



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Corby Waste to Energy Ltd
1 Bedford Row
London
WC1R 4BU

Name and address of agent

Miss Maureen Darrie
GP Planning Ltd
iCon Innovation Centre
Daventry
NN11 0QB

Part I - Particulars of application

Date of Application

1 June 2020

Application No.:

NCC Reference: 20/00023/WASVOC
Corby BC Reference: 20/00237/COC

Particulars and location of development

Variation of conditions 2 and 3 of Planning Permission 14/00094/WASVOC to amend building elevations and annual throughput of waste. Application 20/00022/WASVOC. Storefield Plant, Gretton Brook Road, Earlstrees Industrial Estate, Corby, NN17 4AB

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:-

Note: The changed wording in conditions 2 and 3 are struck through and approved revised words are shown in bold.

1. Commencement

The development to which this permission relates has commenced.

Reason: To clarify the status of the permitted development.

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2. Scope of 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 details, mitigation measures and recommendations in the following approved documents and plans submitted under planning permissions 08/00097/WAS and 14/00093/WASVOC and Non Material Amendment 13/00061/WASNMA:

- i. Submitted site plan, GPP/SE/GBR/08/04
- ii. Ecological Constraints Appraisal by Lockhart Garratt dated 7.10.08
- iii. Flood Risk Assessment by Abington Consulting Engineers dated 6 Jan 2009
- iv. Comprehensive access & highway improvement plan 07046/260 dated February 2009
- v. Proposed Site Layout Plan, drawing GL000015D4001 Revision PO3
- ~~vi. Proposed Elevations, drawing GL000015D5000 Revision P03~~
vi Proposed Elevations, drawing 201 Revision D, Proposed GA Elevations 154,000 Tonnes Per Year Throughput
- vii Proposed Elevations, drawing 202 Revision D, Proposed GA Elevations 154,000 Tonnes Per Year Throughput**
- vii. Air Quality Assessment by **Air Quality Consultants Ltd dated April 2020**
~~Smith Grant LLP reference R1847-R01-V2 dated August 2013~~

3. The development hereby permitted shall not exceed a total annual throughput of ~~120,000~~ **154,000** tonnes per annum.
4. The developer shall ensure that systems are in place to ensure that the site accepts and processes only waste of a non hazardous nature and that systems are in place to deal with any prohibited wastes delivered to site.
5. The applicant shall notify the Waste Planning Authority (WPA) in writing of the date upon which the proposed facility receives its first commercial import of waste for processing.

Reason for conditions 2 to 5: To specify the scope of the permission, the commencement date of waste import operations and in the interests of the environment, amenity and highway safety having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

6. Construction Hours of Working

All works relating to construction or demolition shall be carried out only between the hours of 7.00am and 7.00pm Mondays to Fridays, 7.00am and 1.00pm on Saturdays thereafter and at no time on Sundays and Bank Holidays.

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Reason: To ensure that the construction on site is carried out within reasonable hours so as to avoid disturbance to land users nearby in the interests of amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

7. Documentation

From the date of the commencement and throughout development, a copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission, shall always be on display at the site office for inspection during normal working hours.

Reason: To ensure this planning permission and associated documents are available on site for reference and inspection.

8. Odour and Dust

Odour and dust shall be controlled in accordance with the scheme of control measures identified in the submitted planning application (Air Quality Assessment by Smith Grant LLP reference R1847-R01-v2 dated August 2013) and unless otherwise agreed in writing by the Waste Planning Authority shall respectively include:

a) For odour: an Integrated Management System which will monitor the plant operation and maintenance; the reception and process buildings will be placed under negative pressure; automatic fast acting roller doors fitted at all vehicular entrances on the reception building; provision of localised extraction at potential point sources of odour generation, minimising storage times for raw MSW (municipal solid waste); maintaining aerobic conditions within degradable organic material during treatment, treatment of all extracted air through suitably designed and well maintained biological filtration system.

b) For dust during construction: use of clean water for dust suppression, high standards of housekeeping, preventative maintenance programme, effective staff training, potentially dusty activities located away from the potentially more sensitive eastern boundary and dust suppression by regular spraying in dry conditions.

c) For dust from operations: full enclosure of all stages of the proposed processes, regular sweeping of the access road as necessary to avoid accumulation of dust and debris.

