Case Officer: Gavin Sylvester

Consultor: Augean South Ltd

Location: East Northants Resource Management Facility, Stamford Road, Kings Cliffe, PE6 6XX.

Proposal: Development Consent Order - Pre-Application Consultation from Augean South Ltd, for an extension in the area and life of the East Northants Resource Management Facility (ENRMF) including an extension to the west of the existing landfill site (comprising active hazardous waste and low level radioactive waste (LLW) landfill) and increasing the throughput of the waste treatment facility (“Proposed Development”) at the East Northants Resource Management Facility, Stamford Road, Kings Cliffe, PE6 6XX.

This purpose of this report is to recommend that East Northamptonshire Council gives its views to Augean South Ltd, on its proposals for an extension in the area and life of the East Northants Resource Management Facility (ENRMF) including an extension to the west of the existing landfill site (comprising active hazardous waste and low level radioactive waste (LLW) landfill) and increasing the throughput of the waste treatment facility at the ENRMF, Stamford Road, Kings Cliffe.

1 Summary of Recommendation

1.1 The Committee is recommended to note the content of this report and to authorise the Head of Planning Services to respond to ASL’s Development Consent Order Pre-Application Consultation, as follows:

(i) the Council notes the justification from ASL for the significantly increased land levels proposed by the restored landform, and;

(ii) the Council welcomes the commitment from ASL to provide three photomontages from Viewpoints 3, 5 and 9 to illustrate the appearance of the proposed restored landform in the landscape and assist in a future assessment of visual and landscape impact, and advises ASL consider what information it can provide to rule out the proposed restored land form being visible from any other viewpoints.

1.1 ASL operates an existing landfill site and waste treatment facility (known as the East Northants Resource Management Facility (ENRMF)) at Stamford Road, Kings Cliffe PE8 6XX. The existing ENRMF site operates under a Development Consent Order (DCO) granted in 2013 by the Secretary of State and comprises an active hazardous waste and low level radioactive waste (LLW) landfill site together with a waste treatment and recovery facility. The LLW which may be accepted at the ENRMF is waste that contains very small amounts of radioactivity (up to a maximum specific activity of 200Bq/g). The waste typically deposited is construction and demolition waste such as soils, crushed concrete, bricks and metals from decommissioning nuclear power plant buildings and infrastructure, or from manufacturing activities, science and research facilities and hospitals where radioactive materials are used.
1.2 ASL will apply to the Secretary of State for a Development Consent Order (DCO) to extend the land area of the landfill to include agricultural land immediately west of the existing site and to extend the ‘life’ of the ENRMF from 2026 to 2046.

1.3 The principal elements of the proposals are described by ASL as:

- The construction by excavation of new landfill void (hole) for the disposal of hazardous wastes and Low Level Radioactive Waste (LLW) to the west of the currently operated site.
- Continuation of filling of the existing ENRMF landfill with hazardous waste and LLW and the creation of new void within the current site in order to create a cohesive restoration profile with the proposed extension area.
- The waste that is disposed of directly into the landfill will continue at the present rate of up to 150,000 tonnes per annum.
- Due to improved techniques to treat, recover and reuse waste materials an increase to the throughput to the waste treatment and recovery facility up to 250,000 tonnes per annum (an increase of 50,000 tonnes per annum).
- The continued disposal of LLW which will be limited to the lower activity end of the range of wastes classified as LLW which typically has a level of radioactivity of up to 200 Bq/g.
- The operational hours of the site will not change from those already permitted, which are restricted to the hours of 07.00 and 18.00 on Mondays to Fridays and 07.00 and 13.00 on Saturdays. No such operations may be carried out on the site on Sundays or public holidays, except that on public holiday between the hours of 07.00 and 18.00, the following activities may be carried out— the delivery of up to 10 loads a day of air pollution control residues; the processing in the stabilisation plant of those residues; and the stockpiling and management of the processed residues within the soil treatment facility.
- Completion of the landfilling and restoration of the site to nature conservation purposes with public access by December 2046.

1.4 ASL’s proposals at the ENRMF are classified as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 and consent, if granted, must be granted by the Secretary of State in the form of a DCO. ASL will submit the DCO application to the Planning Inspectorate (PINS) rather than to Northamptonshire County Council or the future North Northamptonshire Council.

1.5 When making an application for a DCO, an applicant has a statutory duty to consult on the proposals and must follow a specific process of pre-application consultation with interested parties. ASL’s consultation documents are viewable at https://www.augeanplc.com/enrmf-planning/ and the consultation closes mid February. It is beyond the scope of this report to include all documents from ASL’s consultation. For the purposes of the consultation a Preliminary Environmental Information Report (PEIR) has been prepared by ASL setting out the details of the current site and the surrounding environment, describing the proposed development and including the technical studies that have been undertaken to date to assess the potential environmental impacts associated with the proposed development. A copy of the PEIR is attached to this report and referred to below.
1.6 ASL’s consultation process has been designed to engage with those local communities who may be affected by the Proposed Development within the proposed consultation area, and these are as follows:

**Villages nearest to the proposal**

The villages nearest to the Proposed Development whose representatives participate in the Kings Cliffe Liaison Group and whose residents and businesses have taken an interest in previous planning applications at the ENRMF. These villages are grouped as Zone A: Apethorpe, Barrowden, Blatherwycke, Bulwick, Collyweston, Duddington with Fineshade, Easton on the Hill, Kings Cliffe, Laxton, Nassington, Southwick, Tixover, Thornhauge, Wakerley, Wansford, Woodnewton and Yarwell. Augean will publicise the consultation events by distributing the public information leaflet to all households and businesses within Zone A as well as to special interest groups, faith groups, schools, health and welfare providers. The events will be further publicised by ASL through electronic newsletters, posters, community publications, local newspaper advertisements, news media, social media and the company website.

**Outlying villages**

Outlying villages whose residents and businesses have taken an interest in previous planning applications at the ENRMF. These towns and villages are grouped as Zone B: Ailsworth, Ashton, Bainton, Barnack, Benefield, Castor, Cotterstock, Deene and Deenethorpe, Edith Weston, Elton, Fotheringham, Glapthorn, Glaston, Gretton, Harringworth, Ketton, Morcott, Normanton, North Luffenham, Oundle, Sibson cum Stibbington, Seaton, South Luffenham, Southorpe, Stamford, Sutton, Tansor, Tinwell, Ufford, Upton, Warmington, Water Newton, Weldon, Wittering and Wothorpe. ASL will publicise the consultation events by distributing multiple copies of the public information leaflets to the Town Councils, Parish Councils or Parish Meetings as well as sending electronic copies of the leaflet to the clerk. The events will be further publicised by ASL through electronic newsletters, posters, community publications, local newspaper advertisements, news media, social media and the company website.

1.7 ASL as applicant for a DCO is required to take into account any relevant responses received during its statutory pre-application consultation. The Planning Inspectorate will subsequently examine the application and will make a recommendation to the Secretary of State, who will make the decision on whether to grant or to refuse development consent.

1.8 The Local Planning Authority will play a vital role in the examination of the application and is automatically registered as an Interested Party and will be invited to submit a Local Impact Report giving its objective views on the potential impacts of the scheme and evidence about the characteristics of the area.

1.9 North Northamptonshire Unitary Authority will be the Local Authority by the time ASL’s DCO application is submitted to the Planning Inspectorate, which is expected to be submitted in Quarter 2 of 2021.
1.10 ASL's pre-application consultation is therefore an opportunity for East Northamptonshire Council to give its views on the proposed DCO application. As part of this process ENC has done its own consultation seeking views from the following internal and external consultees:

- ENC Environmental Protection Team
- ENC Tree and Landscape Officer
- ENC Conservation Officer
- ENC Planning Policy Team
- NCC Minerals and Waste Planning Team
- Kings Cliffe Parish Council
- Collywesdon Parish Council
- Easton on the Hill Parish Council
- Duddington with Fineshade Parish Council
- Ward Councillor Harrison
- Ward Councillor Annabel de Capell Brooke

1.11 The purpose of this report is to raise awareness with Members of ASL’s proposals and the DCO process; give a summary of the potential impacts of the proposals; and to recommend that East Northamptonshire Council gives its views to ASL for them to be taken into account when submitting its application to the Secretary of State.

