

North Northamptonshire Strategic Planning Committee 11 April 2022

| | |
|------------------------------|--|
| Application Reference | NN/21/00058/WASVOC |
| Case Officer | Helen Marsden |
| Location | Storefield Plant Gretton Brook Road Earlstrees Industrial Estate Corby Northamptonshire NN17 4BA |
| Development | Variation of condition 2 of planning permission ref. 20/00022/WASVOC to increase the stack height from 25m (currently permitted) to 35m |
| Applicant | ESF Energy Ltd |
| Agent | GP Planning Ltd |
| Ward | Corby Rural Ward |
| Overall Expiry Date | 29 April 2022 |

List of Appendices

Appendix A – Location Plan

Scheme of Delegation

This application is brought to the North Northamptonshire Council's Strategic Planning Committee because it falls outside of the Council's Officer Scheme of Delegation. The reason being that a material written objection has been received from a relevant parish council that is contrary to the officer recommendation. Additionally there has been more than three written material objections which cannot be overcome by the imposition of conditions.

1. Recommendation

- 1.1. That planning permission be GRANTED subject to the conditions being varied as listed in Section 11 below.

2. The Proposal

- 2.1 Permission for a waste use at the site was first granted in 2009. The Renewable Fuel Production and Recycling Facility has permission to process up to 154,000 tonnes per annum of refuse derived fuel (RDF). Over time elements of the original permission have been varied including the building design, site layout, catchment area and annual throughput (see the table below in section 4 for the recent relevant planning history). The planning permissions for the facility were implemented in early 2014 by the digging of foundations and laying concrete and since that time the landowner has been endeavouring to secure an agreement with a company to invest in the plant and build and operate the facility.
- 2.2 The landowner has now secured new interest from a potential investor and operator (the applicant) who, following a review of the permissions relating to the site, considers the consented stack height of 25m inadequate for the purposes of Environmental Permitting requirements for the following reasons:
- a) The maximum predicted Process Contribution (PC) has not been provided. The report only provides the peak off site concentration at the closest receptor whereas the Environmental Permitting Regulations require provision of the highest ground level concentration at 'any' location. The maximum off-site impact will be much higher due to the short stack and as such the applicant does not consider the stack height to be adequate.
 - b) The Air Quality Assessment does not consider acidification or nutrient nitrogen deposition for habitat sites, which is a key requirement for the Environmental Permitting Regulations.
- 2.3 Consequently, the applicant is proposing to increase the stack height to 35m, which includes a margin of flexibility, to ensure the plant achieves Best Available Techniques (BAT) and improved air dispersion necessary to secure an Environmental Permit required to operate the facility. The stack may be built lower than 35m if allowed by the Environmental Permit. No other changes are proposed. There are two planning permissions for the facility which has resulted in two planning applications on the agenda for determination, that have the same issues and considerations, but which have separate officer reports.

3. Site Description

- 3.1 The application site is located to the north of Gretton Brook Road, to the north of Corby on the periphery of Earlstrees Industrial Estate. Access to the site is from Gretton Brook Road, and improvements to the access to facilitate the waste development have been approved but not yet implemented. The site is part of the area formerly used by the ironstone industry for repair and maintenance of plant and equipment. It is now used for inert waste recycling with industrial uses in the adjacent existing buildings. The site is bound by dense woodland to the north, east and west in Brookfield Plantation (a County Wildlife Site), and a power station and industrial estate lies to the south beyond Gretton Brook Road. Gretton Brook runs along the southern boundary of the site. The nearest residential receptor is the travellers site approximately 800m to the east, and the village of Gretton lies over 2km to the north.
- 3.2 Rockingham Castle scheduled monument is located approximately 2.6km to the west, and Kirby Hall scheduled monument is located approximately 2.8km to

the north east. A public footpath runs through Brookfield Plantation within 200m of the site.