9. In the event that complaints regarding, odour and/or dust are received by the Waste Planning Authority from any sensitive receptor, and thereafter notified to the operator, an immediate assessment of the complaint shall be

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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 WPA no later than 5 working days from the receipt of the complaint, unless a longer timescale is otherwise agreed in writing by the Waste Planning Authority.

Reason for Conditions 8 and 9: To protect the interests of the area as a whole and in particular nearby residential occupiers in the interests of amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

10. **Noise**

Noise emanating from activities carried out upon the site shall not exceed 50 dB LAeq, 1 hour during the hours 07:00 - 21:30 or 42 dB LAeq, 5 minutes during the hours 21:30 - 07:00 at a free-field position at the boundary of any residential premises which have planning consent at the time this permission is granted.

11. Manufacturer's guidelines relating to the servicing and maintenance of the silencers shall be followed and maintenance carried out at the appropriate intervals.

12. 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 immediate 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 5 working days from the receipt of the complaint, unless a longer timescale is otherwise agreed in writing by the Waste Planning Authority.

Reason for Conditions 10, 11 and 12: To protect the interests of the area as a whole and in particular nearby residential occupiers in the interests of amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

13. **Lighting**

Lighting external to the buildings shall be in accordance with the submitted lighting scheme submitted on the 8 March 2012 and incorporating the following documents:

a) Application to discharge conditions dated 12 March 2012;

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- b) Lighting Floor Layout Plan , Drawing G007-01-03 dated 02.08.11;
- c) Lighting Elevations Plan , Drawing G007-01-03 dated 09.08.11 ;
- d) Lighting Site Layout Plan, Drawing G007-01-03 dated 09.08.11
- e) Lighting shall be switched off when not required;
- f) Minimise potential effects on bat flight paths through the use of low brightness lighting (such as low-pressure sodium) and restriction of lighting Brookfield Plantation; and

The approved details shall be implemented and thereafter the development shall be operated and maintained in accordance with the approved details.

Reason: To ensure that the Waste Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit in the interests of amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

14. Highway Safety and Access

a) The Heavy Goods Vehicle access to and from the site shall only be gained via the access point onto the Gretton Brook Road shown on Drawing No. ACE 07046/260.

b) Vehicle Routing - Prior to the bringing of the plant into operation a scheme to control the routing of HGV's shall be submitted and agreed in writing by the Waste Planning Authority, which shall include no lorries or other heavy commercial vehicles based at or visiting the site travelling along Corby Road (the minor road between the village of Gretton and Gretton Brook Road) unless collecting waste from this village. The approved scheme shall be adhered to throughout the construction and operational periods of the development.

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

15. Waste importation operations shall not commence until the access has been improved in accordance with the following approved details and plans:

- a) Location Plan, Drawing No. 11005/101 Revision A dated 11/03/11;
- b) Proposed Highway Works Layout Sheet 1 of 3, Drawing No. 1105/102 Revision D dated 10.03.11;
- c) Proposed Highway Works Layout Sheet 2 of 3, Drawing 11/005/105 Revision B dated 08/07/11;
- d) Proposed Highway Works Layout Sheet 3 of 3, Drawing 11/005/105 Revision B dated 08/07/11;
- e) Highway works Standard Details, Drawing No. 11005/104 dated 07/04/11;