2.0 ASL’s Preliminary Environmental Information Report (copy in appendix to this report).

2.1 ASL says there is a clear need for a fit-for-purpose site for the landfill disposal of LLW from both the nuclear and non-nuclear industries in a central location that will contribute to the national need for capacity to address the identified shortfall. No new hazardous waste landfill facilities have been developed in the south of the country since the proposals for the currently consented activities was authorised.

2.2 The Environment Agency is the regulator with responsibility for pollution control and for ensuring the safety of the public and the environment as a result of the proposed development. The Health and Safety Executive is responsible for overseeing the safety of the site workers. The Department for Transport is responsible for safety during transportation of waste.

2.3 ASL says that detailed investigations and assessments are being carried out of the potential effects of the development on people and the environment by technical specialists in a number of different areas. The results of ASL’s assessments are reported in the Preliminary Environmental Information Report (PEIR) and those findings are presented here in summarised form under the following headings:

2.4 Potential impacts on human health: ASL reports how the potential impacts associated with the continuation of the operation of the consented and extended landfill and waste treatment and recovery facility to 2046 are similar to those for the current site operations but will be present over a longer time (from 2026-2046). The full and detailed risk assessments that will be provided with the Environmental Permit applications will be scrutinised by the Environment Agency. Environmental Permits will not be issued unless the Environment Agency is satisfied that the site can be operated safely and that the health of those living and working at or near the site is protected.
2.5 Ecology and biodiversity: The restoration scheme principles for the landfill follow those agreed for the current site, which were designed in discussion with the Northants Wildlife Trust in order to match their requirements for adoption as a Local Wildlife Site and to meet several of the Northamptonshire Biodiversity Action Plan habitat creation targets. ASL say that with planned avoidance, protection and mitigation measures in place it is considered that there will be no significant adverse impacts on biodiversity throughout the operational stage of the proposed development and there will be a large positive net gain in biodiversity on completion of restoration.

2.6 Landscape and visual impacts: ASL says there will be no significant impacts on landscape features and character as a result of the proposed development during the mineral extraction, cell construction and infilling stages. The site location is generally visually enclosed. There may be partial distant views of the infilling operations in the southern part of the western extension area which might result in effects on the visual amenity of the residents of Westhay Lodge. After the restoration stage the significance of any visual effects will be beneficial due to the restoration of the site and the establishment of woodland and scrub vegetation which will merge well with the adjacent woodland.

2.7 Soil resources and agriculture: As the site will be restored to nature conservation habitats it will not return the site to agricultural landuse. There will be a permanent loss of approximately 6 hectares of Grade 3a 'best and most versatile' agricultural land and a loss of approximately 20 hectares of lower quality Grade 3b agricultural land.

2.8 Archaeology and cultural heritage: There is no surviving archaeology within the existing ENRMF site as all areas of the site have been disturbed and were subject to previous investigation and recording. The preliminary conclusion is that the proposed development will have neutral, negligible or no significant effects on cultural heritage and archaeology.

2.9 Flood risk assessment: It is considered that based on the implementation of an effective surface water management plan the proposed development can be undertaken without increasing the risk of flooding at or in the vicinity of the site.

2.10 Transport and traffic: ASL reports that the assessment for the current site activities which was carried out to support the application for the current DCO, estimated that the average number of HGV vehicle movements associated with the combined activities that was assessed was 196 per day (98 movements in and 98 movements out). It was concluded in the extant DCO application that there would be no adverse impact on highway safety or capacity as a result of the operation of the landfill and treatment facility. ASL considers that provided the number of vehicle movements do not change significantly, this conclusion remains valid.

2.11 Air quality: The potential impacts of the proposed development on local air quality which have the potential to affect human health have been assessed by ASL. The potential impacts as a result of odour associated with the proposed development have also been assessed. The monitoring of air quality and gas in the ground at the site is undertaken routinely in accordance with the Environmental Permit to confirm that there are no significant adverse impacts. This will continue for the proposed western extension area. ASL considers that based on the proposed continuation of the current controls including those that will be specified and implemented through the Environmental Permits, and based on the nature of the current and proposed wastes accepted at the site there will be no significant impacts on air quality including impacts associated with odour as a result of the site activities.
2.12 **Amenity:** Dust emissions will continue to be controlled effectively as part of the proposed development using a range of control measures. The effectiveness of dust control will be confirmed through regular dust monitoring at locations on the boundary of the site as specified in the Environmental Permit. Based on the wheel cleaning facilities and the proposed cleaning and maintenance regime on the site and the adjacent Stamford Road, the risk of nuisance from the proposed development associated with dust and debris on the local road network is low. ASL consider there will not be an unacceptable impact on amenity as a result of the continued use of lighting as part of the proposed development.

2.13 **Noise:** Noise predictions have been made by ASL and the results of the preliminary noise assessment suggest there will be no significant or unacceptable adverse impacts at noise-sensitive premises in the vicinity as a result of the proposed operations. Noise control would be considered and regulated by the Environment Agency through an Environmental Permit.

2.14 **Socio economic impacts:** ASL says the proposed development provides the continued opportunity for a significant national and regional socioeconomic benefit by supporting the need of businesses and other activities for the safe treatment of wastes and the safe disposal of hazardous wastes and LLW. The continuation of activities at the site will result in a further significant positive contribution to the local economy and provide substantial financial support to the function of the local villages and to local community and educational activities.

3.0 **East Northamptonshire Council - Consultations**

3.1 As part of this process ENC has done its own consultation exercise and the following consultation responses have been received:

3.2 **Kings Cliffe Parish Council:**

Further to our previous parish council meeting we can confirm that we strongly object to these plans. However, should you proceed with these we would strongly insist an alternative entrance is put into place to manage the additional vehicle movement, maintenance and cleanliness of the road given the recent near misses and road repairs recently carried out.

3.3 **Northamptonshire County Council Minerals & Waste Team (incorporating the views of NCC Highways) has responded separately to ASL’s consultation as follows:**

**Minerals and Waste Planning Policy:**

Northamptonshire County Council is the minerals and waste planning authority in which both the existing East Northants Resource Management Facility and the proposed new location to its west are sited. As the minerals and waste planning authority the council also has an up to date minerals and waste local plan, the Northamptonshire Minerals and Waste Local Plan (MWLP), adopted July 2017, and upon which significant weight needs to be given in determining the application.

As the adopted local plan for minerals and waste matters covering the proposed application site, the minerals and waste planning authority would therefore request that the application for the Development Consent Order references how the proposal both does and does not conform to the policies and general approach to waste disposal and to mineral extraction in the MWLP and if elements of the proposal do not conform to the MWLP how this should be addressed.
In particular the minerals and waste planning authority seeks the local plan policy justification for the following matters to be clearly set out:

- The winning and working of minerals in order to create the landfill void for disposal, particularly in respect of Policy 3 (Development criteria for mineral extraction) which paragraphs 4.60 and 4.61 on refractory minerals and clay specifically refers to. In relation to this references should also be made as to why other locations, including nearby in Peterborough in Augean's portfolio are not considered more appropriate rather than extracting a site for the sole purpose of it then being filled.
- How the amount of hazardous waste disposal meets the requirements of Policy 14 (Strategy for waste disposal) and Policy 15 (Development criteria for waste disposal) of the MWLP.
- How the amount of radioactive waste disposal meets the requirements of Policy 17 (Development criteria for radioactive waste management), Policy 14 (Strategy for waste disposal) and Policy 15 (Development criteria for waste disposal) of the MWLP.
- How the 50,000tpa increase in throughput of the waste treatment facility to 250,000tpa meets the considerations of Policy 10 (Northamptonshire’s waste management capacity) and Policy 12 (Development criteria for waste management facilities) of the MWLP.
- How the combined waste importation rate limit to the waste treatment facility and landfill of 300,000tpa (an increase of 50,000tpa compared with the currently consented total input rate) meets the considerations of Policies 10 and 14 of the MWLP.
- Why when this proposal is effectively a new location to the west of the existing site that restoration to a generally domed restoration profile is considered appropriate.
- Why an amendment to the longstanding approved restoration profile of the existing ENRMF site is considered appropriate.
- Whether continuing operations by a further 20 years beyond the completion of the existing operational site (and which itself is still five years away) is appropriate and whether, as is the case with the existing permitted facility, there should be a fixed completion date.
- The current operations in relation to radioactive waste provide for funding to be made to the local communities in relation to amounts landfilled. Policy 25 (Implementation) in the MWLP supports this by including reference to proposals providing benefits to compensate the local community affected by the development. There should be consideration given as to whether this community benefit should be enhanced.

