



Name and address of agent:

GP Planning Ltd
iCon Innovation Centre
Eastern Way
Daventry
NN11 0QB

Name and address of applicant:

ESF Energy Ltd
Clarendon Court
Overwallop
SO20 8HU

NOTICE OF APPROVAL

Town and Country Planning Act 1990 (as amended)

Part I – Particulars of application

Date Valid:

4 November 2021

Application Number:

NN/21/00059/WASVOC

Location: Storefield Plant, Gretton Brook Road, Earlstrees Industrial Estate, Corby, Northamptonshire NN17 4BA

Description: Variation of condition 2 of planning permission ref. 20/00023/WASVOC to increase the stack height from 25m (currently permitted) to 35m

Part II – Particulars of decision

North Northamptonshire Council having considered a valid application for the above development, in pursuance of its powers under the above mentioned Act

GRANTS PERMISSION

for the development as described in Part I above and in accordance with the application and plans submitted, subject to the following conditions:

Commencement

1. The development to which this permission relates has commenced.

Reason: To clarify the status of the permitted development.

Scope of Permission

2. 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 09/00052/WAS, 14/00094/WASVOC and 20/00023/WASVOC and Non-Material Amendment 13/00060/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 GA Elevations, 154,000 Tonnes Per Year Throughput, Drawing 201 Revision E
 - vii Proposed GA Elevations 154,000 Tonnes Per Year Throughput, Drawing 202 Revision C
 - vii. Air Quality Assessment by Air Quality Consultants Ltd dated April 2020
3. The development hereby permitted shall not exceed a total annual throughput of 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 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Construction Hours of Working

6. 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.

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 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Documentation

7. 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.

Odour and Dust

8. 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 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 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Noise

10. 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 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Lighting

13. 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;
 - 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 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Highway Safety and Access

14. 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.

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;
- 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.

Reason for conditions 14 and 15: To safeguard the interests of highway safety and in the interests of amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Wheel Cleaning and Vehicle Sheeting

- 16. 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 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Monitoring

- 18. 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: To control any additional pressure on the existing highway infrastructure, in the interests of highway safety and convenience having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

19. The operating company shall keep records of the quantity of waste received by weight, its source and Heavy Goods Vehicle (HGV) movements associated 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 10 of the Northamptonshire Minerals and Waste Local Plan (October 2017) and to ensure that waste materials are dealt with close to their source in accordance with Policy 19 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Catchment Area

21. 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: 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 12 of the Minerals and Waste local Plan (October 2017).

Visual Amenity and Design

22. 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 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Biodiversity and Landscaping

23. 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 20 and 21 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Surface Water

25. 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 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 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Groundwater and Contaminated Land

26. 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 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Groundwater Protection

27. 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 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Types of Waste

30. 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: To ensure that the development complies with the definition of a facility serving a Regional Catchment in accordance with Paragraph 5.102 of the Minerals and Waste Local Plan (October 2017) and having regard to the requirements in Policy 12 of the Plan, in the interests of self-sufficiency and sustainability.

Fire Risk Management

31. 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: In the interests of safety and amenity protection having regard to Policy 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application, North Northamptonshire Council has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Decision Date:

27 April 2022

Signed:



Name: George Candler

Title: Executive Director Place and Economy

IMPORTANT NOTES:

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals can be made online at: www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. *

Purchase Notices

If either the local planning authority or The Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part IV of the Town and Country Planning Act, 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by The Inspectorate on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act, 1990.

NOTES: This decision notice relates solely to planning control. If the development includes the erection or alteration of a building or a change of use the work must not be carried out nor the change of use take place until the Building Regulations have been complied with.

WHERE by any act of Parliament, statutory instrument or other authority, other CONSENTS, LICENCES, PERMISSIONS OR APPROVALS IN ADDITION TO THOSE SPECIFIED IN THIS PERMISSION ARE REQUIRED in respect of the development or notice thereof is required to be given to any person, (including a local authority), THE APPLICANT MUST COMPLY with such requirements BY SEPARATE APPLICATION OR NOTICE. This includes applications for ADVERTISEMENT CONSENT and LISTED BUILDING CONSENT.