

PLANNING APPLICATION

RETROSPECTIVE PLANNING APPLICATION FOR THE STORAGE OF WOOD WASTE (VARIATION OF CONDITION 2 – DA/05/773C)

PEBBLE HALL, THEDDINGWORTH ROAD, THEDDINGWORTH,
NORTHAMPTONSHIRE, LE17 6NJ

WELLAND WASTE MANAGEMENT LTD

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Final

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1 INTRODUCTION

1.1 Introduction

- 1.1.1 This Planning Statement accompanies a planning application seeking retrospective planning permission to vary Condition 2 of planning permission reference DA/05/773C which allowed the extension of an existing green waste composting site and use of site excavation material to re-profile land to the west of the farm building complex on land at Pebble Hall Farm, off A4304 Bosworth Road, Theddingworth, Leicestershire.
- 1.1.2 The application is accordingly submitted as a "Section 73 application" under the Town and Country Planning Act, 1990, as amended.
- 1.1.3 Waste wood storage has been taking place on the green waste composting area for a period in excess of 10 years and is permitted by the Environment Agency under an Environmental Permit.
- 1.1.4 The planning application is supported by the following drawings:
- GPP/WWM/PHSS/17/01 Revision 1 – Site Context Plan
 - GPP/WWM/PH/773/19/02 Revision 1 – Site Location Plan

1.2 The Site and its Surroundings

- 1.2.1 The Pebble Hall complex is located south of the A4304 (Bosworth Road), Theddingworth, in the northern part of the District of Daventry as shown on Drawing GPP/WWM/PHSS/17/01 Revision 1 – Site Location Plan.
- 1.2.2 It is approximately 1.8 km east of the village of Husbands Bosworth and 750 metres south-west of Theddingworth.
- 1.2.3 There is an existing access to the site, which crosses the Northamptonshire and Leicestershire county boundaries. It is surfaced in concrete and is approximately 560 metres long from its junction with the A4304. The site has excellent access onto the strategic highway network via the A4304, A5199 and M1. There are no additional vehicular movements proposed as a result of this application.
- 1.2.4 Pebble Hall Farm is an agriculturally based operation that has been the subject of farm diversification, mainly as a result of the BSE crisis. By a series of grants of planning permission over a number of years, the site has established a variety of industrial/commercial/ renewable energy concerns and waste management operations.
- 1.2.5 The waste wood storage area is located in a part of the site that has planning permission for green waste composting and, as such, the waste wood storage is considered to be taking place on brownfield land.
- 1.2.6 There are no sensitive receptors within 500 metres of the Application Site. The nearest sensitive receptor is Woodside Bungalow, located over 600 metres from the Application Site on the other

side of the A4304. Land around the Pebble Hall complex has been extensively landscaped in recent years.

- 1.2.7 There are no international or European designated nature conservations sites within 2km of the Application Site. There is one SSSI approximately 2km of the Application Site. There is a Scheduled Ancient Monument (SAM) in Theddingworth. The nearest public footpath is east of the site, through the Hothorpe Hills, which is approximately 1.3km away.

1.3 Planning History

- 1.3.1 The planning history at Pebble Hall is complex. Only those activities relevant to this planning application are included here, for information.
- 1.3.2 On 21 October 2003 (ref: DA/03/725C) planning permission was granted by Northamptonshire County Council for a green waste composting facility. This permission has been implemented.
- 1.3.3 A second permission was granted on 4 October 2005, for an extension to the area to be used for green waste composting. This permission has also been implemented (ref: DA/05/773C). These permissions allow a total throughput of 25,000 tonnes per annum of green waste. Waste wood storage has taken place on the areas subject of both these permissions. As a consequence, two separate Section 73 applications are submitted.
- 1.3.4 Planning permission DA/07/319 was granted in June 2007 for the construction of an In-Vessel Composting Facility to deal with mixed green and food waste up to 25,000 tonnes per annum. However, as the Waste Collection Authority has subsequently abandoned plans to collect the food waste there is no need to provide an In-Vessel Composting Facility. Accordingly, this permission was not implemented.
- 1.3.5 Planning permission 08/00053/WAS was granted on 17 September 2008 for a Renewable Energy Generation Facility.
- 1.3.6 Planning permission 08/00054/WAS was granted on 22 September 2008 for variation of Conditions 6 on the two composting planning permissions referenced above, to vary hour of working.
- 1.3.7 Planning permission 09/01593/FUL was granted on 14th June 2010 for the widening of the access track.
- 1.3.8 Planning permission was granted on 24 October 2014 for the Erection of a Replacement Renewable Energy Building (Ref: 13/00098/WASFUL).
- 1.3.9 A planning application was submitted to Leicestershire County Council to carry forward the limitations imposed on a S106 Agreement restricting vehicle movements onto the highway as follows: not to exceed 240 vehicle movements per day Monday to Friday, 120 on Saturdays and 65 on Sundays.; reference 2013/0282/03. This was subsequently approved.
- 1.3.10 Planning permission was granted on 3rd November 2017 for "Construction of temporary wood storage yard etc." by Northamptonshire County Council (ref: 16/00022/WASFUL).
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- 1.1.1 Planning permission was granted by Northamptonshire County Council on 14th July 2017 for the "erection of six additional wood storage bays, ancillary internal access works, plus retrospective permission for the erection of a building to house wood shredding operations" (Ref: 17/00017/WASFUL).

