



# Planning Committee Report

**Committee Date:** 11 April 2022

**Application Number:** 20/00074/WASFUL

**Location:** Mick George Limited Waste Transfer Station, Lower Ecton Lane, Northampton, Northamptonshire NN3 5HQ

**Development:** Proposed extension to the existing waste recycling building (retrospective application)

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**Applicant:** Mick George Limited

**Agent:** N/A

**Case Officer:** Helen Marsden

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**Ward:** Riverside Park

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**Referred By:** Assistant Director of Place and Economy

**Reason for Referral:** Councillor call in

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

#### **Proposal**

The applicant is seeking retrospective planning permission for an extension to the waste recycling building, which has already been built by the applicant. The extension adjoins the northern elevation of the building and extends it by circa 3,000m<sup>2</sup>

The applicant indicates that no additional operations are proposed to take place at the site as a result of the building extension; the additional floorspace will allow more plant to be installed which will efficiently separate and sort a wide variety of material types (such as paper, card, plastics, metals and other recyclable products) with increased purity and recovery rates.

The site is currently consented to handle 300,000 tonnes of waste per annum and this proposal does not seek an increase in throughput of waste or vehicle movements from that currently permitted.

#### **Consultations**

The following consultees have raised **objections** or **concerns with** the application:

- WNC Northampton Area Planning (prior to local government re-organisation)
- Councillor Danielle Stone (Castle Ward)

The following consultees have raised **no objections** or **comments** on the application:

- West Northamptonshire Council- Northampton Area Environmental Protection (original objections overcome)
- West Northamptonshire Council- South Northamptonshire Area Environmental Protection
- North Northamptonshire Council- Planning
- North Northamptonshire Council- Environmental Health
- Ecton Parish Council
- Cogenhoe and Whiston Parish Council
- Brafield on the Green Parish Council
- Environment Agency
- Lead Local Flood Authority (original objections overcome)
- Highways England
- Highway Authority

4 letters of objection have been received and 0 letters of support have been received.

### **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted Northamptonshire Minerals and Waste Local Plan and the West Northamptonshire Joint Core Strategy as listed in detail at Section 5 of the report.

The report looks into the key planning issues in detail. Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **MAIN REPORT**

### **1. APPLICATION SITE AND LOCALITY**

- 1.1 The application site is an operational Waste Transfer Station located on the eastern edge of Northampton adjacent to the A45 route between Northampton and Wellingborough, within an industrial area along Lower Ecton Lane, Great Billing. Access to the application site is via an existing road within the sewage treatment works off Lower Ecton Lane.
- 1.2 Ecton Brook runs along the northern boundary providing separation from Lower Ecton Lane which runs parallel to the site. The A45 is located to the north beyond Lower Ecton Lane which is carried on a raised embankment and bridge. To the west lies the sewage works and grassland lies to the south and east although much of this land has planning permission for the extraction of sand and gravel (not yet started).

### **2. CONSTRAINTS**

- 2.1. The nearest residential receptors at Ecton Lane Park lie approximately 220m to the west of the site.

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The applicant is seeking retrospective planning permission for an extension to the waste recycling building, which has already been built by the applicant and is in use.
- 3.2. The extension adjoins the northern elevation of the building and extends it by 3,174m<sup>2</sup> (approximately 69m x 46m and 12m to the ridge), making the waste recycling building a total floorspace of 6,317m<sup>2</sup>.
- 3.3. The applicant indicates that no additional operations are proposed to take place at the site as a result of the building extension; the additional floorspace will allow more plant to be installed which will efficiently separate and sort a wide variety of material types (such as paper, card, plastics, metals and other recyclable products) with increased purity and recovery rates.
- 3.4. The site is currently consented to handle 300,000 tonnes of waste per annum and this proposal does not seek an increase in throughput of waste or vehicle movements from that currently permitted.