Highways:

Northamptonshire County Council as the Local Highway Authority note that the applicant intends to review traffic numbers associated with the currently consented activities at the site to determine whether there will be any significant changes to these flows as a result of the increase in size of the facility.

The applicant states that the probable average number of HGV vehicle movements associated with the combined activities that were assessed in relation to the previous consent was 196 per day (98 movements in and 98 movements out). Whilst the applicant states this figure is unlikely to change significantly as a result of this application we will need appropriate surveys and assessment to confirm this is the case.
To confirm due to the current COVID-19 pandemic obtaining traffic survey data for volumetric purposes is not permitted within Northamptonshire however we review matters frequently and seek to lift this measure once traffic levels are returned to near typical levels.

As noted by the applicant a full Transport Statement will be required to accompany the DCO application and prior we welcome a Scoping Note to agree the contents of this.

The current site access arrangements appear sub-standard. We will require confirmation of access width and radii with visibility splay shown on a scaled drawing. Vehicle tracking of the largest vehicles to enter site will also be required.

Improvements may be required for the junction of Stamford Road with the A47 subject to trip distribution information being provided.

A suitably worded condition covering collection vehicles using the site access to not travel to the South of the site access on Stamford Road towards the village of Kings Cliffe, unless they are delivering wastes collected locally will be required.

3.3 **Owner of Collyweston & Easton Hornstocks Wood (adjoins the northern and eastern boundaries of the proposed application site):**

Submits a copy of a letter sent to ASL objecting to the application for the following summarised reasons:

- The restoration profile of the land shows a high mounded land form (up to 21m high) with steep sides, presenting concerns over stability and drainage, and its incongruity in the landscape and overbearing impact on adjacent land.
- Increased traffic impacts and air quality.
- Odour from the current facility and the cumulative effects of the western extension to this nuisance need to be properly assessed.
- Disagreement over land ownership.

3.4 **ENC Environmental Protection Team**

No objection to this consultation. The ENC Environmental Protection Team has previously provided informative comments to assist Augean in assessing the impacts of the proposed development. The development would be regulated by the Environment Agency under an Environmental Permit. Air quality, noise and radiation will be controlled through the Environmental Permit.

3.5 **Member of Parliament, Tom Pursglove:**

The MP has submitted a response from a constituent raising concerns over the proposed landfill extension increasing the risk of flooding in the Kings Cliffe area.
4.0 East Northamptonshire Council - Officer Assessment

4.1 This pre-application enquiry provides East Northamptonshire Council with an opportunity to give its views to ASL on its proposals as applicant for a DCO. In turn, ASL is required to take into account any relevant responses received during its statutory pre-application consultation. A decision on the DCO application rests with the Secretary of State following examination of the application by the Planning Inspectorate. East Northamptonshire Council responded to the 2012 DCO application under ENC reference number 12/00555/EXT.

4.2 ASL’s pre-application information and Preliminary Environmental Information Report contain some highly technical information on the potential impacts of the proposed development. Much of this information falls beyond the expertise of this Council. For example, impacts on biodiversity will be considered by nature conservation bodies. Impacts on the environment will be considered and regulated through Environmental Permits by the Environment Agency. Impacts on roads, highway safety and issues specific to minerals and waste planning will be considered by the County Council (whilst it exists). These consultees have had the opportunity to provide their views to ASL for consideration separately. The County Council’s views are reported above.

4.3 Given the technical nature of much of the pre-application information, Officers consider that Members should focus their attention on the more subjective matter of the visual impact of the proposed ‘domed’ landform profile that is proposed to be created by infilling of the landfill void and its the restoration to neutral/calcareous grassland with ponds and woodland block planting. Drawings ENORTH028 and ENORTH029 (attached to this report) and taken from ASL’s Landscape and Visual Impact Assessment show the Final Restoration Plan and Restoration Cross Sections respectively. The Cross Sections through the proposed landform show that restoration of the landfill will see land levels increased in places by up to 20m above existing ground levels. This represents a significant permanent change in the topography of the site that is likely to be visible in the surrounding area.

4.4 Officers asked ASL to justify the need for the raised land levels of the restoration profile and ASL responded as follows:

4.5 "As explained in section 4.5 of the PEIR a domed profile is necessary for the restoration profile for landfill sites and is best practice for landfill sites which accept non-inert waste. The final profile of the waste and capping layer is designed to form a stable slope which will encourage shedding of rainfall to minimise infiltration and as a consequence to minimise the generation of leachate. Leachate is the contaminated liquid formed when water infiltrates into the waste and which is collected in the base of the site from where it is collected and managed. The landfilling in the western phases of the current landfill site (Phases 7, 8, 9 and 11) will be continuous with the landfill in the proposed adjacent phases of the western landfill area as shown in the schematic diagram on Figure 4.7 of the PEIR. This proposed design of the landfill will make the most efficient use of the area available for waste void and will result in the creation of an integrated and consistent restoration profile."
As explained in the PEIR and summarised above it is necessary for the filled site to be restored to a domed profile with side slopes which encourage rainfall runoff and to create a coherent restored landform over the whole application site including the existing ENRMF site. As explained in Section 8 of the PEIR the proposed restored landform at the current site would extend to a maximum height of 99m AOD. It is proposed that the western extension would rise up to a level of approximately 98m AOD at the northern end and drop down where the adjoining landform also drops in elevation. The restored central area then rises up to 97m AOD where it merges with the restored ENRMF site landform. Two distinct areas of landfill, one to the south west of the un-diverted water pipelines and one to the south of the gas pipeline to the southern boundary of the site would also be worked and restored to form two smaller mounded landforms, rising up to 98.5m AOD.”

4.6 Officers asked ASL to explain the origin of the material proposed to be used to create the restored landform and ASL responded as follows:

4.7 “Once each landfill area has been completed to the final waste levels, an engineered low permeability capping layer is placed over the waste and keyed-in to the basal and side low permeability lining system to provide a continuous low permeability containment barrier. The capping system will comprise a 300mm thick regulation layer (which is formed of fine grained materials), a 1m thick layer of clay, a drainage layer 300mm thick and at least 1m of restoration soils increased to 1.5m of soils where trees will be planted.

In order to construct the western extension void it will be necessary to win and work minerals including the extraction of soils, overburden and clay. The soils and some clay will be retained on site for use in site restoration and the construction of the low permeability engineered liner and capping layers. The remaining materials will be exported off site. The restoration layers above the capping system will therefore be formed primarily of site-won materials.