2 THE PROPOSED DEVELOPMENT

2.1 Overview

- 2.1.1 This planning application seeks retrospective planning permission to vary Condition 2 on planning permission reference DA/05/773C to allow the storage of wood waste, within the area currently permitted for green waste composting. No processing of wood is proposed.
- 2.1.2 Waste wood storage has been taking place on the green waste composting area for a period in excess of 10 years and is permitted by the Environment Agency under an Environmental Permit.
- 2.1.3 There are no access implications as the storage has been ongoing for in excess of 10 years and within the restricted HGV movements to the site.

2.2 The S73 Application

- 2.2.1 Planning Permission DA/05/773C, granted on 4 October 2005, allowed an extension to the existing Green Waste Facility. The permitted area is shown on Drawing GPP/WWM/PH/0773/19/02 Revision 1, Site Location Plan.
- 2.2.2 Condition 2 of the 2005 permission says:

“The development hereby permitted is restricted to green waste composting only and no other form of waste storage or processing shall take place on the site”.
- 2.2.3 The storage of wood has been ongoing for over 10 years and has the benefit of an EA permit. However, the planning status of the wood storage has never been regularised. Therefore, it is proposed to seek a variation of Condition 2.
- 2.2.4 The same condition applies to planning permission DA/03/735C (the original green waste composting permission). A separate application for retrospective planning permission is sought for a variation of Condition 2 of that permission.
- 2.2.5 It is proposed to vary Condition 2 of the 2005 permission as follows:

The development hereby permitted is restricted to green waste composting and waste wood storage only and no other form of waste storage or processing shall take place on the site.
- 2.2.6 Condition 2 of the 2003 permission is also proposed to be amended to reflect the wording of the 2005 permission, so that both Conditions refer to storage and processing.
- 2.2.7 There is therefore sufficient defined storage capacity within the site to accommodate the storage of wood waste in both sites.

3 PLANNING POLICY CONTEXT

3.1 Introduction

- 3.1.1 This section provides an indication of the main Development Plan policies and national planning guidance that has been considered and assessed in the preparation of the planning application and supporting Environmental Statement.
- 3.1.2 The Development Plan in this instance consists of:
- Northamptonshire Minerals and Waste Local Plan, adopted July 2017
 - Daventry District Council Local Plan 1997 (Saved Policies)
 - West Northamptonshire Joint Core Strategy (December 2014)
- 3.1.3 In addition it is noted that Daventry District Council is in the process of preparing the Daventry District Settlements and Countryside (Part 2) Local Plan. Following a decision by Full Council on 6 December, the Council submitted the Part 2 Local Plan to the Secretary of State on 19 December 2018. The Council has since published a schedule of Potential Main Modifications and updated the schedule of Minor Modifications (PSD12) (16th May). The Examination into the Plan will commence on 11 June 2019. As the Plan has yet to go through Examination, the policies within it do not carry significant weight.
- 3.1.4 The main objectives and planning policies that are relevant to the proposal are set out below. The policies are not all included in full; only the relevant parts of the policies are included. The parts that are relevant to this development are highlighted by underlining.

