



Minerals and Waste Planning Service
for Northamptonshire
West Northamptonshire Council
One Angel Square
Angel Street
Northampton NN1 1ED
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www.westnorthants.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 PLANNING PERMISSION

Agent

Peter Frampton
Frampton Town Planning Ltd
Oriel House
42 North Bar
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Applicant

Mr M Jordan

Part I Particulars of Application

Reference No: **20/00070/WASCOU**
Date Valid: **8 January 2021**
Date of Decision: **3 August 2021**

PROPOSAL: Change of use of storage and industrial yard for the purposes of an operational yard for the crushing and screening of hardcore and soils; formalisation of existing access

LOCATION: Former POW Camp, Boddington Road, Byfield NN11 6XU

Part II Particulars of decision:

The West Northamptonshire 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** above in accordance with the application and plans submitted subject to the following conditions: -

Commencement and Compliance

1. The development hereby permitted hereby permitted shall be begun before the expiry 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 7 days of such commencement.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

20/00070/WASCOU

Scope of Planning Permission

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

Planning Documents

- Application Forms dated 8 January 2021
- Planning Statement prepared by Framptons dated January 2021

Drawings

- Drawing No. PF10451.01 Rev A Site Location Plan
- Drawing No. PF10451.02 Rev D Site Layout Plan
- Drawing No. PF10451.03 Illustrative Catchment Area Information

Supporting/Technical Information

- Access Appraisal prepared by David Tucker Associates dated 5 November 2020
- Brochure – TrommALL 3500TR
- Brochure – Bison 120 Jaw Crusher
- Photo of existing western access
- Photo of excavator

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

3. The development hereby permitted shall not exceed an annual throughput of 24,750 tonnes per annum and shall be restricted to the sorting and transfer of non-hazardous construction, demolition and excavation waste. No hazardous wastes shall be stored or processed at the site.

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

Stockpile Heights

4. All stockpiles of either imported inert waste or processed inert waste shall, at no times, exceed five metres in height in relation to the immediate ground levels, except for stockpiles of screened soils which shall, at no times, exceed three metres in height.

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

Hours of Working

5. Except as may otherwise be agreed in writing by the Waste Planning Authority the development hereby permitted shall be restricted to the following times:
 - 07:00 to 18:00 hours Monday to Friday (crushing and screening operations restricted to between 08:00 and 16:00 hours)
 - 07:00 to 14:00 hours Saturday (crushing and screening operations restricted to between 08:00 and 12.00 hours)
 - No working on Sundays, Public or Bank Holidays (no crushing and screening operations permitted)

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

Highway Safety

6. All vehicular access to the site shall be via the existing access off Boddington Road which is to be improved in accordance with the requirements of condition 7 and all vehicular egress from the site shall be via the existing shared access to the west of the site as indicated on Drawing No. PF10451.02 Rev D Site Layout Plan. All vehicles entering and exiting the site shall observe this one-way system.
7. The sole vehicular entrance for the development hereby permitted shall be via the existing access off Boddington Road (the easternmost access) and prior to the commencement of the development the access shall be improved in accordance with the specifications as indicated on Drawing No. PF10451.02 Rev D Site Layout Plan, including:
 - The access point shall be a minimum of 7.3 metres in width and shall be hard surfaced and maintained to the satisfaction of the Waste Planning Authority in consultation with the Highway Authority.
 - Gates erected at the site entrance shall open inwards toward the development site and left open during working hours.
 - Provision shall be made to ensure that surface water from the development site does not flow onto the highway carriageway.
8. The development hereby permitted shall be controlled to ensure that all Heavy Goods Vehicles (HGVs) arriving at and leaving the site shall be no larger than 4 axel rigid HGVs up to 12 metres in length and 2.5 metres wide. No articulated HGVs shall be utilised.

9. The total number of HGV movements associated with the operational phase of the development hereby permitted shall not exceed 12 movements (6 in and 6 out) per day. No HGV movements shall take place outside the working hours authorised in condition 5 of this permission.
10. No HGVs arriving at or leaving the site shall travel along The Twistle, Byfield to gain access to/from the A361.
11. All operational vehicles arriving at and leaving the site shall be appropriately sealed so as to prevent material spillage, wind blow and dust nuisance.
12. All operational vehicles leaving the site shall be free of mud and other debris to ensure no mud or other debris is deposited on the public highway.

Reason for conditions 6 to 12: In the interests of highway safety and local amenity having regard to Policy 18 and 19 of the NMWLP (2017).

Weighbridge

13. Prior to the importation of waste materials:
 - (i) either a weighbridge shall be installed on site at a location to be submitted to and approved in writing by the Waste Planning Authority; or
 - (ii) details of an alternative means for recording the importation of waste materials shall be submitted to and approved in writing by the Waste Planning Authority.

