



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Mick George Ltd
Second Drove
Meadow Lane
St Ives
Cambridgeshire
PE27 4YQ

Name and address of agent (if any)

Part I - Particulars of application

Date of Application

22nd December 2014

Application No.

NCC Ref: 14/00096/WASFUL

NBC Ref: N/2014/1481

WBC Ref: WP/14/00846/EXT

Particulars and location of development

Waste Transfer Station, ready mix concrete plant and overnight parking of 15 HGVs at Land At Lower Ecton Lane, Northampton, NN3 5HQ

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 of Development

1. The development hereby permitted shall be begun before the expiration of **THREE YEARS** from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within 7 days of such commencement.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.

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

Scope of Permission

2. Unless otherwise agreed in writing by the Mineral Planning Authority and 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:

Planning Documents

- Application Forms dated 19 December 2014
- Planning Statement dated December 2014

Drawings

- Drawing No. GB/14/01 Site Location Plan
- Drawing No. GB/14/02 Rev C Proposed Site Layout
- Drawing No. GB/14/03 Recycling Building Elevations
- Drawing No. GB/14/04 Ready Mix Concrete Plant
- Drawing No. GB/14/05 Potential Extension to Flood Embankment

Technical Reports in Environmental Statement

- Revised Landscape and Visual Appraisal dated February 2015, prepared by FPCR;
- Noise Assessment, ref. R.148329/1/AP, prepared by Vibrock dated August 2014;
- Flood Risk Assessment, ref. 1686/FRA-01, prepared by Hafren Water dated February 2015
- Transport Statement, ref. SJT/JLS/14295-01d_TS, prepared by David Tucker Associates dated 2 December 2014;
- Transport Statement Addendum, ref. SJT/JLS/14295-2_TS, prepared by David Tucker Associates dated April 2015;
- Archaeological Evaluation Trial Trenching Report, ref. PC423a, prepared by Phoenix Consulting dated September 2014;
- Soils and Agricultural Use & Quality of Land Report, ref. 997/1, prepared by Land Research Associates dated July 2014;
- Phase 1 Habitat and Protected Fauna Survey, ref. 140729/Rev 1 dated 5th March, prepared by Witcher Wildlife Ltd.

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

Waste Throughputs

3. The amount of imported waste shall not exceed 300,000 tonnes per annum.

Reason: In the interests of amenity protection and highway safety having regard to Policies 22 and 27 of the Minerals and Waste Local Plan (2014).

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Waste Types

4. The development hereby permitted shall be restricted to the import, sorting, storage and transfer of municipal solid waste, woods, soils, green waste, commercial and industrial waste and construction and demolition waste. No hazardous waste (with the exception of waste electrical and electronic equipment, asbestos, hazardous soils and clinical waste) or radioactive waste shall be imported to the site.

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

Bio-Remediation

5. The bio-remediation of soils shall be restricted to an initial trial period of twelve months from the date of commencement of these operations, unless otherwise agreed in writing by the Waste Planning Authority in the event that there are no unresolved odour nuisance issues associated with these operations.

Reason: To safeguard the amenities of local residents having regard to Policy 22 of the Minerals and Waste Local Plan (2014).

Stockpile/Storage Bay Heights

6. No materials shall be stockpiled or stored within the storage bays/areas at a height greater than 6 metres and shall only be in the locations identified on drawing reference plan GB/14/02 Revision C. The storage bays/areas shall be controlled and managed to prevent spillage and litter accumulation.

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

Hours of Operation - Waste Facility

7. All waste handling and recycling (excluding crushing and baling) operations at the site shall be carried out between the following times (including the exceptions also referred to in this condition):
 - 07:00 and 19:00 Mondays to Fridays (except HGV departures from 06:00)
 - 07:00 and 13:00 Saturdays (except a maximum of 15 HGV deliveries up to 17:00)
 - No activities on Sundays and Public and Bank Holidays (except a maximum of 20 HGV deliveries)

Operation of the crushing and baling equipment shall not exceed the following times:

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- 0730 and 1800 Mondays to Fridays
- 0800 and 1300 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 having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Hours of Operation - Concrete Batching Plant

8. Operation of the concrete batching plant shall be carried out between the following times:
- 07:00 to 18:00 hours Monday to Fridays
 - 07:00 to 13:00 hours Saturdays

and at no other times or on Sundays, Bank or Public Holidays.

Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and having regard to Policy 22 of the Minerals and Waste Local Plan (2014).