3.2 The Development Plan

Northamptonshire Minerals and Waste Local Plan (MWLP) adopted July 2017

- 3.2.1 The relevant policies are considered to be:
- Policy 11 Spatial Strategy for Waste Management
 - Policy 12 Development Criteria for Waste Management Facilities
 - Policy 18 Addressing the Impact of Proposed Minerals and Waste Development

1.1.1 Policy 11 sets out NCC's spatial strategy for waste management.

1.1.2 In respect of rural centres it states that:

In the rural hinterlands only facilities with a local or neighbourhood catchment providing for preliminary treatment, or that are incompatible with urban development, should be provided. Where it is the latter they should deal with waste generated from identified urban areas and be appropriately located to serve those areas.

Facilities in rural areas should, where possible, be associated with existing rural employment uses.

- 1.1.3 Policy 13 provides development criteria for waste management facilities which are not allocated:

Proposals for waste management facilities on non-allocated sites (including extensions to existing sites and extension to allocated sites) must demonstrate that the development:

- *Does not conflict with the spatial strategy for waste management;*
- *Promotes the development of a sustainable waste network and facilitates delivery of Northamptonshire's waste management capacity requirements;*
- *Clearly establishes a need for the facility identifying the intended functional role, intended catchment area for the waste to be managed, market base for any outputs, and where applicable the requirement for a specialist facility;*
- *Is in general conformity with the principles of sustainability (particularly regarding the intended catchment area);*
- *Facilitates the efficient collection and recovery of waste materials; and*
- *Where intended for use by the local community, is readily and safely accessible to those it is intended to serve.*

- 1.1.4 Policy 18 relates to the impact of proposed minerals and waste development:

Proposals for minerals and waste development must demonstrate that the following matters have been considered and addressed:

- *Protecting Northamptonshire's natural resources and key environmental designations (including heritage assets);*
- *Avoiding and / or minimising potentially adverse impacts to an acceptable level, specifically addressing air emissions (including dust), odour, bioaerosols, noise and vibration, slope stability, vermin and pests, birdstrike, litter, land use conflict and cumulative impact;*
- *Impacts on flood risk as well as the flow and quantity of surface and groundwater;*
- *Ensuring built development is of a design and layout that has regard to its visual appearance in the context of the defining characteristics of the local area;*
- *Ensuring access is sustainable, safe and environmentally acceptable, and*
- *Ensuring that local amenity is protected.*

Daventry District Council Local Plan 1997 (Saved Policies)

- 3.2.2 The relevant policy is Saved Policy GN2 General

- 3.2.3 Policy GN2 sets out the general criteria for granting planning permission and states that development will normally be granted provided the proposal is of a type and scale in-keeping with the locality and does not detract from its amenities. There are a number of other criteria, including impact on access and the Special Landscape Area.

West Northamptonshire Joint Core Strategy (December 2014)

- 3.2.4 The relevant policies are:

- Policy S10 Sustainable Development Principles
- Policy BN7 Flood Risk
- Policy BN9 Pollution Control
- Policy R2 Rural Economy

- 3.2.5 Policy S10 seeks to ensure that development incorporates sustainable development principles and, amongst other things, achieves the highest standard of design, minimises pollution and protects the environment.
- 3.2.6 Policies BN7 and BN9 relate to flood risk and pollution control ensuring that developments comply with flood risk assessment and management requirements and minimise pollution.
- 3.2.7 Policy R2 is concerned with the rural economy and states that proposals which sustain and enhance the rural economy by creating and safeguarding jobs and businesses will be supported where they are of an appropriate scale for their location and protect best and most versatile agricultural land.

3.3 Other Relevant Documents

National Planning Policy for Waste (October 2014)

- 3.3.1 Paragraph 1 of the NPPW states that *'Positive planning plays a pivotal role in delivering this country's waste ambitions through:*
- Delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy...*
- 1.1.5 Paragraph 5 provides guidance on suitable sites and areas:
- Waste planning authorities should assess the suitability of sites and/or areas for new or enhanced waste management facilities against each of the following criteria:*
- *The extent to which the site or area will support the other policies set out in this document;*
 - *Physical and environmental constraints on development, including existing and proposed neighbouring land uses, and having regard to the factors in Appendix B to the appropriate level of detail needed to prepare the Local Plan;*
- 1.1.6 Paragraph 7 is concerned with determining planning applications. It provides that:
- When determining waste planning applications, waste planning authorities should:*
- *Consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B and the locational implications of any advice on health from the relevant health bodies.*
 - *Waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies.*
 - *Ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located.*

National Planning Practice Guidance (2014)

- 3.3.2 Planning Practice Guidance provides advice on determining waste related planning applications. In particular it advises on when unallocated sites can be used and recognises that there may be changes that give rise to opportunities not envisaged in the Local Plan. In the case of waste facilities, the onus is on applicants to demonstrate that the facility will not undermine the waste planning strategy through prejudicing the movement of waste up the hierarchy.

