



## Town and Country Planning Act 1990

### PLANNING PERMISSION

Name and address of applicant	Name and address of agent (if any)
Daventry District Council Lodge Road Daventry Northamptonshire NN11 4FP	Mr Robin Clarke Telford House 76 Cow Lane Fulbourn CB21 5HB

#### Part I - Particulars of application

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Date of Application	Application No.
2 November 2017	<b>NCC Ref:</b> 17/00055/WASFUL <b>DDC Ref:</b> DA/2017/1146

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#### Particulars and location of development

Construction of new Waste Transfer building for the storage and management of waste materials, construction of vehicle servicing workshop, construction of a second weighbridge and prefabricated office, extension of existing concrete yard slab to extend site boundary, improvements to site surface water drainage, provision of vehicle washdown area, and demolition of existing weighbridge office and storage structure at Waste Transfer Station, 27 High March, The Marches, Daventry, Northamptonshire, NN11 4HB.

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#### 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. Commencement

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 seven 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: In the interest of clarity and to comply with Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

2. Scope of the Permission

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

- Application forms dated 20 October 2017;
- Planning and Design Statement dated October 2017;
- Planning and Design Statement Addendum dated January 2018;
- Drawing No. 1612-001 R4 Proposed Ground Floor Plan;
- Drawing No. 1612-002 R4 Proposed Roof Plan;
- Drawing No. 1612-201 R4 Proposed North & South Elevations;
- Drawing No. 1612-202 R4 Proposed West & East Elevations - WTS;
- Drawing No. 1612-501-1 Location Plan;
- Drawing No. 1612-502 Existing Site Plan;
- Drawing No. 1612-503 R4 Proposed Site Plan;
- Drawing No. 1612-901 Existing Ground Floor Plan;
- Drawing No. 1612-902 Existing Roof Plan;
- Drawing No. 1612-903 Existing North & South Elevations;
- Drawing No. 1612-904 Existing West & East Elevations;
- Transport Statement dated October 2017;
- Flood Risk Assessment and Drainage Strategy Rev B dated February 2018; and
- Waste Audit and Waste Management Strategy dated October 2017.

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

3. The range of wastes that may be imported to, stored on, handled on and ultimately exported off site shall be solely confined to materials that are inert, degradable and putrescible in nature (including bonded asbestos). No hazardous wastes (with the exception of bonded asbestos, cathode ray tubes, refrigerants, fluorescent tubes and batteries) shall be permitted at the site.

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

4. The total amount of waste imported per year for recycling shall not exceed 22,800 tonnes.

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

5. External stockpiles of materials shall not exceed 3 metres in height.

Reason: In the interests of visual amenity having regard to Policy 18 of the NMWLP (2017).

6. Construction Management Plan

**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.

Prior to the commencement of development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Waste Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- i) Overall strategy for managing environmental impacts which raise during construction;
- ii) Measures to control the emission of dust and dirt during construction;
- iii) Control of noise emanating from the site during the construction period;
- iv) Hours of construction work for the development;
- v) Contractors' compounds, materials storage and other storage arrangements, cranes and plant, equipment and related temporary infrastructure;
- vi) Designation, layout and design of construction access and egress points;
- vii) Internal site circulation routes;
- viii) Directional signage (on and off site);
- ix) Provision for emergency vehicles;
- x) Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials
- xi) Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
- xii) Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- xiii) and other similar debris on the adjacent public highways;
- xiv) Routing agreement for construction traffic.
- xv) Storage of plant and materials used in constructing the development;
- xvi) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of residential amenity and highway safety having regard to Policy 18 of the NMWLP (2017).

## 7. Access and Highway Safety

The sole vehicular access for the development hereby permitted shall be by way of the existing access from High March. The access shall be maintained in a clean and tidy condition.

Reason: To ensure a satisfactory means of access to the highway having regard to Policy 18 of the NMWLP (2017).

## 8. Hours of Working

Except as may otherwise be agreed in writing by the Waste Planning Authority:

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- i. The tipping and sorting of waste on site shall be confined to the hours of 07.00 to 18.00 Mondays to Saturdays and Public Holidays (excluding Christmas Day).
- ii. All other operations on site shall be confined to the hours of 06.00 to 18.00 Mondays to Saturdays and Public Holidays (excluding Christmas Day).
- iii. Operations during the hours set in i and ii above shall be permitted on Sundays only where it is Easter Sunday or any Sunday (excluding Christmas Day) that falls between 24 December and 3 January in any calendar year.