4. Relevant Planning History

4.1 The following table lists all relevant previous planning applications:

| Application Ref. | Description | Approved/ Refused | Date decision issued |
|-------------------------|--|------------------------------|-------------------------------------|
| CO/05/0065 | Change of use from scrap metal yard to use for sorting and crushing of inert waste materials to produce recycled aggregates and soils | Approved | 10/05/2005 |
| 08/00097/WAS | The establishment of a renewable fuel production and recycling facility | Approved | 21/04/2009 |
| 09/00052/WAS | Building extension and revised access to the renewable fuel production and recycling facility | Approved | 22/10/2009 |
| 13/00060/WASNMA | Non-material amendment to permission ref. 09/00052/WAS for alterations to the building elevations and location of openings and revised site layout | Approved | 18/12/2013 |
| 13/00061/WASNMA | Non-material amendment to permission ref. 08/00097/WAS for alterations to the building elevations and location of openings and revised site layout | Approved | 18/12/2013 |
| 14/00093/WASVOC | Variation of condition 20 of permission ref. 08/00097/WAS for a revised catchment area | Approved | 24/03/2015 |
| 14/00094/WASVOC | Variation of condition 21 of permission ref. 09/00052/WAS for a revised catchment area | Approved | 24/03/2015 |
| 20/00022/WASVOC | Variation of condition 2 and 3 of permission ref. 14/00093/WASVOC to amend building elevations and annual throughput of waste | Approved | 05/08/2020 |

| | | | |
|-----------------|--|----------|------------|
| 20/00023/WASVOC | Variation of conditions 2 and 3 of permission ref. 14/00094/WASVOC to amend building elevations and annual throughput of waste | Approved | 05/08/2020 |
|-----------------|--|----------|------------|

5. Consultation Responses

Consultation on the planning application took place from 25/11/2021 to 20/12/2021. Notification of the planning application was made to the relevant statutory consultees and also to the local ward councillors. The application was advertised by way of a site notice and advertisement in the Northampton Evening Telegraph on 25/11/2021. The following is a summary of the responses received during consultation on this application. Full copies of responses can be made available to the committee members on request.

Representations from statutory consultees and local councillors

- 5.1 NNC Environmental Protection The proposed thermal treatment plant will run under an environmental permit issued and regulated by the Environment Agency (EA). The EA have confirmed that have no objections to the increase in stack height, but the development will require a variation of the existing environmental permit. The NPPF is quite clear in this respect. Paragraph 188 states *'The focus of planning policies and decisions should be on whether the proposed development is an acceptable use of the land, rather than the control of processes or emissions (where these are the subject of separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively'*. In this case the site has extant planning permission for the activity as described and emissions will be controlled through the environmental permit. As such no comments or objections are raised as emissions will be controlled through the environmental permitting regime.
- 5.2 Environment Agency
No objections to the applications but bring to the applicant's attention that the development will require a variation to the existing environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12.
- 5.3 Highway Authority (NNC)
No comments.
- 5.4 Gretton Parish Council – Object to the applications
The Parish Council objected to the original planning applications on many valid grounds, and the numerous representations/written objections from residents provided clear evidence of the overwhelming public opposition to the scheme. The Parish Council are disappointed that despite the significant concerns raised previously relating to the issues of landscape and impact of emissions, the promoters of these applications have brought forward proposals which the Parish Council considers will be further damaging without any attempt at mitigation. The Parish Council makes representations on the following:

- *Effect on Landscape*

Increasing the height of the chimney stacks from 25m to 35m will make these even more prominent, being visible above mature trees, and will cause visual impact on the landscape. This will cause significant harm to the views particularly from the Welland Valley and other areas of treasured countryside which will transform the present rural area into an industrial landscape.

- *Impact of Emissions and Pollution*

The Parish Council originally expressed concern at the proximity of the site to the village of Gretton and other communities. The plant will affect air quality and likely to emit potentially harmful gases, dust particles and other undesirable materials. The site is located to the south-west of Gretton and the Parish Council object on the ground that all emissions and odours emanating from the plant will be carried on the prevailing wind to the village where there will be significant impact and nuisance. The Parish Council understand the raising of the height of the stack will create an impact over a wider area leading to harmful impacts on public health and also on wildlife habitats and biodiversity.

5.5 Corby Town Council

Corby Town Council are aware of local concerns regarding this site and are monitoring the applications. The Town Council wish to be involved in any ongoing consultations/meetings involving this development.

5.6 Weldon Parish Council

No comments received.

5.7 Deene and Deenethorpe Parish Council

No comments received.

5.8 Councillor Kevin Watt (NNC Corby Rural)

Councillor Kevin Watt objects to the applications for the following reasons:

- Gretton Brook Road is not suitable for heavy goods vehicles due to its narrow nature and position of access. There has since been approval of a crematorium on Corby Road increasing the road usage considerably.
- Gretton Brook Road is in poor repair due to the impact of heavy goods vehicles. This plant will only exacerbate the poor state of the road.
- The original application was faulty if it needs amending. The applicant attempted minimum investment by proposing the shortest stack possible, and also demonstrated a lack of knowledge of Air Quality regulations in proposing a short stack. This indicates the applicant does not have the knowledge to safely run an incineration plant and that it will receive minimum investment.
- The applicant states development commenced in early 2014 by the digging of foundations and laying concrete. 7 years later it is clear there

is no market for this incineration plant. The applicant cannot raise funds to construct the plant. Will they have sufficient funds to run the plant safely?