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- f) HGV Swept Path Analysis, Drawing No. 11005/107 dated 08/07/11;
- g) Gretton Brook Diversion Temporary Works, Drawing No. 11005/108 Revision A dated 16/09/11;
- h) Gabion Wall Proposals, Drawing No. 11005/109 dated 24/11/11;
- i) Proposed Culvert Details, Drawing No. 11005/110 dated 24/11/11;
- j) Any gates shall be set back a minimum of 20m to the rear of the highway boundary (back of verge) and hung to open inwardly only

The hard surfacing shall be completed in accordance with the approved details in accordance with a timetable to be agreed in writing by the Waste Planning Authority. The development shall be constructed in strict accordance with the approved details and approved vision splays retained thereafter. The site entrance and the internal road shall be maintained in a condition free from potholes while in use.

16. Wheel Cleaning and Vehicle Sheeting

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 or debris is deposited on the public highway.

17. The developer shall put in place a system to ensure that all operational vehicles arriving at and leaving the site are appropriately sealed or covered so as to prevent material spillage, wind blow and odour nuisance.

Reason for Conditions 16 and 17: To ensure satisfactory means of access to the highway, safeguard the interest of users of the public highway and highway safety having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

18. Monitoring

Heavy Goods Vehicle movements associated with the development hereby permitted shall be restricted to an annual average of 140 movements per day (i.e. the combination of HGV's entering and exiting the site averaging 70 in and 70 out per day) and recorded details of the number of HGV vehicular movements, including the weight and category of waste delivered or collected, shall be provided to the Waste Planning Authority within seven days of a written request.

Reason for condition 18: To control any additional pressure on the existing highway infrastructure, in the interests of highway safety and convenience having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

19. The operating company shall keep records of the quantity of waste received by weight, its source and Heavy Goods Vehicle (HGV) movements associated

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with the development and these records shall be provided to the Waste Planning Authority within seven days of a written request. All such information supplied will be treated on a confidential basis.

20. The operators of the site shall submit an annual report in writing to the Waste Planning Authority within one month of the end of the calendar year and at 12 monthly intervals thereafter. The annual report shall incorporate the records required by conditions 18 and 19 above and demonstrate compliance with catchment area controls required in condition 21. This information shall also be provided within 4 weeks of a written request by the Waste Planning Authority.

Reason for condition 19 and 20: 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 Policy 23 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

21. **Catchment Area**

With the exception of a 15% calendar year allowance, and the exclusion of the types of waste in condition 30 all waste materials to be processed on the site shall originate from locations within the indicative catchment area as shown on No. 4 submitted Plans by Monksleigh referenced 'Task No. 016AZ 1-4,'Estimated Drive Time Service Areas', attached to this planning permission, unless expressly approved in writing by the Waste Planning Authority on the basis that evidence is submitted which the Waste Planning Authority agrees demonstrates:

- The waste is part of a temporary (two years or less) contract while processing facilities are constructed closer to the source; or
- Other circumstances where there is a justified need to utilise the facility.

Reason for condition 21: 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 13 of the Minerals and Waste local Plan (October 2014).

22. **Visual Amenity and Design**

The new buildings shall be constructed to match the existing building on the site and the exterior shall be constructed of corrugated steel sheeting and finished in dark grey.

Reason: To protect the interests of local visual amenity having regard to Policy 22 and 27 of the Northamptonshire Minerals and Waste Local Plan

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(October 2014).

23. Biodiversity and Landscaping

The management and maintenance of the existing planting alongside Gretton Brook shall be in accordance with the details in the submitted Discharge of Conditions statement received on 8 March 2012 and undertaken on a 7 year cycle for the duration of the operational life of the development hereby permitted including;

- Coppicing of shrub species to maintain visual screening of the development from Gretton Brook Road;
- Management of damaged trees in the interests of both health and safety and biodiversity;
- Replacement planting (to exclude Common Ash) shall use species that are native, of local provenance and include a high diversity of species in order to provide varied food sources for native birds as well as visual screening and general biodiversity functions;
- Tree management advice shall be sought from a qualified arboricultural consultant; and
- Planting shall be maintained for the life of the facility and any plants which die or become diseased in this period shall be replaced in the following planting season.