Reason: To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to amenity having regarding to Policy 18 of the NMWLP (2017).

## 9. Traffic Management

Prior to the use of the building to recycle and store waste materials, a scheme for the management of deliveries shall be submitted for the prior written approval of the Waste Planning Authority. The scheme shall identify arrangements for:

- i) Identify what measures will be employed to ensure that no HGV vehicles are waiting on either the live carriageway or parked over public highway land, verge or footpath, causing obstruction whilst waiting for gates to be opened;
- ii) Monitoring of the approved arrangements;
- iii) Ensuring that drivers under the control of the applicant are made aware of the approved arrangements; and
- iv) The disciplinary steps that will be exercised in the event of a default.

The development shall be carried out in full accordance with the approved scheme.

Reason: In the interests of highway safety and amenity having regard to Policy 18 of the NMWLP (2017).

## 10. Noise

a) Except as may otherwise be agreed in writing by the Waste Planning Authority all plant, equipment and machinery used on site, including vehicular traffic, shall be designed and maintained to reduce noise levels to a minimum and be operated in accordance with manufacturer's instructions.

b) All plant, equipment and machinery used on site, including vehicular traffic, capable of being fitted with the appropriate silencers, baffles, cladding and rubber linings shall be so fitted and maintained.

Reason: To ensure that plant, equipment and machinery is adequately sound-proofed in the interests of the amenities of local residents having regard to Policy 18 of the NMWLP (2017).

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11. Pollution/Waste Control

Any proposed facilities for the storage of oils, fuels or chemicals shall be sited in impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

12. All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent shall be discharged to the foul sewer.

Reason for condition 11 and 12: To prevent pollution of the water environment having regard to Policy 18 of the NMWLP (2017).

13. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

Reason: To prevent pollution of the water environment and to provide adequate method of surface water disposal having regard to Policy 18 of the NMWLP (2017).

14. Security

Except as may otherwise be agreed in writing with the Waste Planning Authority, the security perimeter fence shall be retained and maintained in a condition fit for its purpose.

Reason: To ensure the security of the site having regard to Policy 18 of the NMWLP (2017).

15. External Lighting

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.

Reason: In the interests of amenity, ecology, site security and sustainability

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having regard to Policy 18 of the NMWLP (2017).

16. Surface Water Drainage

Prior to the commencement of development hereby permitted, 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 site, shall be submitted to the Waste Planning Authority for approval in writing. The details of the scheme shall include:

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, attenuation basins and soakaways;
- b) Cross referenced calculations; and
- c) Details of pollution control measures in accordance with CIRIA C753.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 18 of the NMWLP (2017) by ensuring the satisfactory means of surface water attenuation and discharge from the site.

17. No occupation shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Waste Planning Authority and the maintenance plan shall be carried out in full thereafter.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 18 of the NMWLP (2017) by ensuring the satisfactory means of surface water attenuation and discharge from the site.

18. No occupation shall take place until the Verification Report for the installed surface water drainage system for the site has been submitted by a suitably qualified drainage engineer and approved in writing by the Waste Planning Authority. The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles;
- b) Any As-Built Drawings and accompanying photos;
- c) Results of any Performance Testing undertaken as a part of the application process (if required/necessary); and
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site regard to Policy 18 of the NMWLP (2017).

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## 19. Fire Risk Management Plan

Prior to the use of the building to recycle and store waste materials, a Fire Risk Management Plan (FRMP) identifying the measures to mitigate and manage the risk of fire associated with waste storage on the application 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 unless any changes to the plan are subsequently agreed in writing by the Waste Planning Authority. In the event that any measures stipulated in the FRMP conflict with measures subsequently agreed as part of the Environmental Permit (EP) for the waste facility then the measures in the EP shall supersede those agreed by the Waste Planning Authority.

Reason: In the interests of safety having regard to Policy 23 of the NMWLP (2017).

## 20. Contaminated Land

The development hereby permitted shall not be commenced until details of an investigation and risk assessment scheme to assess the nature and extent of any contamination on the site have been submitted to and approved in writing by the Waste Planning Authority (WPA), the approved scheme has been carried out by competent persons and a written report of the findings has been submitted for the approval of the WPA. The assessment shall include, unless the WPA dispenses with any such requirements in writing, a site investigation to fully and effectively characterise the nature and extent of any land contamination. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the proposed use of the site. The investigation must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11' and a written copy of the site investigation and findings shall be forwarded to the WPA. Two copies of the site investigation shall be forwarded to the WPA.