- Burning leads to poor air quality. The plant will emit NOX, SOX, PM10, PM2.5, CO₂ and other gases which will reduce the air quality in the surrounding residential locations. Going forward North Northamptonshire will aim to improve its air quality and should this plant ever be constructed it would blight air quality in this area for at least the next 25 years.

5.9 Councillor David Sims (NNC Corby Rural)

Councillor David Sims objects to the applications for the following reasons:

- Visual impact and pollution effects on Gretton and Kirby Hall is a concern. NPPF paragraph 199 is specific about considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more impact the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- Increasing heavy goods vehicle movements to the suggested volumes on an already heavily used Gretton Brook Road calls into question the general traffic impact and sustainability. Bearing in mind other local planning approvals still to be developed, for example the crematorium on Corby Road, increase traffic movements and possible pedestrians.

Representations arising from public advertisement

5.10 A total of 6 representations have been received objecting to the applications. The following is a summary of the objections raised by representations received during consultation on this application. Full copies of responses can be made available to the committee members on request.

- Object to a waste plant of this nature in this location. An incinerator is not an environmental-friendly way to deal with waste. The Council should be promoting reduce, reuse, recycle as per the waste management hierarchy model.
- Major concerns regarding the impact on health and the environment from emissions from the plant over Gretton, Corby and other surrounding villages and towns in Northamptonshire, Rutland and Leicestershire arising from an increase in the stack height from 25m to 35m. The fact that the stack now needs to be higher to meet dispersion rates is of great concern to local residents.
- Major concerns regarding the emissions from vehicles transporting the waste from many miles away to feed it.
- The stack will be by far the highest and most prominent feature within the area and will be seen across the protected Welland Valley and from the Grade I listed Kirby Hall.
- The applicant is again seeking to increase the scope and impact of the development, as they did with various changes in incineration method and with the extended 30-mile limit. Without all the changes the developer says the waste plant isn't viable and they don't have the

financial backing. If this is the case then the sustainability of both the original and new applications is reason enough to reject the applications.

- Reiterate the Gretton Parish Council's objections.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2019)

National Planning Policy for Waste (NPPW) (2014)

6.3 The NPPW sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. This includes the delivery of sustainable development and helping to secure the re-use, recovery or disposal of waste in line with the principles of the waste hierarchy without endangering human health or harming the environment. The NPPW forms part of the overall national planning policy and is a material planning consideration in decisions on waste related planning applications.

6.4 The NPPW states that Waste Planning Authorities (WPA) should only expect applicant to demonstrate a quantitative or market need for waste management facilities where they are not consistent with an up-to-date Local Plan. The WPA also requires the WPA to consider the environmental and amenity impacts and concern themselves with implementing the planning strategy in the Local Plan and not with control of processes which are a matter for the pollution control authorities. WPAs should work on the assumption that relevant pollution control regimes will be properly applied and enforced.

6.5 Northamptonshire Minerals and Waste Local Plan (NMWLP) (2017)

Policy 10 – Northamptonshire's waste management capacity

Policy 11 – Spatial strategy for waste management

Policy 12 – Development criteria for waste management facilities (non-inert and hazardous)

Policy 13 – Locations for waste management uses (WL16 Corby –Earlstrees)

Policy 18 – Addressing the impact of proposed minerals and waste development

Policy 19 – Encouraging sustainable transport

Policy 21 – Landscape Character

Policy 22 – Historic Environment

Policy 23 – Layout and design quality

6.6 North Northamptonshire Joint Core Strategy (NNJCS) (2016)

Policy 3 – Landscape character

Policy 8 – Place shaping principles

7. Evaluation

The key issues for consideration are:

- Principle of Development

- Landscape and Visual Impact
- Impact on Neighbouring Amenity
- Cultural Heritage

7.1 Principle of Development

7.1.1 The previous planning permissions starting in 2008 (and 2009 and current extant permissions (20/00022/WASVOC and 20/00023/WASVOC) establish the principle of an energy from waste facility at this site in planning land use terms. The permissions have been lawfully implemented in early 2014 by the digging of foundations and laying concrete. The site is within the central spine and complies with the spatial strategy for waste management (NMWLP Policy 11). Furthermore, the site is within one of the identified locations for waste management facilities (WL16 Corby – Earlstrees) listed in Policy 13 of the NMWLP. Therefore, notwithstanding that there are objections by the local community to these applications against the principle of the development, these cannot be given any weight in the determination of the applications. The applications are solely to vary the planning conditions relating to the plans and elevations submitted with the 2020 applications and no other aspects of the permitted development. There is no change to the permitted maximum 154,000 tonnes per annum throughput and the related HGV traffic numbers. There are no grounds to reconsider the acceptability of the location for this development. Consideration of this application is restricted to the acceptability of the variation now proposed to increase the stack height from 25m (currently permitted) to 35m.