HGV Movements

9. The total number of HGV movements associated with the operational phase of the development hereby permitted shall not exceed the following limits:
- 440 movements [220 in and 220 out] per day (Mondays to Saturdays)
 - 40 movements [20 in and 20 out] per day (Sundays and Public Holidays)

No HGV movements shall take place outside the hours of operation authorised in conditions 7 & 8 of this permission.

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

Vehicle Sheeting/Mud on the Road

10. All operational vehicles arriving at and leaving the site shall be appropriately sealed so as to prevent material spillage, wind blow and dust nuisance.

Reason: In the interests of highway safety and local amenity having regard to Policies 22 and 27 of the Minerals and Waste Local Plan (2014).

11. All operational vehicles leaving the site shall be cleansed to ensure they are free of mud and other debris to ensure no mud or other debris is deposited on the public highway.

Reason: In the interests of highway safety and local amenity having regard to Policies 22 and 27 of the Minerals and Waste Local Plan (2014).

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Access/Highways

12. Prior to the occupation and use of the development, the proposed improvement works to the site access (and junction onto Lower Ecton Lane) as shown on Drawing No. F191/SK/029 shall be constructed and operational.

Reason: In the interests of highway safety and local amenity having regard to Policies 22 and 27 of the Minerals and Waste Local Plan (2014).

13. The routing for HGVs to and from the site will be via Lower Ecton Lane, Crow Lane north and directly onto the wider network via the A45 as proposed in the submitted application.

Reason: In the interests of highway safety and local amenity having regard to Policies 22 and 27 of the Minerals and Waste Local Plan (2014).

Surface Water Management/Drainage

14. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Waste Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

Details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, both on and off site having regard to Policy 22 of the Minerals and Waste Local Plan (2014).

15. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable waste water infrastructure having regard to Policy 22 of the Minerals and Waste Local Plan (2014).

Buildings, Plant and Machinery Details

16. No fixed, buildings, structures (including security fencing), 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 Mineral Planning Authority. Development shall be implemented in accordance

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with the approved details.

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

Landscaping

17. Prior to the commencement of development, a detailed scheme of landscaping incorporating native species and ecological enhancements outlined in Section 5.0 of the Phase 1 Habitat and Protected Fauna Survey, ref. 140729/Rev 1 dated 5th March, prepared by Whitcher Wildlife Ltd, shall be submitted to the Waste Planning Authority for approval in writing. Once approved, the scheme shall be fully implemented during the first available planting season following the completion of development.

Reason: In the interests of biodiversity visual, landscape and residential amenity having regard to Policies 22, 24 and 25 of the Minerals and Waste Local Plan (2014).

18. Any hedgerow plants, trees or shrubs removed, dying, being seriously damaged or becoming seriously diseased within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted, or such other species as may be agreed.

Reason: In the interest of visual, landscape and residential amenity having regard to Policies 22 and 24 of the Minerals and Waste Local Plan (2014).

Ecology/Biodiversity

19. The proposed development shall be undertaken in strict accordance with the recommendations as detailed in Section 5.0 of the Phase 1 Habitat and Protected Fauna Survey, ref. 140729/Rev 1 dated 5th March, prepared by Whitcher Wildlife Ltd.

Reason: In the interests of biodiversity and ecology having regard to Policies 22 and 24 of the Minerals and Waste Local Plan (2014).

20. Operations that involve the destruction and removal of buildings, trees, shrubs, hedgerow and other vegetation shall not be undertaken during the months of March to September inclusive, unless an ecologist report is submitted to demonstrate that breeding birds will not be affected and this has been submitted to and approved in writing by the Waste Planning Authority.

Reason: In the interests of biodiversity having regard to Policies 22 and 24 of the Minerals and Waste Local Plan (2014).

Noise

21. Before the development hereby permitted is occupied a scheme shall be agreed with the Waste Planning Authority which specifies the sources of

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noise on the site, whether from fixed plant, vehicles, equipment or noise generated within the buildings or externally onsite, and the provisions to be made for its control. The agreed scheme shall be implemented prior to the development coming into use and shall be maintained thereafter.

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

22. No vehicles or mobile plant used exclusively on site shall be operated unless they have been fitted with white noise alarms to ensure that, when reversing, they do not emit a warning noise that would have an adverse impact on residential amenity.

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

Dust

23. No development shall take place until a Dust Action Plan to control airborne dust has been submitted to the Waste Planning Authority for approval in writing. The plan as approved shall thereafter be implemented.

Reason: To safeguard amenity having regard to Policy 22 of the Minerals and Waste Local Plan (2014).