National Planning Policy Framework, February 2019

- 3.3.3 The National Planning Policy Framework was published on the 27th March 2012 and came into force immediately with respect to plan and decision making. NPPF has subsequently been amended, in part. The latest version is February 2019.
- 3.3.4 The NPPF states at paragraph 4 of its introduction that the NPPF should be read in conjunction with its planning policy for waste. However, paragraph 4 goes on to say that in making decisions on applications (for waste), regard should be had to the policies in this framework, where relevant.
- 3.3.5 Local authorities should have regard to the policies in the National Planning Policy Framework in preparing their waste plans.
- 3.3.6 The NPPF provides a presumption given in favour of development with sustainable credentials. Paragraph 10 of the NPPF states:

At the heart of the Framework is a presumption in favour of sustainable development

- 3.3.7 At Paragraph 11 the NPPF states:

For decision-taking this means:

- *approving development proposals that accord with an up to date development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, grant planning permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

4 ASSESSMENT OF THE PROPOSAL

4.1 Introduction

4.1.1 From a review of the relevant planning policies, the main areas of consideration in determining the acceptability of the ongoing storage of wood waste in the areas permitted for green waste composting are:

- The scale and type of development within the site complex
- Environmental and Local Amenity Considerations

4.2 The Development within the Site Complex

4.2.1 Policy 11 of the MWLP relates to the spatial strategy for waste management. Pebble Hall Farm is located in the rural hinterlands and only facilities with a local or neighbourhood catchment providing for preliminary treatment, or that are incompatible with urban development, should be provided.

4.2.2 The wood storage will take place at an existing waste management facility and on brownfield land within its curtilage. The wood storage has been ongoing for over 10 years and does not represent an intensification of wood waste arriving at the site.

4.2.3 MWLP Policy 12 sets out the development criteria for waste management facilities (non-inert and hazardous) which are not allocated in the Plan. Pebble Hall Farm is a committed site but is not allocated for specific future development. However, the storage of wood waste is taking place within an area already permitted for waste activities, namely green waste composting.

4.2.4 Four of the five points at the beginning of the Policy are relevant. In summary they are:

- *the development does not conflict with the spatial strategy for waste management;*
- *promotes the development of a sustainable waste network and facilitates delivery of Northamptonshire's waste management capacity requirements;*
- *is in general conformity with the principles of sustainability (particularly regarding the intended catchment area);*
- *facilitates the efficient collection and recovery of waste materials.*

4.2.5 The land in question is brownfield land, currently used for waste management operations and has previously been considered by the County Council to comply with the Waste Spatial Strategy and other elements of the Plan.

4.2.6 Proposals for extensions or changes on committed sites (or other sites subsequently granted planning permission) must comply with policies in the Plan, and it is accepted that being committed confers a favourable status on these sites for a continuation of a waste use where this meets the intent of the Strategy and policies and is in accordance with National Planning Policy.

4.2.7 Waste management facilities should exist in locations where investment can be optimised and sustainable development can occur.

- 4.2.8 The grant of planning permission for the waste management operations at the site, including the REGF, has generated significant investment in the facility and guarantees the long term future of the site and related employment.
- 4.2.9 The retrospective variation of Condition sought will allow the continued use of the land to enable wood waste to be stored.
- 4.2.10 As a priority, waste development must support the Strategy (which it does) and promote a sustainable waste management network (which it does by co-locating the existing operations).
- 4.2.11 It is therefore considered that ongoing wood storage areas in the green waste composting areas is in conformity with MWLP Policies 11 and 12.

4.3 Environmental and Local Amenity Considerations

Introduction

- 4.3.1 This section considers the environmental impacts associated with the proposed ongoing storage of wood waste storage. The following are the main environmental topics considered relevant to the wood storage.