#### **4. RELEVANT PLANNING HISTORY**

- 4.1. The following planning history is considered relevant to the current proposal:

<b>Application Ref.</b>	<b>Proposal</b>	<b>Decision</b>
19/00056/WASFUL	Eastern extension to the existing operational waste transfer station as well as the establishment of an additional car park to the south of the internal access road	Approved 20/12/2019
19/00058/WASNMA	Non-Material Amendment to planning permission 16/00058/WASVOC for a revised site layout	Approved 20/12/2019
19/00004/WASFUL	Proposed extension to existing waste recycling building	Approved 03/05/2019
16/00058/WASVOC	Variations of conditions 7, 8 and 9 of planning permission 14/00096/WASFUL to extend operational hours and increase HGV movements	Approved 06/04/2017
16/00029/WASNMA	Non-Material Amendment to planning permission 14/00096/WASFUL for a revised site layout	Approved 03/08/2016
15/00062/WASNMA	Non-Material Amendment to planning permission 14/00096/WASFUL for an amended site layout	Approved 07/08/2015
14/00096/WASFUL	Waste transfer station, ready mix concrete plant and overnight parking of 15 HGVs	Approved 01/07/2015

- 4.2. The Waste Transfer Station was granted consent in 2015 for a new waste handling facility including the establishment of a recycling building located parallel with the western boundary of the site, which was modestly extended in 2019. The facility has permission to process up to 300,000 tonnes of waste per annum and is controlled by an environmental permit for the site which is enforced by the Environment Agency (except for the concrete batching plant which is regulated by West Northamptonshire Council Environmental Protection Team (Northampton Area)).

#### **5. RELEVANT PLANNING POLICY AND GUIDANCE**

## **Statutory Duty**

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

## **Development Plan**

- 5.2. The Development Plan comprises Northamptonshire Minerals and Waste Local Plan, adopted in 2017, and the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014). The relevant planning policies of the statutory Development Plan are set out below:

### Northamptonshire Minerals and Waste Local Plan (2017)

- 5.3. The relevant polices of the NMWLP are:

- 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 facilities
- Policy 18 - Addressing the impact of proposed minerals and waste development
- Policy 23 - Layout and design quality

### West Northamptonshire Joint Core Strategy Local Plan (Part One) (2014)

- 5.4. The relevant policies of the WNJCS are:

- Policy S10 - Sustainable development principles

## **Material Considerations**

- 5.5. Below is a list of the relevant Material Planning Considerations

- **National Planning Policy Framework (NPPF)**, , sets out the Government's planning policies for England and how these are expected to be applied. National policy statements form part of the overall framework of national planning policy and are a material planning consideration in decisions on planning applications. A fundamental element of the NPPF establishes a presumption in favour of sustainable development; for decision taking, this means that proposals for development that accords with the development plan shall be approved without delay and those which conflict should be refused.
- **National Planning Policy for Waste (NPPW)** was issued in October 2014 and sets out the Government's waste planning policies in England and this includes requiring waste planning authorities to consider the likely impact on the local environment and amenity when determining planning applications.

## **6. RESPONSE TO CONSULTATION**

Consultation on the planning application took place from 07/01/2021 to 04/02/2021. Notification of the planning application was made to the relevant statutory consultees and also to the local councillors. The application was advertised by way of site notices and advertisement in the Northampton Chronicle and Echo on 07/01/2021. In addition, direct notifications were sent to 43 properties in the vicinity of the development. The following is a summary of the responses received during consultation on this application

and includes any modifications or changes to consultation responses as a result of further information. The consultation took place prior to local government reorganisation but the consultee names given below relate to the position post reorganisation. Full copies of responses can be made available to the committee members on request.