The proposed restoration scheme comprising largely neutral/calcareous grassland, tree and scrub planting and hedgerows with trees will require the use of soils with low nutrient richness typical of unimproved grasslands and natural habitats. Agricultural soils and typical top soils are inappropriate due to their relatively high nutrient status which would result in strong growth and competition by weed species to the detriment of the target species for the specific habitats. Soils can be sourced from inert waste material received through the gate but are typically highly variable giving uneven establishment and often importation of undesirable species in the soil seed banks. Use of imported soils would require a reliable source with good characterisation to ensure that the restoration objectives are not compromised. It is proposed therefore to use predominantly on site soils and overburden materials as a soil forming material for the restoration of the site. Further description of the proposals for the soils used in the restoration of the site are provided in sections 8.13 to 8.15 of the PEIR.”

4.8 Officers are not experts on the issues surrounding landfill development and landfill restoration. However, in determining a DCO application, the Secretary of State will draw upon expert advice on the justification for the restored landform proposed and its potential effects. The reasons given by ASL for the proposed restored landform and the origin of the material proposed to create it appear, on the face of it, to be cogent, however Officers remain concerned about the potential visual impact of the proposed landform. The volume of material needed to create the proposed restored landform has not been quantified and is assumed to be unknown.
4.9 ASL’s Landscape and Visual Impact Assessment (paras. 7.38 – 7.40) has assessed the impact of the proposed restoration landform as follows:

“7.38 - The restored site would be visible from various locations within the surrounding area, including a number of the representative viewpoints. The Proposed Development would create a larger restoration landform than currently permitted across the existing ENRMF site, although the restoration principles to be applied would be very similar. The views would comprise woodland blocks, scrubby planting areas and hedgerows with trees, all of which would extend across grassland slopes rising up to a level of 99m AOD”.

“7.39 - This would be similar to the views that would be available of the site if the approved restoration scheme were to be implemented, for many visual receptors to the east and southeast of the site”.

“7.40 Views of the restored site for residents at Westhay Lodge would occupy a larger proportion of the view to the northwest than would be the case with the approved restoration scheme for the existing ENRMF site. However, it is considered that the restored western extension area, specifically the southern part of this area, would visually integrate well with woodland within Fineshade Woods (The Assarts), to the rear of the restored landform. The proposed vegetation, once sufficiently developed, would be seen in conjunction with the woodland further to the northwest, in the same way as the proposed woodland and scrubby planting on the restored ENRMF site landform will be seen once the restoration works have been completed”.

Officers note the approved restoration scheme for the existing landfill would provide a restoration landform with levels up to approximately 90-92m AOD.

4.10 Appendix A of the Landscape and Visual Impact Assessment contains Single Frame Views and Panoramic Context View photographs of the application site from 11 viewpoints. Whilst these viewpoint photographs are useful in showing the existing appearance of the site and the extent and position of the restored landform, they do not provide a visual representation of the proposed landform when seen from these viewpoints.

4.11 The Planning Inspectorate has previously advised ASL (via a Scoping Opinion) to “make effort to agree with relevant consultation bodies the need for a figure and/or pictorial 3-D rendering of the operational and reinstated development. The inclusion of which may give greater appreciation of the likely visual impacts and proposed mitigation”. Planning Officers concur with this advice.

4.12 ASL has responded to Officers advising that it will produce 3D montages showing the appearance of the restored landform as follows:
4.13 “Liaison has been taking place and continues with Northamptonshire County Council regarding the proposed development including with respect to the landscape and visual impact assessment. It has been agreed with Northamptonshire County Council that three photomontages from Viewpoints 3, 5 and 9 are appropriate in order to illustrate the developed site and assist in the assessment. These viewpoints are those from which it is possible to prepare a photomontage which includes a view of the site and which it is agreed provide representative views. Viewpoint 3 (at the eastern edge of Fineshade Wood) is the location with the clearest view of the western extension area currently. Viewpoint 5 is adjacent to Westhay Lodge located to the south of the site which is the closest residential receptor that will have views of the western extension area. Viewpoint 9 is located to the south east on Roman Road and is representative of long distance views of the proposed western extension from a Public Right of Way. It is not considered necessary to prepare photomontages from all the viewpoint locations as, in agreement with Northamptonshire County Council, it has been determined that the proposed locations will provide a representative selection of views to assist in the assessment of impacts.”

4.14 Officers note ASL’s commitment to provide three photomontages from Viewpoints 3, 5 and 9 (and no others) to illustrate the developed site and assist in the assessment of visual and landscape impact, and respond to concerns over visual impact. ASL, in consultation with NCC has agreed photomontages from these viewpoints because viewpoint 3 (at the eastern edge of Fineshade Wood) is the location with the clearest view of the western extension area currently; viewpoint 5 is adjacent to Westhay Lodge located to the south of the site which is the closest residential receptor that will have views of the western extension area; and viewpoint 9 is located to the south east on Roman Road and is representative of long distance views of the proposed western extension from a Public Right of Way.

4.15 Officers consider that the photomontages proposed will assist in assessing visual impacts of the proposed restored landfill and these viewpoints broadly accord with the likely areas from which the restored landform would be visible - as shown on the Zone of Theoretical Visibility plan. However, ENC was not party to discussions with NCC and furthermore the photo from viewpoint 4 shows that the landform would be visible through a gap in the hedgerow. Therefore, in the interests of clarity and certainty, ASL is advised to consider what information it can provide in its DCO application to rule out the restoration landform from being visible from viewpoints other than 3, 5 and 9.

Officer responses to public representations:

4.16 ENC is not the decision maker for this application and it will fall to ASL to show how it has responded to representations made on its consultation exercise.

4.17 The representations from a constituent of the Member of Parliament and the adjacent land owner are noted. However, a decision on the DCO application rests with the Secretary of State, following examination of the proposal by the Planning Inspectorate, and not East Northamptonshire Council (or the future North Northamptonshire Council). This examination process will assess all technical issues, including flood risk, land stability, highway safety, noise, odour and air quality, taking advice from appropriate experts. Representations on any issue can be submitted to Augean direct.
5 East Northamptonshire Council - Response to ASL

5.1 The Committee is recommended to note the content of this report and to authorise the Head of Planning Services to respond to ASL’s Development Consent Order Pre-Application Consultation, as follows:

(i) the Council notes the justification from ASL for the significantly increased land levels proposed by the restored landform, and;

(ii) the Council welcomes the commitment from ASL to provide three photomontages from Viewpoints 3, 5 and 9 to illustrate the appearance of the proposed restored landform in the landscape and assist in a future assessment of visual and landscape impact, and advises ASL consider what information it can provide to rule out the proposed restored land form being visible from any other viewpoints.
PRELIMINARY ENVIRONMENTAL INFORMATION REPORT
NON TECHNICAL SUMMARY
FOR THE PROPOSED DEVELOPMENT CONSENT ORDER
APPLICATION FOR THE ALTERATION AND
CONSTRUCTION OF HAZARDOUS WASTE AND LOW
LEVEL RADIOACTIVE WASTE FACILITIES AT THE EAST
NORTHANTS RESOURCE MANAGEMENT FACILITY,
STAMFORD ROAD, NORTHAMPTONSHIRE

PINS project reference: WS010005

Report Reference: AU/KCW/LZH/1724/01/PEIRNTS
October 2020

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Technical advisers on environmental issues

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Introduction

Augean South Ltd (Augean) is the operator of the East Northants Resource Management Facility (ENRMF) in Northamptonshire (Figure NTS1). The ENRMF site is an established operational landfill site which accepts hazardous waste and low level radioactive waste (LLW). The site also includes an established waste treatment and recovery facility (Figure NTS2).

The facilities at ENRMF are an acknowledged part of the nationally significant infrastructure for the management of hazardous waste and LLW and as such it serves more than just a local need. The site receives wastes generated primarily in the centre and south of the UK. The need for specialist facilities to serve these areas of the country will continue beyond the currently consented operational period for the site which extends to 2026. The overarching purpose of this application and the proposed development is to continue to meet that established need beyond the consented life of the current site. It is important that the proposals satisfy all relevant legal, policy and regulatory considerations and that they make sure that people and the environment are properly protected in the short, medium and long term. The proposals also must be commercially viable and provide business security.