7.2 Landscape and Visual Impact

7.2.1 Gretton Parish Council, Councillor David Sims and local residents have raised objections that the increase in height of the stack would cause landscape detriment. Policy 18 of the NMWLP seeks to ensure 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. Policy 3 of the NNJCS requires development to conserve and where possible enhance the character and qualities of the local landscape.

7.2.2 The site is bounded by Gretton Brook Road and Brookfield Plantation and situated adjacent to an area of Corby that is characterised by industrial development. The proposal to increase the stack height of an already approved facility by 10m (less if the environmental permit allows) to 35m should be considered in the context that there are already structures in the Corby industrial estates which are more prominent, particularly the Corby Power Station stack at 70m high (350 metres to the southwest) and the Rockingham Speedway stands (1.4km to the east) (although the stands have permission for demolition if the owner chooses to do this). There is also a large logistic building (300m x 100m footprint -height not known) immediately south of the site at the other side of Gretton Road and beyond this to the west the larger part of the Earlstrees industrial area (site WL 16 in the NMWLP) and to the south the Corby North Eastern industrial areas (site WL18 in the NMWLP). Permission also exists for an energy recovery facility on land off Shelton Road, Corby (1,25km to the south east within the North Eastern industrial area, which has permission for a stack at 85m high). The landscape and visual impact of the proposed 35m stack therefore has to be considered in the context of the current built and consented

industrial developments in this part of Corby. Whilst it is acknowledged that the proposed development will have some landscape and visual impact, this will be largely limited to the localised area of the site and on balance there is considered to be no justification to refuse the change to the stack height in respect of landscape and visual impact having regard to Policy 18 of the NMWLP and Policy 3 of the NNJCS.

7.3 Impact on Neighbouring Amenity

7.3.1 Policy 18 of the NMWLP requires that proposals for waste development should demonstrate that any impacts associated with it such as air emissions have been addressed to ensure that the environment and local amenity are protected. Amenity policy is reinforced through Policy 8 of the NNJCS which states that development should '*ensure quality of life and safer and healthier communities by protecting amenity by not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking*'. It is necessary to consider therefore whether the proposals will be acceptable in terms of amenity impact having regard to the requirements of these policies. Gretton Parish Council, Councillor Kevin Watt, Councillor David Sims and local residents have raised objections that emissions from the plant would cause detrimental impact to health and the environment.

Air Emissions

7.3.2 The applicant explains the proposed increase in height of the stack is required because the stack height of 25m has been found to be inadequate for the purposes of environmental permitting (see paragraph 2.2 above). The applicant has therefore submitted a Stack Height Analysis to accompany the application to determine an appropriate stack height that is in line with Best Available Techniques (BAT) and the key requirements of the environmental permitting regulations. The emissions of NO_x and ammonia (NH₃) were used to assess the air quality impacts of the waste facility with varying stack heights. The analysis concludes that the stack height of 25m is acceptable for human health exposure, however taking into consideration sensitive local ecological receptors and the requirement to meet BAT for permitting, a stack height of 31m would be more appropriate. In order to allow a degree of flexibility following future dialogue with the EA, the applicant decided to apply to increase the stack height to 35m.

7.3.3 To enable operation of the site, the EA have advised a variation to the existing environmental permit will be required. This will enable the EA to undertake a more technical assessment of the emissions generation of the plant and provide a mechanism for control to ensure acceptable levels are maintained and that the emissions from the plant comply with the required standards. Under the NPPW the WPA is required to assume that the relevant pollution control regime will be properly applied and enforced by the EA which has legal powers to fulfil this role. Ultimately, controlling emissions to air to an acceptable level in accordance with the specified technical standards is the responsibility of the Environment Agency.

7.3.4 Gretton Parish Council, Councillor Kevin Watt, Councillor David Sims and local residents have objected on grounds of potential health and environmental

impacts from emissions. However, the EA has not objected to the air quality impacts of the development (and referred to the need for a variation to the existing environmental permit). Furthermore, the Environmental Health Officers at the Corby and Thrapston Environmental Protection Teams have not raised objections regarding air quality impacts. There are no outstanding matters relating to air quality and the proposal is considered acceptable in respect of minimising potential adverse impacts from air quality to an acceptable level in accordance with the requirements in Policy 18 of the NMWLP and Policy 8 of the NNJCS.