Consultee Name	Comment
WNC Northampton Area Planning	<p>Originally raised the following concerns</p> <ul style="list-style-type: none"> <li>• The proposed building brings activities closer to residential properties and as a result is likely to result in adverse harm on the amenities of the occupants in terms of noise, dust and odour</li> <li>• Insufficient information has been provided in respect of updated supporting assessments</li> </ul> <p>But, following the submission of further information provided by the applicant regarding noise and dust, no objections were received from Northampton Area Planning.</p>
WNC South Area Planning	No comments received.
WNC Northampton Area Environmental Protection	<p>Insufficient information. Request a noise assessment to assess impacts on surrounding residential properties including an operational noise control scheme, and new/amended odour and dust control schemes.</p> <p><i>Officer comment: Further information was subsequently provided by the applicant regarding noise and dust. Environmental Protection have no outstanding issues.</i></p>
WNC Towcester Area Environmental Protection	No objections subject to the building being operated in accordance with the planning conditions imposed by the original consent and any controls imposed by virtue of the environmental permit.
NNC Wellingborough Area Planning	No objections.
NNC Wellingborough Area Environmental Protection	No comments.
Ecton Parish Council	For aesthetic and noise pollution reasons there should be adequate screening between the buildings and Lower Ecton Lane which should be fully maintained in the future.
Cogenhoe and Whiston Parish Council	As the application is retrospective there is little point being consulted.
Brafield on the Green Parish Council	No objections.
Environment Agency (EA)	No objections. The EA provided advisory comments relating to permitting matters.
Lead Local Flood Authority (LLFA)	<p>Initial response advised that there was insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.</p> <p><i>Having reviewed the applicant's submitted information located within the Drainage Assessment version 1 dated May 2021, the LLFA considered the impacts of surface water drainage had</i></p>

	<i>been adequately addressed and have no further comments.</i>
Highways England	No comments.
Historic England	No comments received.
Natural England	No comments received.
Public Health England	No comments received.
Highway Authority	No objections.
County Traveller Unit	No comments received.
Northampton Partnership Homes	No comments received.
Councillor Danielle Stone (Castle Ward)	Objects due to the impact on the local environment, particularly vehicle movements, noise and air quality. The nearest neighbours are the travellers who suffer the most from negative impacts such as reverberations causing their dwellings to shake, dust pollution settling on cars, pollution settling on dwellings penetrating inside dwellings and vehicle movements making Ecton Lane very busy and dangerous for children walking to school.

## 7. RESPONSE TO PUBLICITY

- 7.1. A total of four representations have been received objecting to the application, one of which represents the views of all residents at Ecton Lane Park. The following is a summary of the third party and neighbour responses received at the time of writing this report. Full copies of responses can be made available to the committee members on request.
- Question why the application is ‘retrospective’ as the building structure is almost complete.
  - Question whether the unit will operate 24/7.
  - Concern about the exit/junction of large vehicles Ecton Lane/Crow Lane which is already a hazardous junction. Perhaps a ‘No Right Turn’ would help traffic flow?
  - It is a large visible unit that can clearly be seen from many parts of Ecton and across the Nene Valley.
  - The health and mental wellbeing of the nearest residents at Ecton Lane Park is being put at risk from the dust and pollution arising from existing site activities, especially in the summer months when it is dry and the dust travels and settles on and in our homes. The residents feel that the extension and having more of what is already affecting them, in addition to contaminated soil, asbestos etc, will only make their lives more unbearable and put their health at more risk.
  - Cannot understand how the decision that existing activities on site are safe has come about when no tests have been undertaken.
  - Residents of Ecton Lane Park have issues with their homes shaking due to the heavy traffic, which will be worse if the extension is approved. They also suffer from noise generated from the vehicles in and out of the site as well as the activities on site, which will also be worse if the extension is approved. There is no footpath so it is dangerous for the residents to walk to school, bus stops etc due to the heavy traffic which will again be made worse if the extension is approved.

- Concerns about dust and odour affecting nearby businesses as well as the high level of traffic that this may attract to the Causeway.
- Requirement for more tree screening between the site and Lower Ecton Lane. Once planted it should be a planning condition that it is maintained and managed

## **8. APPRAISAL**

8.1. The main issues to consider in determining this application are:

- i. Whether the proposals accord with the policies of the NPPF and the Development Plan
- ii. Whether the impacts of the development are (or can be made) acceptable or would be significant enough to justify refusing the application. In particular the impacts on: amenity impacts (noise, odour, dust, air quality); traffic and highway amenity; and landscaping.