Odour

24. Prior to the commencement of operations involving the importation of waste to the site a management plan of measures proposed to control odour shall be submitted to, and approved in writing by the Waste Planning Authority. The measures as approved shall thereafter be implemented, along with any subsequent remedial measure agreed under the requirements of condition 28 of this permission by the Waste Planning Authority.

Reason: To protect the local amenity interests and human health risks, in particular relating to nearby residential occupiers having regard to Policy 22 of the Minerals and Waste Local Plan (2014).

External Lighting

25. No 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.

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Reason: In the interests of amenity, ecology, site security and sustainability having regard to Policy 22 of the Minerals and Waste Local Plan (2014).

Fire Risk Management

26. Prior to the commencement of the development, a fire risk management plan based on the guidance referred to Informative 5 to the this permission, and identifying the measures to mitigate the risk of the fire associated with waste storage on the site, shall be submitted to the Waste Planning Authority for agreement in writing. 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 Minerals and Waste Local Plan (2014).

Catchment Area

27. Prior to commencement of development hereby permitted the operator shall submit to the Waste Planning Authority for approval in writing an indicative plan showing the intended catchment area for waste sources for treatment at the facility. The plan shall be in accordance with a sub regional catchment. The annual report required by condition 28 shall incorporate such records that demonstrate compliance with the indicative catchment area plan.

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 Policies 13 and 23 of the Minerals and Waste Local Plan (2014).

Monitoring

28. 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 demonstrating compliance with conditions 9 and 27. The annual report shall also incorporate records that demonstrate compliance with condition 27. This information required by this condition shall also be supplied at any other time on request within the 12 month period by the Waste Planning Authority, within three weeks of a receipt of this request in writing.

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policy 11, 13 and 29 of the Minerals and Waste Local Plan (2014). and to ensure that waste materials are dealt with close to their source in accordance with Policy 23 of the Minerals and Waste Local Plan (2014).

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Complaints

29. 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 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 for agreement in writing 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 in writing shall thereafter be implemented and maintained thereafter.

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

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions and encouraging pre-application engagement with statutory consultees and the local community, and the screening of the application. The proposals and the content of the Environmental Statement have been assessed against relevant Development Plan policies, the National Planning Policy for Waste. The Waste Planning Authority has identified all material considerations; forwarded consultation responses that may have been received in a timely manner; 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, such as impacts of traffic, landscape and surface water/flood risk, and have been addressed through negotiation and acceptable amendments to the proposals. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out 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(s)

1. The applicant's attention is drawn to the advice given in the Environment Agency's letter dated 23rd February 2015.
2. It is noted that the proposal involves a ready mix concrete batching process. Concrete batching is a process which requires permitting by the Local Authority under The Environmental Permitting (England and Wales) Regulations 2010 as amended - Schedule 1, Section 3.1 Part B (b) which reads:

"Blending cement in bulk or using cement in bulk, other than at a construction site, including the bagging of cement and cement mixtures, the batching of

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ready mixed concrete and the manufacture of concrete blocks and other cement products."

The applicant will need to liaise with Northampton Borough Council - Miss N Stanley Tel 01604 837772, Email: nstanley@northampton.gov.uk, and obtain an application form for this process, and discuss the application procedure and fee, and the standards the plant will need to meet. Standards to be met onsite are contained in Defra Guidance - Statutory guidance for blending, packing, loading and unloading and use of cement Process Guidance Note 3/01(12).

3. The application also contains information regarding concrete crushing operations. This activity may also require permitting under the same regulations listed above. These being the Environmental Permitting (England and Wales) Regulations 2010 as amended Schedule 1 Section 3.5 Part B (c) and (d). This reads:

"The crushing, grinding or other size reduction, with machinery designed for that purpose, or bricks, tiles or concrete"

"Screening the product of any activity described"

The applicant will need to provide information regarding the status of the crusher being used in relation to permitting. Advice can then be given as to whether further application is required. Standards required for new mobile crushing plant are contained in Defra Secretary of state's guidance for Mobile Crushing Process Guidance Note 3/16(12).

4. The Highway Authority, will only give consent to commence works subject to the completion of an appropriate Agreement, within the Highways Act 1980. Full engineering, drainage, street lighting and constructional details will be required to process such an agreement. Any details submitted will be subject to a technical and safety audit that may result in changes to the details of the street and junction etc. required to discharge condition 11 of this consent.
5. In preparing the fire risk management plan the applicant should refer to EA guidance "Fire Prevention Plans" and WISH "Reducing Fire Risk at Waste Management Sites" and should use guidance available on the EA website to ensure that the latest guidance is used.

Date 1st July 2015

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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