7.4 Cultural Heritage

7.4.1 Policy 18 of the NMWLP requires the impact on heritage assets to be assessed. NMWLP Policy 22 requires proposals for waste development as sites with heritage assets, to conserve and enhance the historic environment through careful management of their significance and settings, including avoiding or mitigating potentially adverse effects, and enhancement through restoration schemes. Policy 2 of the NNJCS seeks to protect heritage assets. Rockingham Castle (Grade I) and the associated Park and Garden (Grade II*) and scheduled monument are located approximately 2.6km to the west, and Kirby Hall (Grade I) and the associated Park and Garden (Grade II*) and scheduled monument are located approximately 2.8km to the north east.

7.4.2 Councillor David Sims and local residents have raised concerns that increasing the height of the stack will have a negative impact on Kirby Hall. The two scheduled monuments in the vicinity are in excess of 2.5km distant from the site. The proposed stack will not be visible from any designated asset to the west, but glimpses of the stack may be possible from the east although it would be viewed in the context of the nearby industrial infrastructure including industrial buildings of greater height. Kirby Hall and gardens are set in the valley and the topography and intervening tree vegetation, and other built development (including Rockingham Speedway), along with the 2.8km distance, screen views from this heritage asset. As such there is considered to be no justification to refuse the change to the stack height in respect of impact on cultural heritage having regard to Policy 18 and 22 of the NMWLP and Policy 2 of the NNJCS.

8. Other Matters

8.1 Traffic and Highways Safety: Councillor Kevin Watt and Councillor David Sims noted concerns regarding HGV's exacerbating the poor state of repair of Gretton Brook Road. These are noted however no change to the permitted maximum annum throughput and related HGV traffic numbers is proposed and the Highway Authority has not objected to the development. The traffic movements are on the local highway network which serves Corby industrial estates. There is a planning condition which prevents HGV traffic from travelling through the village of Gretton.

8.2 Viability of the Development: Councillor Kevin Watt and local residents raise concern that the various changes sought over recent years call into question the viability of the plant, and if/when operational would it be run safely. Having regard to the NPPW it is not necessary for the WPA to expect the applicant to

demonstrate a quantitative or market need for waste management facilities where they are consistent with an up-to-date Local Plan.

- 8.3 Equality: The proposal would not give rise to any concerns with regard to equality.

9. Conclusion / Planning Balance

- 9.1 The principle of an energy from waste facility at this site is already established and the development has technically been implemented. The proposed variation to the existing permitted energy from waste facility is not considered to give rise to any significant detrimental impacts in terms of air quality, landscape and visual impact. Air quality will also be controlled by the Environment Agency as the pollution control authority under a variation to the existing Environmental Permit. It is therefore considered that the applications should be approved and the conditions varied as listed below.

10. Recommendation

- 10.1 That planning permission be GRANTED subject to the conditions being varied as listed below.

11. Conditions

1. Commencement

The development to which this permission relates has commenced.

Reason: To clarify the status of the permitted development.

2. Scope of Permission

Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be implemented and maintained in accordance with the details, mitigation measures and recommendations in the following approved documents and plans submitted under planning permissions 08/00097/WAS, ~~and 14/00093/WASVOC~~ **and 20/00022/WASVOC** and Non-Material Amendment 13/00061/WASNMA:

- i. Submitted site plan, GPP/SE/GBR/08/04
- ii. Ecological Constraints Appraisal by Lockhart Garratt dated 7.10.08
- iii. Flood Risk Assessment by Abington Consulting Engineers dated 6 Jan 2009
- iv. Comprehensive access & highway improvement plan 07046/260 dated February 2009
- v. Proposed Site Layout Plan, drawing GL000015D4001 Revision PO3
- vi ~~Proposed Elevations, drawing 201 Revision D, Proposed GA Elevations 154,000 Tonnes Per Year Throughput~~ **Proposed GA Elevations, 154,000 Tonnes Per Year Throughput, Drawing 201 Revision E**
- vii ~~Proposed Elevations, drawing 202 Revision B, Proposed GA Elevations 154,000 Tonnes Per Year Throughput~~ **Proposed GA Elevations 154,000 Tonnes Per Year Throughput, Drawing 202 Revision C**
- viii. Air Quality Assessment by Air Quality Consultants Ltd dated April 2020

3. The development hereby permitted shall not exceed a total annual throughput of 154,000 tonnes per annum.
4. The developer shall ensure that systems are in place to ensure that the site accepts and processes only waste of a non hazardous nature and that systems are in place to deal with any prohibited wastes delivered to site.
5. The applicant shall notify the Waste Planning Authority (WPA) in writing of the date upon which the proposed facility receives its first commercial import of waste for processing.