### Principle of Development

#### *National Planning Policy for Waste*

- 8.2. The National Planning Policy for Waste (NPPW) 2014 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.
- 8.3. The NPPW states that Waste Planning Authorities (WPA) should only expect applicants to demonstrate a quantitative or market need for waste management facilities where they are not consistent with an up-to-date Local Plan. The NPPW 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. Waste Planning Authorities should work on the assumption that relevant pollution control regime will be properly applied and enforced.

#### *Northamptonshire Minerals and Waste Local Plan 2017*

- 8.4. In terms of compliance with the Northamptonshire Minerals and Waste Local Plan (NMWLP), Policies 10 and 11 deal with the development of a sustainable network of waste management facilities able to meet the future waste capacity requirements and be appropriate for their location.
- 8.5. Policy 10 of the NMWLP sets out the indicative gaps in Northamptonshire's future waste management capacity and states that provision will come from a mix of extensions to existing sites, intensification or re-development of existing sites and new sites, providing they meet the spatial strategy for waste management and are assessed as meeting environmental, amenity and other requirements. The NMWLP also states that allocations for waste development will also contribute to meeting this provision. The extension to the waste recycling building is proposed by the applicant to not only assist in further controlling noise, dust and litter but also allow more plant to be installed which will efficiently separate and sort a wide variety of material types, the overall aim being to reduce the amount of material that needs to be sent to landfill. The proposal does not seek to undertake new operations within the extended building, or increase consented

input volumes or vehicles movements. The application site is allocated for integrated waste management use under Policy 13 of the NMWLP (as allocation WS1) and is one of only two such allocated sites within the plan. This therefore gives an in principle acceptance of waste development at this location. Furthermore, the Great Billing WTS is a committed site for waste use given that planning permission already exists for waste-related development here. The NMWLP is clear that proposals for extensions or change on committed sites must be in accordance with NMWLP policies, however it is accepted that being commitments confers a favourable status for continuation of a waste use where this meets the intent of the NMWLP strategy and policies, and is also in accordance with national planning policy.

- 8.6. With regard to Policy 11 of the NMWLP which deals with the spatial strategy for waste management, it is recognised that the majority of waste facilities should be sited within the central spine of the county, with most development concentrated in Northampton, Wellingborough, Kettering, Corby and Daventry. The application site is located within an existing waste management facility located on the edge of Northampton and in close proximity to the A45. Therefore, the development is considered to be in accordance with the spatial strategy and Policy 11 of the NMWLP.
- 8.7. Policy 12 of the NMWLP lists development criteria for assessing waste management facilities and requires waste development proposals to be in accordance with the spatial strategy for waste management, clearly establish a need for the facility, be in general conformity with the principles of sustainability, and facilitate the efficient collection and recovery of waste materials. The proposal complies with the spatial strategy and there is a need for the proposed extension to the waste recycling building to handle existing waste streams in a more efficient manner whilst increasing the recovery of waste materials for recycling which are currently being disposed of. Furthermore, the site has already proved sustainable (complies with the aims and objectives of the NMWLP) and waste will be imported/material exported for onward recycling in bulk loads minimising the transportation of material and ensuring the efficient collection and recovery of waste materials. Therefore, the development is considered to be in accordance with Policy 12 of the NMWLP.
- 8.8. Having regard to Policies 10, 11, 12 and 13 of the NMWLP, the principle of the development is considered to be clearly established and in accordance with the NMWLP. Consideration must also be given to the acceptability of the environmental, amenity and highway safety impacts of the development, as follows.

#### Amenity Impacts

- 8.9. Policy 18 of the NMWLP requires that proposals for waste development should demonstrate that any impacts associated with it such as noise and dust have been addressed to ensure that the environment and local amenity are protected. This is further supported by Policy 23 of the NMWLP which deals with the layout and design of waste development. Amenity policy is reinforced through Policy S10 of the West Northamptonshire Joint Core Strategy which states that development will 'minimise pollution from noise, air and run off'. 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.
- 8.10. Local residents including the occupiers of Ecton Lane Park have raised objections and concerns regarding the application. These relate to dust/air quality, noise, odour, HGV movements and working hours. Councillor Danielle Stone (Castle Ward, Northampton Borough Council and now West Northamptonshire Council) supported these objections and concerns. It's important to note that the boundary of the permitted site is not changed

by this application and therefore the site and the areas within the site where waste management operations can take place (and has previously) has not moved closer to the Ecton Lane Park resident's site.

