

PLANNING COMMITTEE: 16th January 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1448

LOCATION: Land to the East of Great Billing Waste Recycling Centre

DESCRIPTION: Extraction of sand and gravel, construction of concrete batching plant, processing plant, including ancillary weighbridge, office, workshop, recycling activities and access, plus importation of inert material and restoration to agriculture and nature conservation

WARD: Other Authority

APPLICANT: Anglian Water Services Ltd
AGENT: Mark Hodgson

REFERRED BY: Head of Planning
REASON: Major Fringe Application

DEPARTURE: No

APPLICATION FOR CONSULTATION BY NORTHAMPTONSHIRE COUNTY COUNCIL:

1. RECOMMENDATION

1.1 **NO OBJECTIONS** subject to the following matters being taken into account and controlled by planning conditions:

- That further consultation is carried out with this Council prior to the agreement of the detailed noise management plan (including provision for review and details of bunding);
- Hours of work to be conditioned to restrict works on site to 07:00 - 18.00 Mondays to Fridays and 07:00 - 13.00 Saturdays, with no working on Sundays and Bank/Public Holidays;
- That further consultation is carried out with this Council regarding the details of the Lorry Management Plan and that a specification be included within the plan seeking all HGVs to be at least to Euro 6 category, in order to minimise the impact on air quality;
- That NCC consider seeking a financial contribution towards the Northampton Growth Management Scheme towards the Great Billing Interchange in addition to the highway works already proposed at the site access/Crow Lane junction.
- Light pollution from the site should be controlled in terms of intensity and direction to prevent adverse impact on surrounding residents, users of the highway network and wildlife in the locality.

2. THE PROPOSAL

- 2.1 The application relates to a consultation from Northamptonshire County Council (NCC) in respect of the extraction of sand and gravel, construction of a concrete batching plant, processing plant, including ancillary weighbridge, office, workshop, recycling activities and access, plus importation of inert material and restoration to agriculture and nature conservation.
- 2.2 The majority of the site falls within the administrative boundaries of the Borough of Wellingborough, but as the application relates to a minerals proposal, the application is to be determined by NCC.
- 2.3 The application has been accompanied by an Environmental Statement (including various surveys to record ecology, flooding, landscape impact, heritage impact, air quality and traffic), phasing plan, details of levels, details of structures to be placed on the site and restoration strategy.
- 2.4 Access to the proposed works is taken from an existing access onto Ecton Lane (near the recycling centre) and onto Crow Lane.
- 2.5 The structures on the site comprise of a concrete batching plant (maximum height 13.9m above ground level, a portable control cabin (6.05m x 2.4m x 2.7m), portable office/mess room (12.1m x 2.4m x 2.7m), workshop (18.3m x 9.2m x 4m to eaves), office and weighbridge, fuelling area, security compound, wheel washing area and car parking. These are located close to the access to the site.

3. SITE DESCRIPTION

- 3.1 The application site is located to the east of the sewage treatment works at Billing and covers an area of approximately 110 hectares. To the north is the A45 with Ecton beyond. Between the application site and the A45 lies the Ecton Travellers site.
- 3.2 To the south is the River Nene, with Cogenhoe and Whiston beyond. The application site extends to the east to a tributary from Sywell Country Park into the River Nene (Ecton Brook). To the east of this tributary is a further minerals extraction site where works have recently commenced.
- 3.3 The land is currently predominantly in agricultural use, but has also been used for sewage sludge disposal. It is a relatively flat piece of land, with a slight fall towards the River Nene. The site is surrounded by a mixture of hedges and woodland, but is visible from the A45.

4. PLANNING HISTORY

- 4.1 There are no relevant planning applications on this land, but historic planning consents exist for the extraction of minerals from land to the south and east of this site.
- 4.2 Land to the south/south-east is a historic minerals working site that has been landscaped to form a series of lakes, following extraction.