Reason for conditions 2 to 5: To specify the scope of the permission, the commencement date of waste import operations and in the interests of the environment, amenity and highway safety having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Construction Hours of Working

6. All works relating to construction or demolition shall be carried out only between the hours of 7.00am and 7.00pm Mondays to Fridays, 7.00am and 1.00pm on Saturdays thereafter and at no time on Sundays and Bank Holidays.

Reason: To ensure that the construction on site is carried out within reasonable hours so as to avoid disturbance to land users nearby in the interests of amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Documentation

7. From the date of the commencement and throughout development, a copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission, shall always be on display at the site office for inspection during normal working hours.

Reason: To ensure this planning permission and associated documents are available on site for reference and inspection.

Odour and Dust

8. Odour and dust shall be controlled in accordance with the scheme of control measures identified in the submitted planning application (Air Quality Assessment by Smith Grant LLP reference R1847-R01-v2 dated August 2013) and unless otherwise agreed in writing by the Waste Planning Authority shall respectively include:
 - a) For odour: an Integrated Management System which will monitor the plant operation and maintenance; the reception and process buildings will be placed under negative pressure; automatic fast acting roller doors fitted at all vehicular entrances on the reception building; provision of localised extraction at potential point sources of odour generation, minimising storage times for raw MSW (municipal solid waste); maintaining aerobic conditions

within degradable organic material during treatment, treatment of all extracted air through suitably designed and well maintained biological filtration system.

- b) For dust during construction: use of clean water for dust suppression, high standards of housekeeping, preventative maintenance programme, effective staff training, potentially dusty activities located away from the potentially more sensitive eastern boundary and dust suppression by regular spraying in dry conditions.
 - c) For dust from operations: full enclosure of all stages of the proposed processes, regular sweeping of the access road as necessary to avoid accumulation of dust and debris.
9. In the event that complaints regarding, odour and/or dust are received by the Waste Planning Authority from any sensitive receptor, and thereafter notified to the operator, an immediate assessment of the complaint shall be undertaken. 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 to be undertaken shall be submitted to the WPA no later than 5 working days from the receipt of the complaint, unless a longer timescale is otherwise agreed in writing by the Waste Planning Authority.

Reason for Conditions 8 and 9: To protect the interests of the area as a whole and in particular nearby residential occupiers in the interests of amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Noise

10. Noise emanating from activities carried out upon the site shall not exceed 50 dB LAeq, 1 hour during the hours 07:00 - 21:30 or 42 dB LAeq, 5 minutes during the hours 21:30 - 07:00 at a free-field position at the boundary of any residential premises which have planning consent at the time this permission is granted.
11. Manufacturer's guidelines relating to the servicing and maintenance of the silencers shall be followed and maintenance carried out at the appropriate intervals.
12. In the event that complaints regarding noise are received by the Waste Planning Authority from any sensitive receptor, and thereafter notified to the operator, an immediate assessment of the complaint shall be undertaken. 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 to be undertaken shall be submitted to the Waste Planning Authority no later than 5 working days from the receipt of the complaint, unless a longer timescale is otherwise agreed in writing by the Waste Planning Authority.

Reason for Conditions 10, 11 and 12: To protect the interests of the area as a whole and in particular nearby residential occupiers in the interests of amenity

having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Lighting

13. Lighting external to the buildings shall be in accordance with the submitted lighting scheme submitted on the 8 March 2012 and incorporating the following documents:

- a) Application to discharge conditions dated 12 March 2012;
- b) Lighting Floor Layout Plan , Drawing G007-01-03 dated 02.08.11;
- c) Lighting Elevations Plan , Drawing G007-01-03 dated 09.08.11 ;
- d) Lighting Site Layout Plan, Drawing G007-01-03 dated 09.08.11
- e) Lighting shall be switched off when not required;
- f) Minimise potential effects on bat flight paths through the use of low brightness lighting (such as low-pressure sodium) and restriction of lighting Brookfield Plantation; and

The approved details shall be implemented and thereafter the development shall be operated and maintained in accordance with the approved details.

