



Town and Country Planning Act 1990

**PLANNING PERMISSION**

<b>Name and address of applicant</b>	<b>Name and address of agent (if any)</b>
Northamptonshire County Council Waste Management PO Box 163 County Hall Northampton NN1 1AX	Atkins (Birmingham) Limited The Axis 10 Holiday Street Birmingham B1 1TF

**Part I - Particulars of application**

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<b>Date of Application</b>	<b>Application No.</b>
13 <sup>th</sup> May 2009	<b>NCC Ref:</b> 09/00034/WAS <b>KBC Ref:</b> KET/2009/0311

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**Particulars and location of development**

Proposed relocation of the existing Household Waste Recycling Centre (located on Cunliffe Drive) to land situated at the rear of the Kettering Depot, Robinson Way, Telford Way Industrial Estate together with the construction of a new access into the application site from Garrard Way.

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**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**

1. The development must be begun not later than the expiration of THREE years beginning with the date of this permission.

**REASON:** To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory

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Purchase Act 2004.

### **Scope of Planning Permission**

2. The development hereby permitted shall be restricted to the purpose provided for in Section 51 of the Environmental Protection Act 1990, and for no other purpose whatsoever.

REASON: To control the usage of the site.

### **Access and Highway Safety**

3. The sole vehicular access for the development hereby permitted shall be by shall be that shown on Drawing No.5080830/PLN/106 Revision D received on 15th June 2009. This access shall be laid out in accordance with this plan prior to the commencement of any operations on site.

REASON: To ensure a satisfactory means of access to the highway in the interests of highway safety. (Northamptonshire Waste Local Plan 2006, Policy 8).

4. Prior to the bringing into use of the development hereby permitted a Traffic Regulation Order to secure parking restrictions on Garrard Way shall have been pursued with the Highway Authority.

REASON: To safeguard highway safety. (Northamptonshire Waste Local Plan 2006, Policy 8).

5. Construction of the HWRC facility hereby permitted shall not commence until a Method Statement detailing proposals to manage traffic during the construction period (including measures to minimise disruption and deposition of mud onto the public highway) has been submitted to the Waste Planning Authority for approval and shall then be fully implemented in accordance with the details as may approved in writing.

REASON: To safeguard highway safety. (Northamptonshire Waste Local Plan 2006, Policy 8).

### **Layout**

6. The layout of the site shall be undertaken in accordance with the details contained in Drawing No.5080830/PLN/100 Revision C received on 13th May 2009 unless otherwise agreed in writing by the Waste Planning Authority.

REASON: To ensure that the Waste Planning Authority retains control of the layout and location, erection, appearance and removal of buildings and foundations in the interests of amenity (Northamptonshire Waste Local Plan (2006) Policy 15).

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## Hours of Working

7. Except as may otherwise be agreed by the Waste Planning Authority, the use of the Household Waste Recycling Centre hereby permitted and any associated activities shall be restricted to between the following hours:

### April to September

Monday to Friday	08.30-19.00
Saturdays, Sundays and Bank Holidays	08.30-17.30

### October to March

Monday to Friday	08.30-17.00
Saturdays, Sundays and Bank Holidays	08.30-17.00

8. Except as may otherwise be agreed by the Waste Planning Authority, construction of the Household Waste Recycling Centre hereby permitted and any associated activities shall be restricted to between the following hours:

Monday to Friday	07.00-18.00
Saturday	07.00-13.00

There shall be no construction works or associated activities on Sundays and Bank Holidays.

REASON: To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to nearby residential properties (Northamptonshire Waste Local Plan (2006) Policy 15).

## Noise

9. Prior to bringing into use the development, hereby approved, a detailed mitigation scheme for noise emitted from the development shall be submitted to and approved by the Waste Planning Authority. The scheme shall have full regards to all noise sources within the development site, and may include both structural sound insulation measures along with a noise management policy for the operational management of noise. The scheme shall be implemented prior to bringing into use the development, and once implemented shall be maintained and operated in accordance with the approved scheme. The scheme shall make full reference to the noise impact assessment submitted with the application (Kettering Household Waste Recycling Centre Noise Assessment – Atkins, Doc Ref 200//Nov/05/5041119.904), and memorandum from Atkins dated 3rd July 2009 reference 5080830.562.

REASON: To protect the amenities of nearby residential properties, in accordance with the General Sustainable Development Principles Policy 13 of the North Northamptonshire Core Spatial Strategy and Policy 15 of the

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Northamptonshire Waste Local Plan 2006.

## **Environmental Impact**

10. Prior to the bringing into use of the development hereby approved, a scheme for the operational management of dust and odour nuisance, in the form of a nuisance management policy, shall be submitted to the Waste Planning Authority for approval in writing. The nuisance management policy as finally approved in writing shall be implemented and maintained and operated in accordance with the approved scheme. The proposed scheme shall make full reference to the potential mitigation measures provided in chapter 5 – Nuisance Dust and Odour Assessment, of the Kettering Household Waste Recycling Centre – Air Quality Assessment, Atkins, Doc Ref Document 2, Job Number 504119.