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies and the Northamptonshire County Council Minerals Local Plan.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 142 to 149 of the NPPF relate to minerals proposals, noting that they are essential to support sustainable economic growth and our quality of life. Proposals should consider the impacts on natural and historic environment, pollution and ensure that restoration and aftercare are carried out to the highest environmental standards. In addition the local planning authority is required to plan for future demand of minerals in local plans and designate minerals safeguarding areas to serve that need.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy S10 - Sustainable Development Principles
Policy BN1 - Green Infrastructure Connection
Policy BN9 – Planning for Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

Policy E20: New Development (design)

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

5.6 Other Material Considerations

Northamptonshire County Council Minerals Local Plan identifies the site as being within the Central Nene and Great Ouse Valley area of focus for extraction. Policy 28 states:

“Mineral resources of economic importance will be safeguarded from sterilisation by incompatible non-mineral development through the designation of Minerals Safeguarding Areas.

Development of a significant nature within Minerals Safeguarding Areas will have to demonstrate that the sterilisation of proven mineral resources of economic importance will not occur as a result of the development, and that the development would not pose a serious hindrance to future extraction in the vicinity. If this cannot be demonstrated, prior extraction will be sought where practicable.

Development of a non-mineral related nature within the Mineral Safeguarding Areas which is incompatible with the safeguarding of minerals should not proceed unless:

- it can be clearly demonstrated to the satisfaction of the Mineral Planning Authority that the mineral concerned is no longer of any value, or potential value, or that substantial (economically viable) deposits of a similar quality exist elsewhere in the county, or

- the mineral can be extracted, where practicable, prior to the development taking place, or
- the incompatible development is of a temporary nature and can be completed with the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed, or
- the development is of a minor nature which would not inhibit extraction of the mineral resource, or
- there is an overriding need for the development.”

5.7 In addition Policy 24 relates to restoration and after-use following extraction.

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **NBC Planning Policy** - In general the application does accord with the relevant planning policy set out in the Joint Core Strategy Policy BN1 Green Infrastructure Connections.
- 6.2 **NBC Public Protection** – comments provided in respect of noise and air quality, which have been incorporated into the appraisal below.

7. APPRAISAL

- 7.1 The application has been accompanied by an Environmental Statement which covers the principal environmental impacts of the proposal.

Noise and Disturbance

- 7.2 Given that this site is close to an already busy commercial sites including industrial units, sewage treatment works, recycling centre and the A45, ambient noise levels are already high. The noise report therefore has to consider the impact of the extraction work processes.
- 7.3 The closest noise sensitive receptors to the site which are located in Northampton are the residential units at the Ecton Lane Travellers site and the cottages close to the entrance of Billing Sewage Treatment works.
- 7.4 The proposal is essentially a weekday operation and the hours of 07:00 - 18.00 Mondays to Fridays and 07:00 - 13.00 Saturdays are proposed, with no working on Sundays and Bank Holidays. The hours proposed should form the basis of any possible planning condition to ensure work is undertaken within these times, in order to protect residential amenity and in line with the noise assessment work undertaken.
- 7.5 NBC Environmental Protection Officers have raised concerns directly with NCC regarding the control of reversing sirens. There is no mention of this type of noise and off-site impacts in the submitted report and this type of noise could carry across the Nene Valley and potentially be audible from properties further away than just the immediate dwellings.
- 7.6 The proposal includes noise bunding along the boundaries, but given the levels of the existing land and that of the surrounding dwellings, it is considered that a noise management scheme should be secured through a planning condition.
- 7.7 The application also indicates the addition of further buildings and plant on the site. It is considered that a further noise survey should be undertaken to establish impact and mitigation of any on-site operations, and should form the basis of a further noise condition. This is critical if any of these activities are likely to run through a 24 hour period.

- 7.8 As this project involves significant amounts of vehicle movements, and is likely to occur over many years, it is considered that details including noise mitigation should be sought from the applicant and that the details should be incorporated into any noise management plan condition imposed by NCC.
- 7.9 It is requested that this Council is consulted on the wording of the noise condition and subsequent discharge of the condition, including the details of the bunding.

Highway implications

- 7.10 As the site is located close to the Great Billing junction of the A45, the majority of the impact will be limited to this junction. The assessment that has been carried out indicates that the junction will operate within capacity for the duration of the works (up to 2029).
- 7.11 The Great Billing junction of the A45 is included within the Northampton Growth Management Scheme (NGMS) of highway improvements to accommodate the future growth of Northampton, including improve access to both lanes of the A45. This work is likely to be carried out within the duration of the proposed extraction works.
- 7.12 The proposal includes some improvements to the Crow Lane/site access junction to improve safety.
- 7.13 A Lorry Management Plan is to be submitted setting out details of restrictions on access times, access route restrictions and vehicle cleansing facilities within the site prior to entering the highway.
- 7.14 The Lorry Management Plan will allow the Highways Authority to ensure that flow of HGVs to the site will be managed during the peak flow traffic periods and so to reduce the impact on the highway network.
- 7.15 Whilst highway improvements are proposed, it is also considered that, given the duration of the works on site and that the vehicles are going to be predominantly HGVs, NCC should seek a financial contribution towards the NGMS Great Billing Interchange Scheme to improve access onto the A45 at this point.

