



## Town and Country Planning Act 1990

### PLANNING PERMISSION

#### Name and address of applicant

Welland Waste Management  
Theddingworth Road  
Marston Trussell  
Northamptonshire  
LE17 6NJ

#### Name and address of agent (if any)

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

### Part I - Particulars of application

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#### Date of Application

26<sup>th</sup> June 2019

#### Application No.

**NCC Ref:** 19/00040/WASVOC

**DDC Ref:** DA/2019/0587

### Particulars and location of development

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Variation of Condition 2 of planning permission DA/05/0773 to allow the storage of wood waste within the area currently permitted for green waste composting at Pebble Hall Farm, Theddingworth Road, Marston Trussell, Northamptonshire, LE17 6NJ

### Part II - Particulars of decision:

#### The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

#### Commencement and Compliance

1. The development hereby permitted shall commence on the date of this permission.

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

#### Scope of Permission

**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.

2. The development hereby permitted is restricted to green waste composting and waste wood (which arises from within the green waste) storage only and no other form of waste storage or processing shall take place on the site.

Reason: To specify the approved documents in the interests of amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

### **Area of Site**

3. This permission relates to the areas shown edged red on the deposited plans GPP/PH/3/03 and ASC.05.412 received on 18th June 2008.

Reason: To define the boundaries of the composting and other operations having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

### **Access and Highway Safety**

4. The development shall not be commenced unless and until the use of the vehicular access in connection therewith, for which a separate application has been made to Leicestershire County Council has been approved by that Authority.

Reason: In the interests of highway safety and local amenity having regard to Policies 18 and 19 of the Minerals and Waste Local Plan (2017).

5. All vehicles leaving the site in connection with this development shall be controlled to ensure no mud or other debris is deposited on the public highway.

Reason: In the interests of highway safety and local amenity having regard to Policies 18 and 19 of the Minerals and Waste Local Plan (2017).

### **Hours of Working/Human Health**

6. The development hereby permitted shall be restricted as follows:-

- i. No turning or screening of compost, in outside windrows, on the land shall take place other than between the hours of 05.00 until 07.00 and 18.30 until 20.00 Mondays to Fridays and on Saturdays and Sundays, all of which shall be controlled in relation to the operations at the adjacent B8 units, in accordance with the Unilateral Obligation signed and dated the 6<sup>th</sup> October 2003.
- ii. The removal of compost from the site shall be restricted to the following periods:
  - October to March 07.00 to 18.00
  - April to September 06.00 to 21.00

Reason: In the interests of the amenities of the area as a whole and nearby residential occupiers in particular and having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

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## Surface Water Drainage

- ~~7. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Waste Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans. Scheme submitted and discharged.~~

Reason: To prevent the increased risk of flooding to third parties and to reduce the risk of pollution of controlled waters as specified by the Environment Agency having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

## Method of Working

8. The turning and removal of compost, in outside windrows, shall only take place during suitable weather conditions in terms of wind direction, this shall be monitored, and the additional safeguards provided, as set out in the revised Risk Assessment submitted in connection with the original application DA/03/725C and dated the 28<sup>th</sup> August 2003.

Reason: In the interests of public safety having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

## Site Works/Landscaping

9. The composting operations shall take place on an impermeable pad and the soils excavated shall be used in connection with the restoration of the land to the rear of the farm buildings complex.

Reason: To ensure that existing stored and newly excavated materials are used for the benefit of the whole development in the interests of visual amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

10. The demolition materials currently stored on the land to the rear of the farm buildings shall be crushed and screened and used for the formation of the impermeable pad at the composting site. This area of land shall then be re-graded, covered with soil, seeded and maintained as grassland. Prior to the commencement of these operations, temporary fencing shall be erected alongside the River Welland to prevent any spillage of materials and drainage to the watercourse.

Reason: To ensure that existing stored and newly excavated materials are used for the benefit of the whole development in the interests of visual amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

## Restoration

11. Except as may otherwise be agreed in writing by the Waste Planning Authority, in the event of the composting operations ceasing, the impermeable pad shall be removed and the land shall be restored to an agricultural use in accordance

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with a scheme to be submitted to the Waste Planning Authority for agreement in writing. The scheme as agreed shall thereafter be implemented in full.

Reason: To retain control over the detailed appearance and treatment of the development in the interests of the amenities of the area as a whole having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

### **Stockpile Height**

12. Green waste storage and the windrows shall be confined to mounds not exceeding three metres in height.

Reason: To safeguard the visual amenities of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

### **Consignment Note Records**

13. Consignment note records and waste transfer note records relating to materials imported to, stored on or taken away from the site shall be made available to the Waste Planning Authority within 5 working days upon request in writing.

Reason: In the interests of sustainable waste management, and in order to comply with the proximity principle in accordance with policies 4 and 18 of the Northamptonshire Waste Local Plan (2006).

### **Annual Throughput**

14. The development hereby permitted shall not exceed a total annual throughput of 25,000 tonnes per annum.

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

### **Monitoring/Catchment Area**

15. The operators of the site shall at a minimum of 12 monthly intervals provide in writing to, and upon request by, the Waste Planning Authority detailed information on the quantities and types of all waste materials brought on to the site for re-use, recovery, and disposal. Such information will only be used in aggregated format as part of an Annual Monitoring Report produced by the Waste Planning Authority.

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policy 10, 12 and 25 of the Minerals and Waste Local Plan (2017) and to ensure that waste materials are dealt with close to their source in accordance with Policy 19 of the Minerals and Waste Local Plan (2017).

16. The operating company shall keep records of the quantity of waste received by weight and its source and the number of traffic movements to and from the site and these records shall be provided to the Waste Planning Authority within

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seven days of a written request. All such information supplied will be treated on a confidential basis.

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policy 10, 12 and 25 of the Minerals and Waste Local Plan (2017) and to ensure that waste materials are dealt with close to their source in accordance with Policy 19 of the Minerals and Waste Local Plan (2017)

## Complaints

17. In the event that complaints regarding odour, noise, lighting and/or dust are received by the Waste Planning Authority from any sensitive receptor, and thereafter notified to the operator, an assessment of the complaint shall be undertaken by the operator. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures and works to be undertaken shall be submitted to the Waste Planning Authority for agreement in writing no later than five working days from the receipt of the complaint, unless a later date is otherwise agreed in writing by the Waste Planning Authority. The remedial measures agreed in writing shall thereafter be implemented and maintained thereafter.

Reason: In the interests of amenity protection having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

## Informative(s)

1. We would like to draw to the applicant's attention, although the variation of condition would enable compost to be removed from the site at any time, standard procedures would still apply requiring due care and attention when handling waste. Additionally, compost should not be removed during inappropriate weather conditions.
2. The variation of condition for this site may require a variation to the existing Environmental Permit. Please contact the Environment Agency for further details.
3. Additionally, the site management plan, submitted in support of the Environmental Permit, will require updating in order to ensure appropriate management measures.

## 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 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.

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Date: 12/09/2019

Signed: 

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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