24. Prior to the importation of waste to the site, bird and bat boxes shall be installed in accordance with the details in the submitted Discharge of Conditions statement received on 8 March 2012 and Drawing No. GPP-GE-GBR-12-01 Revision 1 dated 02.03.2012 and in accordance with the following requirements :

- Bird and bat boxes shall be positioned by suitably qualified personnel and both number at least 20 suitably designed boxes;
- The boxes shall be appropriately maintained for the life of the facility and any lost or damaged shall be replaced no later than the following winter season.

Reasons for conditions 23 and 24: To protect the interests of design, landscape character, biodiversity and local amenity having regard to Policy 24 and 25 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

25. Surface Water

Unless otherwise agreed in writing by the Waste Planning Authority, surface water controls shall be:

- in accordance with the amended flood risk assessment (FRA) by Abington

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Consulting Engineers Ltd dated 6 January 2009; and
- designed to reduce the risk of flooding without affecting flood risk elsewhere;
and
- be consistent with those advocated for sustainable urban drainage schemes; and
- be designed and maintained for the lifetime of the development.

Reason: To ensure surface water runoff is successfully managed thereby ensuring flood risk to other persons or parties does not increase having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

26. Groundwater and Contaminated Land

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Waste Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Waste Planning Authority for the remediation strategy detailing how this unsuspected contamination shall be dealt with.

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

27. Groundwater Protection

All wastes accepted onto site must be handled (stored, separated and treated) in an enclosed area and on an impermeable surface with a sealed drainage system.

28. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be provided with adequate, durable secondary containment to prevent the escape of pollutants. The bunded area shall be designed, constructed and maintained in order that it can contain a capacity not less than 110% of the total volume of all tanks or drums contained therein.

29. All filling points, vents, gauges and sight glasses should be bunded. Any tank overflow pipe outlets shall be directed into the bund. Associated pipework should be located above ground and protected from accidental damage. There shall be no gravity or automatic discharge arrangement for bund contents. Contaminated bund contents shall not be discharged to any watercourse, land or soakaway.

Reason for conditions 27 to 29: To prevent pollution of the water environment having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

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30. **Types of Waste**

Waste to be managed and imported to the site shall exclude untreated/unsorted Municipal Solid Waste (MSW), Construction, Demolition and Excavation Waste (CD&E), and green waste. These wastes shall only be imported to the site if sourced from and in accordance with, an indicative catchment area plan identifying a sub regional catchment for each type of waste which shall be submitted to and agreed in writing by the Waste Planning Authority prior the importation to these wastes to the site.

Reason for Condition 30: To ensure that the development complies with the definition of a facility serving a Regional Catchment in accordance with Paragraph 5.110 of the Minerals and Waste Local Plan (October 2014) and having regard to the requirements in Policy 13 of the Plan, in the interests of self sufficiency and sustainability.

31. **Fire Risk Management**

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 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 for Condition 31: In the interests of safety and amenity protection having regard to Policy 22 and 27 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. Concerns and issues raised during consultation on the submitted application have been considered by the Waste Planning Authority, discussed with 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) Order 2015.

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INFORMATIVES

1. No works within the existing public highway may commence without the express written permission of the Highway Authority. This planning permission does not give or infer such permission. The Highway Authority, will only give consent to commence works subject to the completion of an Agreement, under Section 278 of the Highways Act 1980. Full engineering, drainage 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 for condition discharge.
2. The attention is drawn to the implementation of the Traffic Management Act 2004, where a three month notice period to allocate road space (for works within the highway) is formally given prior to the commencement of works.
3. Every opportunity should be made to harvest rainwater across the site in order to meet a proportion of the water demands associated with the site e.g. toilet flushing.

Date...5 August 2020..... Signed



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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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