Reason: To ensure that the Waste Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit in the interests of amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Highway Safety and Access

14. a) The Heavy Goods Vehicle access to and from the site shall only be gained via the access point onto the Gretton Brook Road shown on Drawing No. ACE 07046/260.

b) Vehicle Routing - Prior to the bringing of the plant into operation a scheme to control the routing of HGV's shall be submitted and agreed in writing by the Waste Planning Authority, which shall include no lorries or other heavy commercial vehicles based at or visiting the site travelling along Corby Road (the minor road between the village of Gretton and Gretton Brook Road) unless collecting waste from this village. The approved scheme shall be adhered to throughout the construction and operational periods of the development.

15. Waste importation operations shall not commence until the access has been improved in accordance with the following approved details and plans:

- a) Location Plan, Drawing No. 11005/101 Revision A dated 11/03/11;
- b) Proposed Highway Works Layout Sheet 1 of 3, Drawing No. 1105/102 Revision D dated 10.03.11;
- c) Proposed Highway Works Layout Sheet 2 of 3, Drawing 11/005/105 Revision B dated 08/07/11;
- d) Proposed Highway Works Layout Sheet 3 of 3, Drawing 11/005/105 Revision B dated 08/07/11;
- e) Highway works Standard Details, Drawing No. 11005/104 dated 07/04/11;
- f) HGV Swept Path Analysis, Drawing No. 11005/107 dated 08/07/11;

- g) Gretton Brook Diversion Temporary Works, Drawing No. 11005/108 Revision A dated 16/09/11;
- h) Gabion Wall Proposals, Drawing No. 11005/109 dated 24/11/11;
- i) Proposed Culvert Details, Drawing No. 11005/110 dated 24/11/11;
- j) Any gates shall be set back a minimum of 20m to the rear of the highway boundary (back of verge) and hung to open inwardly only.

The hard surfacing shall be completed in accordance with the approved details in accordance with a timetable to be agreed in writing by the Waste Planning Authority. The development shall be constructed in strict accordance with the approved details and approved vision splays retained thereafter. The site entrance and the internal road shall be maintained in a condition free from potholes while in use.

Reason for conditions 14 and 15: To safeguard the interests of highway safety and in the interests of amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Wheel Cleaning and Vehicle Sheeting

- 16. All operational vehicles leaving the site shall be cleansed of mud and other debris to ensure that there is no nuisance dust and no mud or debris is deposited on the public highway.
- 17. The developer shall put in place a system to ensure that all operational vehicles arriving at and leaving the site are appropriately sealed or covered so as to prevent material spillage, wind blow and odour nuisance.

Reason for Conditions 16 and 17: To ensure satisfactory means of access to the highway, safeguard the interest of users of the public highway and highway safety having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Monitoring

- 18. Heavy Goods Vehicle movements associated with the development hereby permitted shall be restricted to an annual average of 140 movements per day (i.e. the combination of HGV's entering and exiting the site averaging 70 in and 70 out per day) and recorded details of the number of HGV vehicular movements, including the weight and category of waste delivered or collected, shall be provided to the Waste Planning Authority within seven days of a written request.

Reason for condition 18: To control any additional pressure on the existing highway infrastructure, in the interests of highway safety and convenience having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

- 19. The operating company shall keep records of the quantity of waste received by weight, its source and Heavy Goods Vehicle (HGV) movements associated with the development and these records shall be provided to the Waste Planning Authority within seven days of a written request. All such information supplied will be treated on a confidential basis.

20. The operators of the site shall submit an annual report in writing to the Waste Planning Authority within one month of the end of the calendar year and at 12 monthly intervals thereafter. The annual report shall incorporate the records required by conditions 18 and 19 above and demonstrate compliance with catchment area controls required in condition 21. This information shall also be provided within 4 weeks of a written request by the Waste Planning Authority.

Reason for condition 19 and 20: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policy 10 of the Northamptonshire Minerals and Waste Local Plan (October 2017) and to ensure that waste materials are dealt with close to their source in accordance with Policy 19 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Catchment Area

21. With the exception of a 15% calendar year allowance, and the exclusion of the types of waste in condition 30 all waste materials to be processed on the site shall originate from locations within the indicative catchment area as shown on No. 4 submitted Plans by Monksleigh referenced 'Task No. 016AZ 1-4,'Estimated Drive Time Service Areas', attached to this planning permission, unless expressly approved in writing by the Waste Planning Authority on the basis that evidence is submitted which the Waste Planning Authority agrees demonstrates:

- The waste is part of a temporary (two years or less) contract while processing facilities are constructed closer to the source; or
- Other circumstances where there is a justified need to utilise the facility.