The ENRMF site is the subject of a Development Consent Order (DCO) which was granted in July 2013 and amended in June 2018. In order to secure continuity of its operations beyond the end date for the current consent of 31 December 2026, Augean is proposing to submit an application for a new DCO for an extension in the area and timescales for the operation of the site including an extension to the west of the existing site and increasing the throughput of the waste treatment and recovery facility. This document is part of a number of documents which are being provided to inform a consultation process before the application is finalised and submitted. It is anticipated that the application for the DCO will be finalised and submitted in late Spring 2021.

Augean is a leader in the specialist waste management sector. The company delivers a broad range of services across many nationally important areas for the safe and sustainable management of waste. The company specialises in the management of the UK’s more difficult to manage wastes including hazardous waste and low level radioactive waste.

Augean is carrying out an Environmental Impact Assessment (EIA) of the proposal. As part of this pre-application consultation a Preliminary Environmental Information Report (PEIR) has been prepared to explain the potentially significant
Figure NTS 1: The site location and designated sites in the vicinity of ENRMF.
Key / Notes

- Approximate boundary of the area the subject of the application for the Development Consent Order
- Approximate route of water pipelines
- Approximate route of an oil pipeline
- Approximate route of overhead electricity cables
- Redundant and closed MOD pipeline
- Approximate location of a high pressure gas pipeline
- Bridleways
- Footpaths
- Approximate route of a disused water pipeline
- Approximate location of noise monitoring points

Figure NTS 2: The proposed western extension area
impacts and benefits of the proposed development. The purpose of this consultation is to seek views on this information from the local community as well as prescribed statutory consultees. The PEIR presents the environmental information collected to date and provides an initial assessment of the likely significant environmental effects.

Once the assessment work is complete Augean will submit an Environmental Statement (ES) with the DCO application. The ES will report on the likely significant environmental effects of the proposals identified in the EIA, the appropriate mitigation measures to be put in place where necessary and any residual effects. There will be further opportunities for reviewing and commenting on the development proposals once the application has been submitted.

Augean has been operating at ENRMF for 16 years and has well established means of ongoing communication and consultation with the community local to the site through a site Liaison Group, circulation of periodic newsletters and regular open days. The company values the relationships that have been built with the local community and sees consultation and public engagement as a constant process. Augean intends for this pre-application consultation to be transparent, inclusive and accessible. The consultation details are set out in a Statement of Community Consultation which is available for review here https://www.augeanplc.com/enrmf-planning/

This document summarises in non-technical language the information in the PEIR. The details of where a copy of the complete report can be reviewed is provided at the end of this summary.

In the relevant sections of the PEIR the options and alternatives that have been considered during the process which led to the selection of the western extension area and the development of the current extension proposals are explained. This includes assessment of the suitability of the site location and the identification of the constraints which affect the design of the development. The consequent choices that have been made with respect to the design of the proposed operations, the containment engineering design, the restoration profile hence the void generated, the operational and management proposals and the design of the restored site are explained. The design parameters which are fixed at this stage are identified in the relevant sections of the report as are those which are subject to further refinement and where options are still being considered.

This consultation will provide an important opportunity for all consultees including the local community to engage and help inform aspects of the
design of the proposed development. Responses to the consultation will be taken into account before finalising the proposals and submitting an application for a DCO to the Secretary of State.

Site location and description

The application boundary for the development lies approximately 1.1km east south east of Duddington village and approximately 2km north north west of Kings Cliffe village at its closest points (Figure NTS1). The setting is generally rural with the majority of the land surrounding the site comprising open farmland or woodland.

The established ENRMF site comprises the active landfill site including restored and partially restored landfill areas together with the waste treatment and recovery facility and material stockpiles. A consented area for surface water management and a gas management compound including a flare stack is located in the north western corner of the current site. Site infrastructure including the site access, weighbridge and waste reception facilities, car parking areas, site offices, welfare facilities, storage areas, laboratories and wheel and vehicle body washing facilities are located in the south east area of the site (Figure NTS2). The site access and infrastructure will be retained for continued use with the proposed development.

The existing highway access to the ENRMF site is from Stamford Road which runs adjacent to the eastern boundary of the site from the A47 to the north. Waste delivery and collection vehicles using the site access are not permitted to travel to the south of the site access on Stamford Road towards the village of Kings Cliffe unless they are collecting wastes generated locally. Consented improvements to widen the site access are being implemented currently and will be in place within the next few months. The existing highway access to ENRMF will continue to be used for the proposed development.

The current landfill comprises 11 phases of landfilling which are being progressively extracted, engineered, filled, capped and restored. The waste treatment and recovery facility is located in the north western corner of the site and will be removed from the site prior to the development of the final phases of landfilling. The waste treatment and recovery facility comprises a series of storage silos, material feed hoppers, transfer conveyors and closed mixing vessels as well as storage areas for wastes awaiting treatment and for treated wastes awaiting removal.

The extension area lies to the west of the current landfill as shown on Figure NTS1 and Figure NTS3. The proposed western extension area currently comprises agricultural land with grassy margins. A hedgerow crosses the area
dividing it into two and there is a small area of young scrubby woodland in the south east corner of the northern area. The western extension is bordered by woodland and arable fields.

There are scattered properties within 1km of the application area. The closest properties to the application area are the properties at Westhay Cottages located approximately 25m to the east of the application boundary and 815m east of the proposed new landfill area. Westhay Farm is located approximately 75m east of the application boundary and is operated as a haulage yard and a farm with associated agricultural and commercial buildings. A cleared area in the centre of the woodlands located to the north of the existing site was used formerly by the Ministry of Defence for storage associated with the Wittering Airfield and now has permission for development as a storage and transport facility. The boundary of the operational training airfield at RAF Wittering and associated buildings and accommodation is located approximately 840m to the north north east of the application boundary at its closest point.

To the south of the application boundary is open agricultural land and the nearest property is Westhay Lodge located approximately 650m to the south of the current site boundary. The area of agricultural land to the south of the extension area is bordered to the south by woodland known as Little Wood (Figure NTS 3). To the west of the majority of the application boundary is woodland known as Fineshade Wood part of which is known as The Assarts and which is a Local Wildlife Site (Figure NTS2). A short length of the western boundary of the northern area is adjacent to agricultural fields. The northern boundary of the western extension area is formed of woodland with a field beyond in which a number of ponds have been created. The eastern boundary of the northern section of the western extension area is adjacent to Collyweston Great Wood. To the east and north east of the application area beyond Collyweston Great Wood and east of Stamford Road is an area of woodland known as Easton Hornstocks. Parts of the Collyweston Great Wood and Easton Hornstocks comprise a Site of Special Scientific Interest (SSSI) and a National Nature Reserve (NNR) (Figure NTS1).

Based on the Environment Agency Flood Map the application site is located in Flood Zone 1 which is defined as land having a less than 1 in 1,000 (ie low) annual probability of river or sea flooding.

No public rights of way cross the application area (Figure NTS2). Footpath MX15 which is located approximately 100m to the west of the boundary of the application area at its closest point runs in a north westerly and south westerly direction through The Assarts woodland and connects
into the wider public rights of way network. The Jurassic Way bridleway (NE12) is located approximately 845m to the west of the application area at its closest point (Figure NTS2).

There are a number of services in the vicinity of the western extension area including some which cross the site as shown on Figure NTS2. A mains gas pipeline runs parallel to the southern boundary of the existing ENRMF site and crosses the western extension area in an east to west direction. Overhead power lines run along the western boundary of the current landfill area before turning in a north westerly direction across the northern section of the western extension area. Two water pipelines cross the northern part of the southern section of the western extension area. There are also sections of redundant, closed out pipelines present in some parts of the site. An oil pipeline is located in the woodland to the east of the eastern boundary of the northern section of the western extension area.

