Mr Szymanski  
Northamptonshire County Council  
Planning Services  
NCC Place  
One Angel Square  
Angel Street  
Northampton NN1 1ED

Dear Dan,

Consultation response From Northamptonshire Highways  
Variation of various conditions to allow the night time tipping of waste  
Rushton Landfill Site  
Application references: 18/00027/WASVOC & 18/00028/WASVOC

In respect of your recent email and the consultation responses from Northamptonshire Highways dated 26th July, there appears to be an element of confusion as to the interpretation of the proposals. The first point to emphasis is that we are not seeking to increase total HGV movements above those currently permitted. The second point is that in varying the wording of conditions we are also attempting to rectify anomalies in the wording of certain current conditions approved.

As both responses deal with the same issues the below seeks to provide clarification to both applications.

Highways comments

Point 1

"The application seeks to remove the control of inert from the waste description and there are concerns over what type of waste and the potential impact should a spill occur within the public highway."

Inert waste was stipulated within the wording of the original condition as it solely related to the night time working of essential highway works (in which the waste arising would have been inert). It is now proposed to allow waste deliveries which would ordinarily be imported during daytime hours to deliver at night. The type of waste need no longer be restricted by conditions which relate to working hours. There is no proposal in accept any other waste into the site than that already permitted by both the planning consent and the Environmental Permit.

Point 2

"The application seeks to remove the waste description ‘material from essential highway works’ from condition 25 (8 & 12) but add it to condition 24 (7)."

The reason for this amendment is, as explained in point 1, all permitted waste types are being sort from different project streams (i.e. not exclusively road works) in these night time deliveries and therefore the reference to material from essential highway works has simply been removed from Condition 25 (8 & 12), removing the restriction of where the waste is generated. However, the reference to material from essential highway works is included within condition 24 (7) to allow this material to still be disposed outside of the building, (which is restricted in Condition 25 (12)) and all
other waste during these hours to be delivered into the building. This is being sought only from a limited period of time each year due to the relatively exposed nature of the delivery point.

Points 3 & 4

"The application seeks to increase the night-time operations from 10 days to 21 days with 10 HGV movements per hour between 19:00 and 06:00, a total of 110 HGV trips per night.

The application does not detail any highway mitigation works or improvement works to aid the passage of these extra vehicles nor the overall site vehicles movements of which these extra trips perform an intensification in use of the site as a whole."

The extant permissions we are seeking to vary do not limit the night time operations to 10 days and therefore struggle to understand the point being made. The approved limit of 21 days per annum for material generated from essential highway maintenance works is, as noted in point 2, limited due to the exposed nature of the tipping location. (Additional wording is proposed in Condition 12c of Consent 15/00086/VOC to clarify this point).

As there is no proposal to increase HGV numbers beyond those currently approved there would appear to be little justification for any additional mitigation or improvement works.

If, once this confusion has been resolved, there still remains an issue with controlling vehicles movements, we would readily accept a condition which restricts a figure of 5 loads per night averaged over a 5 day period.

This is calculated by taking the 110 movements currently permitted 21 days a year (i.e. 2310 movements per annum) dividing it by 252 (5 days a week x 52 weeks – bank holidays) allows 9 movements per night.

Other comments

With regard to substantiation of the operations over an extended night time period, we are not suggesting that these hours are essential for the construction of industrial estates. These hours are required to service the waste needs of businesses already operational especially in industrial setting where they have no restrictions in place for operational matters.

By way of an example on a search based on the postcode NN1, Mick George Recycling currently have 237 skips/waste bins in use, of these 95 have a preference for night time collections. The majority contracts the Company currently hold which have this preference are shops and restaurants located within “out of town” shopping districts and also include factories many which operate 24 hours a day. Their preference, as stated in the application, is to minimise disruption to their customers and operations within peak hours (i.e. standard day hours). The Company in other areas of the Country has contracts with hospitals and large food producers which stipulate that these times are not a preference but a necessity to secure the contract. If specific examples including customer names and contracts are required, we will have to seek permission from our customers and provide these on a confidential basis

With regard to addressing some of the comments it should be made clear that the proposal is solely to change the timings of deliveries and not the overall capacity or type of waste to be handled. However, in respect to noise issues, we have previously supplied a noise assessment associated with night-time tipping outside the confines of the enclosed building. As noted in para 5 of our cover letter,
submitted with the current planning application, that previous assessment would address the worst-case scenario.

In respect of previous odour complaints for avoidance of doubt, these have not been associated with the waste transfer station which is the subject of this application.

As noted elsewhere there is no proposal to increase the total HGV movements beyond those currently permitted; it is the distribution of these movements that will change. The recent fatal accident involving an MGL vehicle is clearly regrettable, but we feel this should have no bearing on the determination of the current application.

I trust the above goes some way to addressing the concerns raised but should you require any further information please do not hesitate to contact me.

Yours sincerely

[Signature]

John Gough
Planning Director