#### *Dust/Air Quality*

- 8.11. Local residents of Ecton Lane Park and Councillor Stone have objected to dust impacts arising from the existing activities, especially during the summer months when it is dry, which they consider will be worsened by the proposals to extend the building.
- 8.12. The planning application is retrospective as the building extension was partially constructed at the time it was submitted and has now been completed and operational since early 2021. The applicant explains the extension enables the operations already permitted to be carried out within an enclosed environment which in their view can only reduce noise and dust emission levels. The proposal is not to introduce any new operations at the site.
- 8.13. A virtual meeting was held in early 2021 with a local resident of Ecton Lane Park (representing all residents of the traveller's site), , the EA, Northampton Area Environmental Protection, Councillor Stone and the applicant. Objections and concerns raised by residents of the traveller's site were discussed and in response to their concerns regarding dust the applicant agreed to undertake dust monitoring to determine both the quantity and the composition of any dust which may be generated from processes undertaken on site. The applicant identified four dust monitoring locations in the western section of the site in the vicinity of the extended recycling building, and installed Frisbee dust deposit gauges at each of these locations. The Frisbee gauge allows for a dust deposition rate to be calculated, which is a calculation of the mass of dust deposited per unit area, over a known period. The applicant provided dust monitoring information for three days in 2021 (31 March, 1 June and 29 October) which has been shared with the EA, Northampton Area Environmental Protection, the local resident and Councillor Stone.
- 8.14. The results indicate a wide range of dust deposition rates ranging from 1mg/m<sup>2</sup>/day to 52mg/m<sup>2</sup>/day. The EA's Ambient Air Monitoring Team inform us there are no statutory UK or European Community standards for the control of nuisance dust, however in the UK a 'custom and practice' guideline of 200mg/m<sup>2</sup>/day is generally used as an indicator of actionable dust nuisance. In terms of the amount of dust recorded at the four monitoring points, it is noted fairly low levels have been recorded given that 200mg/m<sup>2</sup>/day is generally used as an indicator of actionable dust nuisance. The highest level recorded was 52mg/m<sup>2</sup>/day at the monitoring point on the western site boundary to the south of the original recycling building in June, with the remaining results being considerably less/negligible. Following assessment of the dust monitoring data, the EA have confirmed they would not be requesting further information from the applicant at this stage based on the results. The EA would only request a Dust Management Plan if they substantiated that dust was an issue off site and/or likely to cause pollution. The local resident has been instructed to notify the EA as and when dust and air quality events of concern occur to enable them to be investigated in a timely manner. Northampton Area Environmental Protection note that the EA are not overly concerned by the levels recorded and are content to use their interpretation as they are the permit regulator for the site. No comments have been received from the local resident or Councillor Stone regarding the data.
- 8.15. In response to concerns raised at the virtual meeting in early 2021 regarding increased vehicle movements in the vicinity of Lower Ecton Lane and their emissions, it was decided the Northampton Area Environmental Protection Team would install two passive

nitrogen dioxide diffusion tubes in the locality to monitor vehicle related emissions from traffic on the local road network. One was installed next to the Home from Home Nursery on Crow Lane, and the other at the Lower Ecton Lane/Crow Lane junction. Raw data has been provided from June to October 2021, but we are advised it is not complete and subject to correction and therefore cannot currently be used to make comparisons to legal annual air quality objectives. The government have set a maximum annual average level of 40 micrograms per cubic metre of air (40mg/m<sup>3</sup>). The raw data ranges from 24.5mg/m<sup>3</sup> to 49.2mg/m<sup>3</sup>, however Environmental Protection advise they envisage the local final adjusted roadside levels at both locations will be below the annual air quality objective of 40mg/m<sup>3</sup> for nitrogen dioxide. As these two locations would represent worst-case roadside emissions, pollution levels attributed from the local road network on levels at the traveller site will most likely be well within legal levels due to the distance from Crow Lane. Whilst not directly relevant to this application, the nitrogen dioxide monitoring data is noted and provides valuable context to the site.