Reason: To ensure that potential risks from land contamination have been assessed having regard to Policy 18 of the NMWLP (2017).

21. Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination affecting the site shall be submitted for the approval of the WPA. No works, other than investigative works, shall be carried out on the site prior to the confirmation in writing of approval of the preferred remedial option by the WPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate having regard to Policy 18 of the NMWLP (2017).

22. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to

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carry out the remediation. No deviation shall be made from the approved scheme without the express written agreement of the WPA. The WPA must be given two weeks written notification of the date of commencement of the remediation scheme works.

Reason: To ensure site remediation is carried out to the agreed protocol having regard to Policy 18 of the NMWLP (2017).

23. No development works other than that required to carry out the remediation shall be carried out until after the completion of the works required by the remediation scheme, the submission of a written closure report to the WPA and the WPA have confirmed the closure report is satisfactory. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved remediation scheme, and confirmation of the effectiveness of the scheme in ensuring the site can be considered as suitable for use. Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards having regard to Policy 18 of the NMWLP (2017).

24. If during development, contamination not previously considered is identified, then the WPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the WPA, and implementation of any necessary remediation works has taken place, and a closure report has been approved by the WPA.

Reason: To ensure all contamination within the site is dealt with having regard to Policy 18 of the NMWLP (2017).

25. Complaints

In the event that complaints are received by the Waste Planning Authority from any sensitive receptor, and thereafter notified to the occupier, an assessment of the complaint shall be undertaken by the occupier. 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 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 approved proposals shall be implemented in accordance with the agreed programme and shall be maintained thereafter.

Reason: In the interests of amenity protection having regard to Policy 18 of the NMWLP (2017).

## **POSITIVE AND PROACTIVE MANNER STATEMENT**

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In determining this planning application, the County Planning Authority 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) (Amendment No.2) Order 2012.

## INFORMATIVES

1. Prior to the site becoming operative as a waste transfer station, a permit issued under the Environmental Permitting (England & Wales) Regulations 2016 must be granted by the Environment Agency, this permit must seek to ensure environmental impacts are adequately controlled on-site to protect the amenity of local residents living in the near vicinity of the site.
2. The applicant's attention is drawn to the document entitled: "Contaminated Land - A guide for developers and their advisors". This can be obtained from Daventry District Council's web site or directly from Daventry District Council's Environmental Health Team.
3. In granting this planning permission, the Waste Planning Authority expects the construction of the development to be carried out in a courteous/considerate manner so that the quality of life of those living in the locality is not unreasonably affected by the impacts of construction.

In order to ensure a reasonable balance between resident's enjoyment of their homes and the need for construction to progress efficiently, no construction activity that has the potential for noise to be audible outside of the boundaries of the site should be undertaken before 8.00am and after 6.00pm Monday to Friday, and before 8.30am and after 1.00pm on Saturdays. There should be no construction activity whatsoever on Sundays and Bank Holidays.

If the Waste Planning Authority or District Council received complaints that noise is emanating from the site outside of these hours, the applicant will be served with a Community Protection Warning requiring immediate action to ensure the site complies with these hours of construction. If the applicant fails to adhere to the requirements of this warning, the applicant will be served with a Community Protection Notice and risk being prosecuted if that notice is subsequently breached.

Contractors and sub-contractors must have regard to BS5228-2:2009 "Code of Practice for noise control on construction and open sites" and the Control of Pollution Act 1974.

4. The current Environmental Permit will need to be transferred from the old company to the new. For further information about transferring the permit please contact Kate Howe (Environmental Management) on 02084 748354.

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5. The applicant's attention is drawn to the protection given to breeding birds under the Wildlife and Countryside Act 1981. To avoid contravening the relevant provisions of the Act it would be advisable to avoid carrying out any work that might damage an active nest during the bird breeding season (March to September inclusive) or to ensure that an appropriate inspection is undertaken by a competent person to ensure that no breeding birds will be adversely affected.

Date..... 29.3.2018.....

Signed ..... M.B. Chant .....

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, 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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