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles of Policy 10 of the NMWLP (2017) and to ensure that waste materials are dealt with close to their source having regard to Policy 19 of the NMWLP (2017).

Amenity Impacts

14. The rating level of the noise emitted from any plant or equipment associated with the development shall not exceed 31dB LAeq (15 min) when measured 1 metre from the façade of any residential property. Measurements and assessment of noise levels shall be made in accordance with current guidance and shall be carried out by a competent person.
15. Suitable measures, including the use of water spray facilities in periods of dry weather, shall be adopted to ensure that dust is kept to a minimum on the site.

16. No vehicles or mobile plant used exclusively on site shall be operated unless they have been fitted with broadband 'white noise' reversing alarms or alternative 'quiet' noise systems.

Reason for conditions 14 to 16: In the interests of amenity protection having regard to Policy 18 of the NMWLP (2017).

Buildings, Plant and Machinery Details

17. No fixed buildings, structures (including security fencing), plant or machinery shall be erected external to existing buildings until details of the proposed location and external materials, colour and finishes have been submitted to and approved in writing by the Waste Planning Authority. Development shall be implemented in accordance with the approved details.

Reason: In the interest of the amenity of the local area having regard to Policy 18 of the NMWLP (2017).

External Lighting

18. No external lighting including mobile 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, sustainability and highway safety having regard to Policy 18 of the NMWLP (2017).

Complaints

19. In the event that substantiated complaints regarding odour, dust, noise or lighting 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 NMWLP (2017).

Catchment Area

20. All waste materials to be processed on the site shall originate from locations within the area shown on Drawing No. PF10451.03 Illustrative Catchment Area Plan unless an alternative local catchment is submitted and approved in writing by the Waste Planning Authority.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interests of self sufficiency and sustainability having regard to Policies 12 and 19 of the NMWLP (2017).

Monitoring

21. The operating company shall submit an annual report in writing to the Waste Planning Authority within one month of the first anniversary of operations commencing and at 12 monthly intervals thereafter. The report shall include detailed information on the types, quantities and sources of all waste materials brought on to the site and taken off the site, including records of vehicle movements demonstrating compliance with conditions 3 and 20. This information required by this condition shall also be supplied at any other time on request within the 12 month period by the Waste Planning Authority, within three weeks of a receipt of this request in writing.

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

INFORMATIVES

1. Requirements under Environmental Permitting Regulations 2016

The Environmental Permitting (England and Wales) Regulations 2016 state that permitted sites should not harm human health or pollute the environment. The operator is therefore required to have measures in place which will:

- Prevent pollution
- Ensure that there is no harm to human health, the quality of the environment, or the surrounding amenity
- Ensure that there is no offence to a human sense or damage to material property

The Environment Agency would likely reject any permit application which did not include this information.

The Environment Agency recommend that some form of dust suppression is put in place for the site, as it is possible that dust would be emitted from the crushing activity proposed.

The discharge of trade effluent associated with this development may require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency. You can find more information online at <https://www.gov.uk/environmental-permit-check-if-you-need-one> or contact the Environment Agency on 03708 506506 for further advice. You should be aware that the permit may not be granted. A permit will only be granted where the risk to the environment is acceptable.

Quality protocols: converting waste into non-waste products

Should the activity fall under 'converting waste into non-waste products' then the applicant should read the guidance on quality protocols which can be found here: <https://www.gov.uk/government/collections/quality-protocols-end-of-waste-frameworks-for-waste-derived-products>

2. Requirement for Minor Section 278 Agreement

Please note that on receipt of planning consent, and in order to carry out works within the highway to facilitate the crossover, the applicant will be required to enter into a minor Section 278 agreement with the Local Highway Authority. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Local Highway Authority Approved Contractor, who has the required and necessary public liability insurance in place. Further details regarding the costs and requirements associated with this agreement can be obtained from the Section 278 Team at the Local Highway Authority, however the agreement cannot be entered into until planning consent is granted.

POSITIVE AND PROACTIVE STATEMENT

In determining this application, the Minerals and Waste Planning Authority has worked positively and proactively with the applicant. The proposals and the content of the application have been assessed against relevant Development Plan policies, the National Planning Policy Framework, the National Planning Policy for Waste and the National Planning Policy Guidance. The applicant has been given advance sight of the draft planning conditions. This approach to this application has been taken in accordance with the requirement in the National Planning Policy Framework, as set

out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Dated 3 August 2021



Jim Newton
Assistant Director of Growth, Climate and Regeneration

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.