REASON: To protect the amenities of nearby residential properties, in accordance with the General Sustainable Development Principles Policy 13 of the North Northamptonshire Core Spatial Strategy and Policy 15 of the Northamptonshire Waste Local Plan 2006.

## **Dust**

11. Provision shall be made at all times for the suppression of dust, including the use of water spray facilities, as necessary, to control adverse impact of fugitive dust emissions from vehicles entering, leaving or manoeuvring within, the site.

REASON: In the interests of amenity (Northamptonshire Waste Local Plan (2006) Policy 15).

## **Lighting**

12. No external lighting shall be installed until a scheme for such lighting has been submitted to the Waste Planning Authority and agreed in writing. The external lighting shall be implemented in accordance with the approved details.

REASON: To prevent light spillage and in the interest of residential amenity.

## **Contaminated Land/Risk Assessment**

13. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Waste Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Waste Planning Authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

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- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved prior to the bringing into use of the development.

REASON: To protect controlled waters having regard to Policy 13 of the Northamptonshire Waste Local Plan 2006 and Policy 13 of the North Northamptonshire Core Spatial Strategy 2008.

14. 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, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: To protect controlled waters having regard to Policy 13 of the Northamptonshire Waste Local Plan 2006 and Policy 13 of the North Northamptonshire Core Spatial Strategy 2008.

### **Surface Water Drainage**

15. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

REASON: To ensure that soakaways are not located in areas where contaminants are present in soil to prevent risk to controlled waters. (Northamptonshire Waste Local Plan 2006 Policy 13).

16. All surface water from parking and manoeuvring area and hardstandings shall be passed through a petrol/oil interceptor prior to disposal to groundwater, watercourse or surface water sewer and the interceptor shall be maintained in accordance with manufacturers' guidelines.

REASON: To protect controlled waters having regard to Policy 13 of the

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Northamptonshire Waste Local Plan 2006 and Policy 13 of the North Northamptonshire Core Spatial Strategy 2008.

### **Ecology/Biodiversity**

17. Measures for mitigation, compensation, habitat area retention, protection and biodiversity enhancement should be implemented in accordance with the recommendations contained in the Ecological Assessment Report No.C1125/V1 dated 25th June 2008 and the Addendum Report dated 5th August 2008 by Cresswell Associates, the Bat Report Revision A dated April 2009 submitted with the planning application and the Precautionary Method of Working agreed with Natural England in May 2009.

REASON: To protect the interests of design, landscape character, biodiversity and local amenity (Northamptonshire Waste Local Plan 2006, Policies 7, 9 and 15).

### **Landscaping**

18. Unless otherwise agreed in writing with the Waste Planning Authority the scheme of landscaping as detailed in Drawing No.5080830/PLN/105 Revision A shall be implemented in full in the first planting season (October to March) following the site commencing the operations hereby permitted. Any trees or shrubs which die or for any reason fail to become established within five years of planting shall be replaced during the following planting season with trees and shrubs of a similar size and species as those originally required.

REASON: To ensure the implementation and maintenance of the approved planting and landscaping scheme (Northamptonshire Waste Local Plan (2006) Policy 7).

### **Monitoring**

19. 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, together with an assessment of used and remaining capacity. Such information will only be used in aggregated format as part of an Annual Monitoring Report produced by the Waste Planning Authority.
20. The operating company shall keep records of the quantity of waste received by weight and its source 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.

REASON: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policy 1 of the Northamptonshire Waste Local Plan (2006) and the objectives of the National Waste Strategy for England 2007 and in accordance with Policy 27 of the Northamptonshire Waste Local Plan 2006.

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## Informative(s)

1. Memorandum dated 29th June 2009 from Sheila Cheney on behalf of the Highway Authority to Stuart Smith.

## REASONS FOR APPROVAL

It is considered that the principle of the proposal to develop a new HWRC for Kettering to replace the existing facility on Cunliffe Drive accords with the provisions of the Development Plan in particular with respect to Policies 1 (Principles for Waste Development), 2 (The Location of Waste Development), 4 (Development of Local Waste Facilities) and 17 (Waste Transfer, Recovery and Recycling) of the Northamptonshire Waste Local Plan (2006). Furthermore, subject to the imposition of appropriate conditions as set out above, and with particular respect to the provisions of Policy 8 (Traffic and Access), Policy 9 and 10 (Natural and Historic Environment), Policy 13 (Water Resources and Flooding), Policy 15 (Local Amenity) and Policy 27 (Monitoring) it is considered that the development as proposed would not give rise to any unacceptable amenity or other impacts and that permission should therefore be granted.

Date: 29<sup>th</sup> July 2009

Signed: 

For Chief Planning Officer

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