- 8.16. It is acknowledged that the recycling operations have the potential to emit dust and there are sensitive residential receptors in the vicinity of the site which could be affected by this. Having taken account of the submitted dust monitoring data, the responses from the relevant technical consultees, Councillor Stone and from members of the public (who raise concerns regarding dust and air quality in their representations), it is considered that subject to appropriate planning conditions the dust and air quality impacts would be low (the existing site is subject to an existing Dust Management Plan), can be managed to an acceptable level, and the development would be in accordance with Policy 18 of the NMWLP and the NPPW. Dust/air quality impacts are a responsibility of the EA as pollution control authority and are controlled under the environmental permit. In accordance with the National Planning Policy for Waste, the Waste Planning Authority should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

#### *Noise*

- 8.17. Paragraph 185 of the NPPF states that planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant impacts on health and the quality of life. Local residents and Councillor Stone have objected regarding concerns over noise impacts arising from proposed activities within the extended building.
- 8.18. Initial comments from the Northampton Area Environmental Protection Team requested a noise assessment be undertaken to assess the impacts on surrounding residential properties which, they note, should be an easy exercise given the retrospective nature of the application. Following agreement of the nature and scope of the assessment with Environmental Protection, the applicant submitted a noise assessment undertaken by a noise consultant to accompany the application. Noise monitoring took place during weekday periods at peak operational times, i.e. when most operations are taking place and thus likely to produce the highest noise levels. Two noise measurement positions were chosen: the north west corner of the site on the grass verge along Lower Ecton Lane; and the edge of the residential receptors to the north west off Lower Ecton Lane.
- 8.19. The survey results found that during the worst-case daytime and night-time periods, noise from the site was barely audible over road traffic sound at the nearest residential receptors. In fact, average ambient noise levels measured at the receptor (66 dB) were higher than those measured at the boundary of the site (64 dB) and therefore, no BS 4142 assessment was possible as it is not possible to discern the specific sound sources from the more dominant residual sound level. The noise consultant notes the measurements were conducted during a national lockdown when the site was operating

as normal, but road traffic was lower than normal. Therefore, they note the fact that site operations were not audible when traffic flows are lower than normal is a very good indication that during normal period with typical traffic flows, noise from the site will be masked further by road traffic noise. The noise consultant concludes that inaudibility for the majority of the time is a clear indication of no adverse impact. In coming to their conclusion they also note the impact the proposed extension would have on noise emanating from the site. Given the large area of external storage has been replaced and the building now acts as a noise barrier for external works central to the site, it would be expected that noise levels from the site would be lower than they previously were. Some operations may be taking place internally and closer to the receptors but the noise reduction provided by the building itself would afford at least 21 dB reduction to internal activities.

- 8.20. Following consideration of the noise information, and some further clarification of matters such as which plant/equipment were in use at the time of the survey, Northampton Area Environmental Protection considers that noise emissions from the plant/equipment within the new building are unlikely to affect residential amenity. The Officer notes the site has extremely high background noise levels from the road traffic, and as such any impact from the site plant is unlikely to be noticeable over the intended site use times.
- 8.21. The Environment Agency (EA) have been consulted and have no outstanding issues relating to noise impacts. Noise impacts are also a responsibility of the EA as pollution control authority and are controlled under the environmental permit.
- 8.22. It is acknowledged that the recycling operations have the potential to generate noise and there are sensitive residential receptors in the vicinity of the site which could be affected by this. Having taken account of the submitted noise information, the responses from the relevant technical consultees and from members of the public, it is considered that the noise impacts can be managed to an acceptable level in accordance with Policy 18 of the NMWLP and NPPW. Subject to conditions, including those relating to hours of operation and noise (including compliance with the approved Noise Management Scheme) relevant to the wider site, it is considered that there are no noise impacts which would justify refusal of this application.