The proposals

The main elements of the proposed development are summarised below:

- The construction of new landfill void for the continued disposal of hazardous wastes and low level radioactive waste (LLW) with a total additional void of approximately 2 million cubic metres.
- A proposal for a coherent landform for the restoration of the existing landfill and the proposed extension.
- The winning and working of minerals in the western extension area in order to create the new landfill void and provide extracted materials for use on site as well as the exportation of clay and overburden for use in engineering, restoration and general fill at other sites.
- The temporary stockpiling of clay, overburden and soils for use in the construction of the engineered containment system at the site and restoration of the site.
- The direct input of waste into the landfill will continue at a rate of up to 150,000 tonnes per annum (tpa).
- An increase to the waste throughput of the waste treatment and recovery facility to 250,000tpa which is an increase of 50,000tpa compared with the currently consented rate.
- A total waste importation rate limit to the site for both the landfill and the waste treatment and recovery facility and landfill of 300,000tpa which is an increase of 50,000tpa compared with the currently consented total input rate.
- The LLW which will continue to be disposed of at the ENRMF will be limited to that which typically has a level of radioactivity of up to 200 Bq/g.
- The diversion of some of the services that cross the western extension to alternative routes within the application area.
• The operational hours of the site will not change from those already permitted.
• Restoration of the whole site to generally domed profiles to create a coherent restored landform. The restored site will be planted with wildflower grassland interspersed with areas of scrub and trees. (Figure NTS4).
• Completion of the landfilling and restoration operations by December 2046. This is a provisional completion date that will be updated as part of the ongoing detailed design works and confirmed in the DCO application.

Need for the proposals

The site lies in the south eastern corner of the East Midlands region and is geographically close to the West Midlands, East of England, Greater London and South Eastern regions. Over 80% of the waste accepted at the waste treatment plant and over 95% of the waste accepted at the site for landfill disposal over the last five years originates from these five regions. The majority of the waste deposited in the landfill comprises residues from the on site treatment plant.

No new hazardous waste landfill facilities have been developed in the south of the country since the proposals for the currently consented activities was authorised. Based on the data on waste arisings there is a continuing need for the provision of a waste management facility for the treatment and disposal of hazardous waste able to serve the wastes arising in the West Midlands, East Midlands, East of England, South East and Greater London.

The ENRMF is centrally located for the wastes arising at the locations of the major LLW waste producers in the south and east of the country. The location of the site is well placed to serve the producers of LLW from the nuclear and non-nuclear industries. ENRMF will continue to provide a closer and more convenient alternative for the disposal arisings than the more distant alternative facilities in the north west. The need for a fit-for-purpose site for the landfill disposal of LLW from both the nuclear and non-nuclear industries in a central location that will contribute to the national need for capacity to address the identified shortfall. The site also serves to conserve the capacity of the highly specialised facility in the north west of the country which is designed to accept much higher activity LLW that that accepted at ENRMF.

There is a clear need also for the provision of continuity of waste treatment and recovery facilities to serve the West Midlands, East Midlands, East of England, South East and Greater London.
The continuing implementation of the hierarchy of waste management options means that the need for capacity for the treatment of hazardous and non-hazardous waste increases over time while the need for capacity for the direct landfill of waste is likely to decrease although the need for the landfill of residues will remain. The 2010 Strategy for Hazardous Waste Management and the NPS for Hazardous Waste recognise that for waste where there is no better recovery or treatment option landfill is the final end point.

The Government LLW policy recognises that for wastes that cannot be prevented, further minimised, diverted for recycling or re-used, final disposal is the end point for all LLW. The disposal of LLW is therefore the last option available to LLW producers where no other options are viable. There is a continuing need for LLW wastes which cannot be managed at a point higher in the waste hierarchy to be consigned for landfill disposal.

Environmental issues

Detailed investigations and assessments are being carried out of the potential effects of the development on people and the environment by technical specialists in a number of different areas. The preliminary results of the assessments are reported in the Preliminary Environmental Information Report (PEIR) and a summary of those findings is presented here.

The extensive control measures that form an important and integral part of the proposals to prevent or minimise the effects of the proposed development on the environment and people are described in the PEIR. In addition to a DCO, the operations at the site will be controlled through Environmental Permits which are regulated by the Environment Agency.

The Environment Agency is the regulator with responsibility for pollution control and for ensuring the safety of the public and the environment as a result of the proposed development, the Health and Safety Executive is responsible for overseeing the safety of the site workers and the Department for Transport is responsible for safety during transportation.

Potential impacts on human health

The potential for direct and indirect effects on the health of people living and working around the site has been assessed.

The nature of the activities and the wastes accepted at the site will not change significantly and, while they will take place over a larger area overall, the active area and intensity of operations at any one time will not be significantly different to the currently consented activities.
The potential impacts of non-radiological and radiological effects on people and the environment have been assessed as part of the process for granting the current DCO and Environmental Permits for the current hazardous waste and LLW landfill site and the waste treatment and recovery facility. The acceptability of the impacts associated with the non-radiological and radiological effects of the current activities at the current locations has been confirmed by the granting of these consents. The detailed risk assessments will be reviewed and extended as part of the applications for variations to the Environmental Permits for the site to extend them to include the western extension area and the proposed changes to the activities if a DCO is granted for the proposed development.

The principles of the design of the engineered containment and the leachate and gas management infrastructure of the landfill site will remain and will be extended to the proposed western extension area. The principles of the phasing of the landfilling and restoration activities will remain and will be extended to the western extension area. The methods of operation and control of the waste treatment and recovery facility will remain the same.

There are three essential elements to assessing risk associated with emissions:

- A contaminant source which has the potential to cause harm to human health or the environment;
- A receptor which in general terms is something that could be affected adversely by the contaminant such as people, a water body or an ecological system; and
- A pathway or route by which a receptor can be exposed to and affected by the contaminant.

Each of the elements can exist independently but a risk can be present only where they are linked together so that a contaminant can affect a receptor by a pathway. The identification of risk in this way is referred to as the source-pathway-receptor methodology and the linked combination of contaminant-pathway-receptor is referred to as a pollutant linkage or exposure pathway. In order to understand and assess the potential risks associated with a proposed development it is necessary to identify the potential exposure pathways associated with emissions from the facility and to assess the effects that may result from the identified exposures.

A number of possible pathways which might have the potential to expose people to contaminants which might affect their health have been identified and are assessed through risk assessments including for routine as well as unexpected events (accidents). The risk assessments demonstrate that the potential exposure pathways can be
controlled such that emissions remain below threshold limits that are set for the protection of people and the environment. The full and detailed risk assessments that will be provided with the Environmental Permit applications will be scrutinised robustly by the Environment Agency and Environmental Permits will not be issued unless the Environment Agency is satisfied that the site can be operated safely and that the health of those living and working at or near the site is protected.

The potential impacts associated with the continuation of the operation of the consented and extended landfill and waste treatment and recovery facility to 2046 are similar to those for the current site operations but will be present over a longer time.

The ENRMF will continue to be monitored and regulated through Environmental Permits to confirm that it is operating in compliance with all appropriate standards. The results of the monitoring will continue to be made available on the company web site to provide confidence that the site is being managed effectively.

Ecology and biodiversity

Numerous ecological surveys have been carried out at the site and further ecological surveys are currently being undertaken. The following aspects of the proposed western extension area have been identified as being ecologically important features:
- The habitats and plant communities that provide habitat for important species including amphibians, reptiles, badgers and invertebrates.
- The amphibian and reptile populations.
- Bats, particularly in the adjacent woodlands.
- Badgers.
- The invertebrate populations particularly species using the interface between the site and the woodland at the site margins.

The detailed design of the extension area is currently being developed taking into account the findings from the ecology surveys and initial consideration of effects. Measures to protect the ecology on site will be included in the detailed design of the development. The majority of the extension site area is agricultural land which typically has a low level of biodiversity. The restoration of the site is being designed to provide significant biodiversity gain.

