waste materials to be processed on the site shall originate from locations within the area shown on the indicative catchment area plan shown on page 5 of the approved Planning, Design and Access Statement dated October 2014, unless expressly agreed otherwise by the Waste Planning Authority in writing.

Reason: 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 23 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Reason: To protect the interests of local amenity having regard to Policy 22 of Northamptonshire Minerals and Waste Local Plan (October 2014).

## 17. Monitoring

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 and taken off the site, including records of vehicle movements. The annual report shall also incorporate records that demonstrate compliance with the catchment area plan, condition 16. This 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 11 of the Northamptonshire Minerals and Waste Local Plan (October 2014) and to ensure that waste materials are dealt with close to their source in accordance with Policies 23 and 29 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

## 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. Responses on the submitted application have been considered by the Waste Planning Authority and conveyed to 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.

## INFORMATIVES

1. Contractors and sub contractors must have regard to BS 5228-2:2009 "Code

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of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days notice to Environmental Health, Kettering Borough Council, Bowling Green Road, Kettering, NN15 7QX. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.

Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and fines of up to £5000 plus £50 for each further breach and/or six months imprisonment.

2. Northamptonshire has varying levels of radon due to its underlying geology. Radon can enter buildings and affect the health of the occupants living in affected areas.  
Advice should be sought from local authority building control officers or from approved inspectors to establish if radon protection is necessary and if this is the case radon protection measures will need to be installed in accordance with BRE Report ( BR 211 Radon: guidance on protective measures for new dwellings).
3. The external lighting should be designed and installed by competent persons. The system should be designed according to best practice in respect of glare, light spill and efficiency. Advice can be obtained from:

The Institution of Lighting Engineers  
Lennox House  
9 Lawford Road  
Rugby  
Warwickshire  
CV21 2DZ

Date 23<sup>rd</sup> January 2015

Signed G.P. Watson

For Assistant Director of Environment and  
Planning

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1. *If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements (a), to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.*
2. *If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.*
3. *In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.*
  - (a) *The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.*
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](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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