- Air Quality (including Dust)
- Noise
- Flood Risk and Drainage

Air Quality (including Dust)

- 4.3.2 There are no emissions to air from the wood storage. The only relevant air quality consideration is dust. The waste wood storage will be unprocessed wood of a size not likely to generate dust. The location of the wood piles would mean that it is highly unlikely that fugitive dust would be created from wood storage.
- 4.3.3 The development is therefore compliant with relevant criteria in MWLP Policy 18 and Policy BN9 of the Joint Core Strategy.

Noise Emissions

- 4.3.4 There are noise conditions attached to various planning permissions for the site that limit levels of noise from the site.
- 4.3.5 The storage of wood itself does not give rise to noise emissions.
- 4.3.6 On this basis, the wood storage would not result in any adverse noise effects. Therefore, the development complies with MWLP Policy 18.

Flood Risk and Drainage

- 4.3.7 MWLP Policy 18 deals with impact of minerals and waste development on, amongst other things flood risk. The Application Site is located in Flood Risk Zone 1 and therefore has a less than 1 in 1000 chance of flooding. The site is not designated as a groundwater protection zone and River Welland passes the Application Site to the North.
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- 4.3.8 The area occupied by the wood storage areas already has permission for green waste composting. The wood storage has been ongoing for over 10 years and has the benefit of an EA Permit for this use. In this context there would be no additional flood risk impact as there is, in effect, no new development taking place on site.
- 4.3.9 It is considered therefore that there would be no impacts on flood risk or the flow and quantity of surface and groundwater, and the proposal does not conflict with MWLP Policy 18 or Policy BN7 the Joint Core Strategy.

Landscape and Visual Impact

- 4.3.10 MWLP Policy 18 relates to the impact of proposed minerals and waste development. Proposals for such development must demonstrate, *inter alia*, that built development is of a design and layout that has regard to its visual appearance in the context of the defining characteristics of the area.
- 4.3.11 Pebble Hall is an established waste and renewable energy complex, which benefits from several planning permissions for industrial/waste uses. The planning application seeks to regularise the storage of wood within an area already permitted for green waste processing.
- 4.3.12 The wood storage area, within the green waste composting area is screened by the screening bund to the east of the site. Wood piles are therefore not visible from outside the site.
- 4.3.13 Therefore in terms of landscape and visual impact, the continued storage of wood waste is considered to be compliant with Policy 18 of Northamptonshire County Council's Local Plan (2014) and Saved Policy EN1 of Daventry District's Local Plan.

Other Environmental Matters

- 4.3.14 The continued storage of wood waste within the land already permitted for green waste processing will not create any additional HGV movements and will not therefore impact on transport movements associated with the operations on the Pebble Hall site.
- 4.3.15 There are no impacts on ecology or biodiversity or archaeology given that the storage is not a "new" development and within a brownfield location.

Conclusion

- 4.3.16 Having considered the main environmental topics relevant to this proposal, it is clear that the proposed continuation of wood storage will not have adverse effects on the environment or local amenities.

5 CONCLUSIONS

- 5.1.1 This Planning Statement accompanies a planning application seeking retrospective planning permission to vary Condition 2 of an existing planning permissions for green waste storage and processing to also allow the continued storage of wood waste, at the Pebble Hall Farm waste complex, Theddingworth.
- 5.1.2 The storage of wood on has been ongoing for over 10 years, and has the benefit of an EA permit. However, the planning status of the wood storage has never been regularised. Therefore, it is proposed to seek a variation of the 2005 "green" waste permissions to allow the continuation of wood storage within these areas. A separate application seeks to regularise the 2003, green waste composting permission (DA/03/725C).
- 5.1.3 The land in question is brownfield land, currently used for waste management operations and has previously been considered by the County Council to comply with the Waste Spatial Strategy (Policy 11) and other elements of the Plan.
- 5.1.4 Waste management facilities should exist in locations where investment can be optimised and sustainable development can occur. The grant of planning permission for the various uses on site has generated significant investment in the facility and guarantees the long term future of the site and related employment.
- 5.1.5 The ongoing wood storage will take place at an existing waste management facility and on brownfield land within its curtilage. This would not represent in an intensification of wood waste arriving at the site, which is already permitted.
- 5.1.6 The environmental impacts of the proposed development have been considered in this Planning Statement. The development will cause no significant impacts and therefore it is an acceptable form of development in this location.
- 5.1.7 It is considered that the proposed development is in accordance with the Development Plan and accordingly planning permission should be granted for the storage of wood waste, retrospectively.