The preliminary design of the proposed restoration is shown on Figure NTS4 and incorporates neutral/calcareous wildflower grassland interspersed with areas of scrub and trees which in time will extend naturally to provide more extensive woodland cover with glades and rides. The scheme also incorporates an extensive network of hedgerows with occasional trees, which would link areas of vegetation and mark field boundaries as well as delineating the route of a maintenance track along...
which a new footpath would extend. Other footpath routes would provide circular walks and would link with other public rights of way in the local area.

Waterbodies will be incorporated into the design at locations at the base of the raised landfill areas once the site drainage scheme has been developed. The restoration scheme principles follow those agreed for the current site which were designed in discussion with the Northants Wildlife Trust in order to match their requirements for adoption as a Local Wildlife Site and to meet several of the Northamptonshire Biodiversity Action Plan habitat creation targets.

With the planned avoidance, protection and mitigation measures in place it is considered that there will be no significant adverse impacts on biodiversity throughout the operational stage of the proposed development and there will be a large positive net gain in biodiversity on completion of restoration.

**Landscape and visual impacts**

A landscape and visual impact assessment has been carried out. The existing visibility of the site has been determined and the effects on landscape features, landscape character and visual receptors at different stages of the proposed development have been assessed.

The assessment concludes that there will be no significant impacts on landscape features and character as a result of the proposed development during the mineral extraction, cell construction and infilling stages. The assessment concludes that there will be significant beneficial impacts as a result of the proposed restoration of the site.

The site location is generally visually enclosed. There may be partial distant views of the infilling operations in the southern part of the western extension area which might result in effects on the visual amenity of the residents of Westhay Lodge. After the restoration stage the significance of any visual effects will be beneficial due to the restoration of the site and the establishment of woodland and scrub vegetation which will merge well with the adjacent woodland.

**Soil resources and agriculture**

An assessment of the impacts on soil resources has been prepared. A survey has been undertaken to establish the quality of the soil. The soils in the main part of the western extension area are classified as Grade 3b whilst the soils in the northern part of the western extension area are classified as Grade 3a which is considered as best and most versatile agricultural land.

As the site will be restored to nature conservation habitats and it is not
proposed to return the site to agricultural land there will be a permanent loss of approximately 6 hectares of best and most versatile agricultural land and a loss of approximately 20 hectares of lower quality agricultural land although this will be given over to nature conservation. All the soils will be stripped and retained on site using procedures designed to protect the soil structure and all the soils will be replaced and reused in the site restoration.

Archaeology and cultural heritage

A desk based study including an assessment of archaeological potential and the potential impacts on the setting of cultural heritage assets has been undertaken. A geophysical survey has been undertaken of the proposed western extension area to identify any features of potential archaeological interest. The geophysical survey found little that can described as of archaeological interest with any certainty. Trial trenching is currently being undertaken in the western extension area to verify the findings of the geophysical survey and identify any features of archaeological interest which may be present below ground.

There is no surviving archaeology within the existing ENRMF site as all areas of the site have been disturbed and were subject to previous investigation and recording.

The preliminary conclusion is that the proposed development will have neutral, negligible or no significant effects on cultural heritage and archaeology.

Water resources

An initial assessment of potential impacts on geology, hydrology and hydrogeology has been carried out. A detailed site investigation has been carried out with the drilling of numerous site investigation and monitoring boreholes to establish the geology and hydrogeology of the western extension area. A swallow hole is present to the north west of the current landfill site and there is evidence of other solution features in the limestone geology (dolines). The area of the dolines has been investigated using geophysical surveys. Subject to further investigations into these areas, the extent of the proposed landfill will be adjusted to make sure that the engineered base and sides of the containment landfill will be suitably stable and that the containment system will provide suitable protection to the quality of the groundwater underlying the site. Consistent with the principles of the current site design, at least 2m of natural low permeability strata will be left in place below the base of the engineered landfill and above the limestone strata underlying the site.
Based on the proposed measures for the design of the containment engineering and the control measures that will be incorporated into the design, it is concluded that there will be no significant impact on groundwater quality or flow beneath the site or at receptors nearby as a consequence of the proposed void extension. The quality of the groundwater will be monitored routinely to confirm that the landfill is functioning as predicted by the risk assessments which will be carried out as part of the Environmental Permit application.

Surface water from areas around the site will be collected in and channelled away from and around the landfill areas in a series of ditches. During the operational period all water on site which is in contact with wastes and which has the potential to be contaminated is retained on site. Collected site surface water is used for dust suppression, in wheel washes and in the waste treatment plant in place of mains water.

Following restoration of the site the runoff from the filled, capped and restored areas will be integrated with the surrounding ditches and additional ponds will be provided in accordance with a restoration surface water management plan which will be prepared and agreed with the Environment Agency.

Flood risk assessment

A preliminary assessment of the potential impacts of the proposed development on surface water flow and flood risk near to the site has been carried out. The site is located in an area which is not considered to be at a significant risk of flooding from rivers or the sea.

The design of the proposed surface water management scheme for the site will include the necessary provisions for climate change in particular the predicted increase in frequency and intensity of rainfall storm events. It is considered that based on the implementation of an effective surface water management plan the proposed development can be undertaken without increasing the risk of flooding at or in the vicinity of the site.

Transport and traffic

The traffic numbers associated with the currently consented activities at the site are being reviewed to confirm whether there will be any significant changes in the estimated average numbers of HGVs using the site as a result of the proposed development. In the assessment for the current site activities which was carried out to support the application for the current DCO, it was estimated that the average number of HGV vehicle movements associated with the combined activities that was assessed was 196 per day (98 movements in and 98 movements out).
The combined activities include the importation of waste, the exportation of some treated wastes and the exportation of overburden and clay during the periods of mineral excavation and landfill cell development. The assumed probable number of movements is unlikely to change significantly as a result of this application but the final assessment will be based on the detailed design of the phasing of the mineral excavation works which is being carried out currently. It was concluded in the current DCO application that there would be no adverse impact on highway safety or capacity as a result of the operation of the landfill and treatment facility. It is considered that provided the number of vehicle movements do not change significantly, this conclusion remains valid.

**Noise**

A preliminary assessment of the noise impact of the proposed operations at the nearest sensitive receptors has been carried out. Due to the coronavirus pandemic it has not yet been possible to carry out representative background noise monitoring as activities in the vicinity have not yet returned to normal. In the meantime, it has been agreed with the Local Authority that background noise monitoring data obtained during 2011 can be used as an estimate of current background noise levels.

Noise predictions have been made using calculations. The results of the preliminary assessment suggest that there will be no significant or unacceptable adverse impacts at noise-sensitive premises in the vicinity as a result of the proposed operations.

**Air quality**

The potential impacts of the proposed development on local air quality which have the potential to affect human health have been assessed. The potential impacts as a result of odour associated with the proposed development have also been assessed.

The site is not located in an air quality management area which means that national air quality objectives are being met.

The monitoring of air quality and gas in the ground at the site is undertaken routinely in accordance with the Environmental Permit to confirm that there are no significant adverse impacts. This will continue for the proposed western extension area.

Based on the control measures which will continue to be implemented it is considered that the generation of fine airborne particulates as a result of the extraction and stockpiling of soils, clay and overburden will have no significant impact on air quality in the locality. It is considered that the proposed time extension and increase in throughput of the waste treatment and recovery
facility will have negligible impact on air quality in the locality. It is considered that the restoration of the site will have a negligible impact on air quality at the site.

The wastes that are accepted at the site for landfill and treatment have a low level of organic carbon which means they have a limited potential for biodegradation hence a limited potential for the generation of gases or vapours. The wastes have a limited potential to generate odour. Based on the proposed continuation of the current controls including those that will be specified and implemented through the Environmental Permits, and based on the nature of the current and proposed wastes accepted at the site it is considered that there will be no significant impacts on air quality including impacts associated with odour as a result of the site activities.

Amenity

The potential effects on amenity of dust, mud on the road and lighting have been assessed.