#### *Odour*

- 8.23. Local residents and Councillor Stone have raised concerns regarding odour impacts arising from existing on site activities and proposed activities within the extended building. With regards to odour, the applicant states they operate a 'first in, first out' principle so as the oldest waste gets dealt with first and has less chance of producing an odour. By way of contingency the applicant have odour suppression systems (air spraying systems) that can be used should problematic waste streams arise. There is very little food waste that comes into Great Billing: 95% of the waste streams are construction wastes which do not create significant odour.
- 8.24. The EA have noted that odour from the waste treatment facility has not historically been an issue and it is likely that the activities contained within the extended building would reduce the risk still further. Similarly to dust and noise, the environmental permit condition relating to odour seeks to prevent emissions at a level likely to cause pollution beyond the site boundary, and would be addressed through the assessment and approval of an odour management plan. The Northampton Area Environmental Protection Officer agrees that a fully auditable and agreed odour management scheme would work if integrated into the permit, and then enforced as required. They consider this approach may give objectors confidence that an auditable agreed strategy is in place for dealing with odour events.

- 8.25. It is acknowledged that the recycling operations have the potential to generate a degree of odour and there are sensitive residential receptors in the vicinity of the site which could be affected by this, however historically odour has not been a significant issue at this site. Having taken account of the responses from the relevant technical consultees and from members of the public, it is considered that the odour impacts can be managed to an acceptable level in accordance with Policy 18 of the NMWLP and NPPW. Subject to conditions, including those relating to odour (compliance with the approved Odour Management Scheme) relevant to the wider site, it is considered that there are no odour impacts which would justify refusal of this application.
- 8.26. The potential amenity impacts relating to dust/air quality, noise and odour have been carefully considered having regard to comments received from statutory consultees and local residents. WNC Northampton Area Planning (prior to local government reorganisation) raised concerns regarding potential amenity impacts based on advice from Environmental Protection colleagues. WNC Northampton Area Environmental Protection have no outstanding concerns as explained in Section 8 of this report. The statutory consultees have no outstanding objections or issues and it is considered there are no impacts which would justify refusal of the application, subject to appropriate conditions. In accordance with the NPPW the Waste Planning Authority should work on the assumption that the relevant pollution control regime will be properly applied and enforced. In terms of the EA's future involvement with the site as the pollution control authority, their routine regular compliance inspections will continue (minimum annual visits), and any additional investigation or pro-active monitoring would be triggered by reports of specific incidents of pollution either from the residents of Ecton Lane Park, or elsewhere, via the EA's Incident Hotline number. Details of how to contact the EA in this way have been given to the residents of Ecton Lane Park for future reference. The EA's most recent routine compliance inspection was carried out in January 2022 at which a dust/odour/noise assessment along Ecton Lane was carried out prior to the site visit, the result being no issues to report.

#### Other Matters

##### *Traffic and Highway Safety:*

- 8.27. Concerns have been expressed by local residents and Councillor Stone over the potential traffic and highway safety impacts along Ecton Lane of the proposed development. These concerns 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. There is a planning condition which restricts HGV traffic numbers which will apply to the whole site. The total number of HGV movements are restricted to 480 movements (240 in and 240 out) per day Mondays to Saturdays, 40 movements (20 in and 20 out) per day Sundays and Public Holidays, and an additional 50 movements (25 in and 25 out) for 20 days per annum in association with the concrete batching plant operations.

##### *Landscaping:*

- 8.28. Ecton Parish Council and local residents have suggested more screening along the northern side of the site to help with aesthetics and noise control. The applicant does not however consider there are any suitable locations as to where additional meaningful tree planting can be undertaken. The scheme previously approved and implemented involved the extension and widening of an existing embankment which was tree planted. The internal Natural Environment Advisor concurs that adding more to the existing would just result in congestion as the vegetation grows. The existing planting needs time to