Reason: To ensure that the materials are dealt with as close to their source as possible in the interests of self sufficiency and sustainability having regard to Policy 12 of the Minerals and Waste local Plan (October 2017).

Visual Amenity and Design

22. The new buildings shall be constructed to match the existing building on the site and the exterior shall be constructed of corrugated steel sheeting and finished in dark grey.

Reason: To protect the interests of local visual amenity having regard to Policy 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Biodiversity and Landscaping

23. The management and maintenance of the existing planting alongside Gretton Brook shall be in accordance with the details in the submitted Discharge of Conditions statement received on 8 March 2012 and undertaken on a 7 year cycle for the duration of the operational life of the development hereby permitted including;

- Coppicing of shrub species to maintain visual screening of the development

from Gretton Brook Road;

- Management of damaged trees in the interests of both health and safety and biodiversity;
- Replacement planting (to exclude Common Ash) shall use species that are native, of local provenance and include a high diversity of species in order to provide varied food sources for native birds as well as visual screening and general biodiversity functions;
- Tree management advice shall be sought from a qualified arboricultural consultant; and
- Planting shall be maintained for the life of the facility and any plants which die or become diseased in this period shall be replaced in the following planting season.

24. Prior to the importation of waste to the site, bird and bat boxes shall be installed in accordance with the details in the submitted Discharge of Conditions statement received on 8 March 2012 and Drawing No. GPP-GE-GBR-12-01 Revision 1 dated 02.03.2012 and in accordance with the following requirements:

- Bird and bat boxes shall be positioned by suitably qualified personnel and both number at least 20 suitably designed boxes;
- The boxes shall be appropriately maintained for the life of the facility and any lost or damaged shall be replaced no later than the following winter season.

Reasons for conditions 23 and 24: To protect the interests of design, landscape character, biodiversity and local amenity having regard to Policy 20 and 21 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Surface Water

25. Unless otherwise agreed in writing by the Waste Planning Authority, surface water controls shall be:

- in accordance with the amended flood risk assessment (FRA) by Abington Consulting Engineers Ltd dated 6 January 2009; and
- designed to reduce the risk of flooding without affecting flood risk elsewhere; and
- be consistent with those advocated for sustainable urban drainage schemes; and
- be designed and maintained for the lifetime of the development.

Reason: To ensure surface water runoff is successfully managed thereby ensuring flood risk to other persons or parties does not increase having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Groundwater and Contaminated Land

26. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Waste Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Waste Planning Authority for the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To protect controlled waters having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Groundwater Protection

27. All wastes accepted onto site must be handled (stored, separated and treated) in an enclosed area and on an impermeable surface with a sealed drainage system.
28. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be provided with adequate, durable secondary containment to prevent the escape of pollutants. The bunded area shall be designed, constructed and maintained in order that it can contain a capacity not less than 110% of the total volume of all tanks or drums contained therein.
29. All filling points, vents, gauges and sight glasses should be bunded. Any tank overflow pipe outlets shall be directed into the bund. Associated pipework should be located above ground and protected from accidental damage. There shall be no gravity or automatic discharge arrangement for bund contents. Contaminated bund contents shall not be discharged to any watercourse, land or soakaway.

Reason for conditions 27 to 29: To prevent pollution of the water environment having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Types of Waste

30. Waste to be managed and imported to the site shall exclude untreated/unsorted Municipal Solid Waste (MSW), Construction, Demolition and Excavation Waste (CD&E), and green waste. These wastes shall only be imported to the site if sourced from and in accordance with, an indicative catchment area plan identifying a sub regional catchment for each type of waste which shall be submitted to and agreed in writing by the Waste Planning Authority prior the importation to these wastes to the site.

Reason: To ensure that the development complies with the definition of a facility serving a Regional Catchment in accordance with Paragraph 5.102 of the Minerals and Waste Local Plan (October 2017) and having regard to the requirements in Policy 12 of the Plan, in the interests of self sufficiency and sustainability.

Fire Risk Management

31. Prior to the importation of waste at the site, a fire risk management plan identifying the measures to mitigate and manage the risk of fire at the site shall be submitted to and approved in writing by the Waste Planning Authority. The plan shall take be based on the guidance by the Environment Agency 'Fire Prevention Plans Version 1, March 2015' and the Waste Industry Safety and Health Forum (WISH) 'Reducing the Fire Risk at Waste Management Sites'. The plan as agreed in writing shall be implemented and maintained thereafter.

Reason: In the interests of safety and amenity protection having regard to Policy 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (October 2017).