Air Quality

- 7.16 The submission indicates that the proposal is likely to introduce around 182 new vehicle movements per day in and out of the site, over the duration of the works (12-13 years). It is also noted that the majority of these vehicles are articulated lorries, four axle lorries and concrete truck mixers. It is assumed that vehicles operating on-site will also be in continuous operation throughout each working day to undertake mineral extraction.
- 7.17 Predictions on emissions have been provided as part of the submission, however there are concerns about the modelling data used and the potential inaccuracies with modelling in general.
- 7.18 It is suggested that measures are incorporated in the development to support paragraphs 35,120 and 124 of the NPPF to take account of the impact of vehicles using the site and passing through the Borough's Air Quality Management Areas (AQMA).
- 7.19 From an air quality perspective, efforts should be made by the developer to reduce the impact on emissions, particularly nitrous oxide (NO₂). This can be done to a certain extent by requiring that all vehicle specifications of fleet site lorries and on-site fleet working vehicles should be Euro 6 compliant for emissions. This should be secured by a Section 106 agreement or through the Lorry Management Plan.

Contaminated Land

- 7.20 The site has been the subject of a number of current and historical industrial land uses at and around the site. These include substation use, sewage farms and sewage sludge disposal. Previous site investigation reports have been reviewed by the Public Protection Team. Laboratory testing has shown that human health screening levels for a commercial land use are not exceeded in soil beneath the mineral extraction area.
- 7.21 However concentrations of heavy metals in soils are shown to be elevated over background concentrations as a result of historic sewage disposal. Detailed risk assessment work has shown that levels of arsenic, cadmium and chromium exceed Site Specific Assessment Criteria for off-site dust movement.
- 7.22 Associated with these contaminants, once the land is disturbed, there is the potential for dust and ground based gasses to impact on human health, not only immediately around the site, but during transportation from the site.
- 7.23 Whilst the submitted information indicates that dust mitigation will be dealt with on site, this should be the subject of a condition, to allow enforcement in the event of a problem being identified.

Ecology and Light Pollution

- 7.24 The application is accompanied by a number of ecological surveys including hedgerows, reptiles, water voles, otters and bats. A Nature Conservation and Management Plan has also been submitted taking into account the outcomes of the surveys.
- 7.25 The RSPB, The Wildlife Trust and Natural England have been involved in discussions regarding the management of the site both during works and at the remediation and restoration stages.
- 7.26 Associated with the impact on wildlife, light pollution is also of key importance. It is noted that the majority of the works will be carried out during the daylight hours, although it is likely that the buildings on-site (e.g. weighbridge and fuel storage area) will be lit for security reasons.
- 7.27 The submission indicate that the lighting on-site will be designed in a way to reduce light pollution, but the direction and intensity should also be controlled to ensure that the impact on local residents, users of the A45 and wildlife is kept to a minimum.

Flooding

- 7.28 The site lies within the Nene Valley and is known to be subject to flooding. The Environment Agency will be consulted by NCC and will advise them direct on the impact on the water course, flooding and water quality.

8. CONCLUSION

- 8.1 The principle of the proposal is supported by the NCC Minerals Local Plan policy, therefore the comments that are made in response to this consultation can only relate to the management of the site over the 12-13 year duration of the mineral extraction of the site.
- 8.2 The extraction of minerals from this area is important to enable the economic growth of the area and promotion of the construction industry.

8.3 It is recommended that concerns should be expressed in respect of air quality, vehicle management, highway impact and light pollution as detailed in paragraph 1.1 above.

9. BACKGROUND PAPERS

9.1 N/2017/1448 and NCC application 17/00053/MINFUL

10. LEGAL IMPLICATIONS

10.1 The development is not CIL liable

11. SUMMARY AND LINKS TO CORPORATE PLAN

11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