establish. The applicant also points out that bearing in mind Ecton village occupies a more elevated position compared with the site, it's unclear whether any screen/hedge will provide any further effective screening of the building. It is not considered any additional planting is required, and a condition requiring the existing landscaping is appropriately maintained is included in planning permission 19/00056/WASFUL.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. None.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The proposal is to seek retrospective planning permission for an extension to the waste recycling building making it approximately double the size. The applicant has built the extension and it has been in use since early 2021. The applicant has confirmed that no additional operations are proposed to take place within the new extension; the additional floorspace will allow more plant to be installed which will be used to separate and sort a wide variety of material types with increased purity and recovery rates. The site is currently consented to handle 300,000 tonnes of waste per annum and this proposal does not seek an increase in throughput of waste or vehicle movements from that currently permitted.
- 10.2. The principle of the proposed development is considered to be acceptable in accordance with Policies 10, 11, 12 and 13 of the Northamptonshire Minerals and Waste Local Plan and National Planning Policy for Waste. The objections raised by Northampton Area Environmental Protection, local residents and Councillor Stone regarding adverse amenity impacts such as noise, dust and odour have been considered carefully with the Environment Agency but these impacts can be mitigated and controlled by planning conditions and the environmental permit and would not justify refusal of the application. There are no outstanding objections to the application by the statutory consultees and it is considered that, subject to the imposition of suitable planning conditions to control and mitigate the development, there are no significant issues which would justify refusal of the application. The performance of the operator will be controlled by the Environment Agency through the environmental permit and in accordance with the National Planning Policy for Waste, the Waste Planning Authority should work on the assumption that the relevant pollution control regime will be properly applied and enforced.
- 10.3. The application has been assessed in relation to the Development Plan policies listed in section 5 of this report and the proposed development is considered to be acceptable having regard to Policies 10, 11, 12, 13, 18, and 23 of the Northamptonshire Minerals and Waste Local Plan and Policy S10 of the West Northamptonshire Joint Core Strategy and there are no justifiable reasons for refusal.

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

- 11.1. That planning permission is granted subject to following conditions:

### **Time Limit**

1. The development to which this permission relates has begun.

### **Scope of 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 27 November 2020
- Planning and Supporting Statement dated December 2020

*Drawings*

- Drawing No. G15/10/20/01 Location Plan
- Drawing No. G15/10/20/02 Revised Site Layout Plan
- Drawing No. G15/10/20/03 Proposed Extension Elevations

*Supporting/Technical Information*

- Drainage Assessment dated May 2021, Version 1, prepared by Amber Planning
- Noise Compliance Testing dated 26 February 2021, prepared by e3p

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

**Noise**

3. Compliance with the approved Noise Monitoring Scheme (Discharge of Conditions 15, 16, 20, 23, 26, 27 and 30 of Consent No. 19/00056/WASFUL, dated February 2020) approved 5 March 2020, shall apply to the extended building hereby permitted. The Scheme shall be implemented in full and maintained thereafter along with any subsequent remedial measure agreed under the requirements of condition 7 of this permission by the Waste Planning Authority.

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

**Dust**

4. Compliance with the approved Dust Action Plan ((Discharge of Conditions 15, 16, 20, 23, 26, 27 and 30 of Consent No. 19/00056/WASFUL, dated February 2020) approved 5 March 2020, shall apply to the extended building hereby permitted. The Plan shall be implemented in full and maintained thereafter along with any subsequent remedial measure agreed under the requirements of condition 7 of this permission by the Waste Planning Authority.

Reason: To protect the local amenity interests and human health risks, in particular relating to nearby residential occupiers having regard to Policy 18 of the NMWLP (2017).

**Odour**

5. A revised Odour Management Plan covering the extended Great Billing Waste Transfer Station to control odour shall be submitted for approval in writing by the Waste Planning Authority within 3 months of the date of this permission. The plan as approved shall thereafter be implemented and maintained, along with any subsequent remedial measure agreed under the requirements of condition 7 of this permission by the Waste Planning Authority.

Reason: To protect the local amenity interests and human health risks, in particular to nearby residential occupiers having regard to Policy 18 of the NMWLP (2017).

### **External Lighting**

6. No external 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 (away from the perimeter vegetation to keep the dark corridors for any commuting or foraging bats) 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 and sustainability having regard to Policy 18 of the NMWLP (2017).

### **Complaints**

7. In the event that any 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 NMWLP (2017).