If no dust control measures were implemented there would be the potential for a negligible to moderate adverse effects associated with impacts from dust on nearby receptors. However dust emissions will continue to be controlled effectively as part of the proposed development using a range of control measures. The effectiveness of dust control will be confirmed through regular dust monitoring at locations on the boundary of the site as specified in the Environmental Permit.

Based on the wheel cleaning facilities and the proposed cleaning and maintenance regime on the site and the adjacent Stamford Road, the risk of nuisance from the proposed development associated with mud and debris on the local road network is low.

The lighting at the site is located in key areas at the main reception and office areas as well as the treatment facility for both security and health and safety considerations. Mobile lighting is used on the operational landfill area when needed. With the exception of security lighting the lighting will only be used during periods of low light and darkness when the site is operational and all lighting will be directed downwards to minimise the impact.

It is considered that there will not be an unacceptable impact on amenity as a result of the continued use of lighting as part of the proposed development.

Socio economic impacts

An assessment of the socio economic impacts of the proposed development has been carried out.

The proposed development provides the continued opportunity for a significant national and regional socio-economic benefit by supporting the
need of businesses and other activities for the safe treatment of wastes and the safe disposal of hazardous wastes and LLW. In addition the continuation of activities at the site will result in a further significant positive contribution to the local economy and provide substantial support to the function of the local villages and to local community and educational activities.

Based on the absence of evidence of adverse socio economic impacts and the evident beneficial impacts of the existing operations at ENRMF as set out in the PEIR, it is concluded that the proposed development will not give rise to any adverse socio-economic impacts on the local community.

The continued provision of safe, sustainable and cost effective waste management facilities will provide a beneficial socio-economic impact to local, regional and national businesses. The presence of the site and the Augean business will continue to support and make contributions to the local community.

Conclusions

The cumulative impacts of all the aspects of the collective proposals have been taken into account in the assessments of impacts on people and the environment. Based on the assessments carried out to date the findings indicate that there will be no unacceptable adverse effects on human health or the environment in the short, medium or long term.

Availability of the full reports and consultation information

The statutory consultation will take place between 26 October and 14 December 2020. Copies of the documents, plans and maps will be available from 26 October 2020 online at https://www.augeanplc.com/enrmf-planning/

A consultation pack can also be provided in hard copy on request from ENRMF@augeanconsultation.co.uk or the telephone helpline 01904 654989. Hard copies of the full PEIR document are available for review at the site by arrangement. A reasonable copying charge of £150 for the full suite of documents will apply for hard copies and £5 for an electronic copy on a memory stick.

Any representations on the Proposed Application should be made by 14 December 2020 in writing to the ENRMF Project Office, 52 The Tannery, Lawrence Street, York YO10 3WH or by email: ENRMF@augeanconsultation.co.uk

Comments can also be submitted via the website or the telephone helpline 01904 654989.
Applicant: Mr And Mrs Reese
Agent: Jonathon Hartley Limited - Miss Florence Hartley
Location: 1 Braesby Lane Glapthorn Northamptonshire PE8 5FB
Proposal: Part conversion of detached garage including addition of habitable space, raised roof, external staircase and two dormer windows

This application has been brought to the Planning Management Committee under Section 1(b) of the Council's July 2019 Scheme of Delegation due to an objection raised by the Parish Council. The Ward Member has been consulted but has also requested that the application be determined by the Committee.

1 Summary of Recommendation
1.1 That planning permission be GRANTED subject to conditions.

2 The Proposal
2.1 The proposal comprises of the partial conversion of an existing double garage to create habitable accommodation within the roof space. To facilitate the conversion the proposal includes the raising of the roof of the garage, the addition of two pitched roof dormer windows on the north elevation, two velux rooflights in the south elevation and an external staircase to the east elevation. The created roof space is to be used as a home office.

2.2 The existing garage roof will be raised a total of 1.36m, with an increase in eaves height of 0.21m and an increase in the ridge height by 1.15m. The two dormer windows will be sited in the frontage roof slope with a pitched roof and the two velux windows will be to the rear.

2.3 Amended plans have been submitted during the course of the application in response to overlooking concerns. The plans now include a bamboo screen to the landing at the top of the external staircase at a height of 1.7m

3 The Site and Surroundings
3.1 The application site comprises of a recently constructed detached two storey dwelling with a detached double garage. The property is located to the south of Braesby Lane to the east of Glapthorn. The dwelling is situated on a bend in the cul-de-sac with a rear driveway and access to the south of the property, with the garage sited to the southern boundary separated from the host dwelling by the driveway and rear garden area.

3.2 The application site lies on the eastern edge of the village surrounded by similar residential properties on Braesby Lane, to the north and west. Properties on Southwick Road lie to the east and properties on Main Street to the south.
4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)
National Design Guide

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 8 - North Northamptonshire Place Shaping Principles

4.3 Glasthorne Neighbourhood Plan (2018)
Policy 10 – Design Principles

4.4 Other Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Residential Extensions and Alterations Design Guide

5 Relevant Planning History

5.1 None relevant

6 Consultations and Representations

6.1 Neighbours

Letters sent to nine properties and one letter of objection has been received, points raised are summarised as follows;
- The proposal would create a two-storey dwelling, sited on the boundary.
- The proposed Velux windows and outside staircase would allow elevated views over the adjoining garden and dwelling.
- There would be views into a number of the properties in Southwick Road and other adjacent properties in Main Street.
- Unacceptable invasion of privacy of neighbouring properties.

On receipt of amended plans a further letter of objection has been received stating;
- The amended proposal does not address the original concerns, the proposal is virtually on the boundary and is overbearing and inappropriate.
- The amended proposal does nothing to address the original concerns that the proposed Velux windows would allow elevated views into the neighbouring garden and dwelling. Even if the glazing was obscure, it would still be possible to have the same views with the windows open.
- The proposal to erect bamboo screening at the top of the external staircase is inadequate. Any screening would need to be solid and permanent in nature and would need to encompass the whole of the staircase. Otherwise views from the staircase would still create overlooking.
- There would be clear and unobstructed views from the front windows.
- The outside staircase would have same views as front windows, screen does not screen the rest of the staircase.
6.2 **Glapthorn Parish Council**

*Comments received 22.11.20*: Object, on the grounds of overlooking neighbouring properties. These objections can be mitigated if:
1. the Velux windows in the south elevation are removed;
2. the external staircase is screened (or moved inside).

*On receipt of amended plans further comments from the Parish Council were received 17.12.20*: Objections remain unresolved. The issues of overlooking have not been adequately addressed.

Councillors contend that the whole of the outside staircase needs shielding. Councillors contend that the velux windows should be removed or stipulated to be opaque.

7 **Evaluation**

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following considerations are relevant to the determination of this application:

**Visual Impact**

7.2 National guidance contained within the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy 1 of the North Northamptonshire Joint Core Strategy seeks to secure sustainable development and Policy 8 requires new development to comply with a number of sustainable principles including being of a high standard of design and not impacting on the amenities of neighbours.

7.3 The existing garage lies to the south of No 1. Braesby Lane, detached from the host dwelling. To the west of the building is a similar detached garage to No.2 which is at a slight angle to the application site. The application proposes to increase the height of the garage by 1.36m to create a home office within the roof space. The office is to be accessed via an external staircase, to the east of the building, and would include two dormer windows to the frontage (facing north) and two rooflights on the rear slope (facing south).

7.4 The garage is visible within the streetscene and the proposed increase in height and addition of dormer windows to the frontage would slightly alter the overall appearance of the building. The ground floor is to be retained as garaging and the double garage doors on the frontage are to be retained. The proposed dormer windows are relatively small scale and are in keeping with the scale and design of the existing building. The external staircase would be sited close to the eastern boundary of the site and would be predominantly screened by the existing building. Overall, the resultant building would retain the character of a domestic ancillary building and would not be out of keeping with the character and appearance of the host dwelling and its surroundings.

7.5 Having regard to the above it is considered that the proposal is in keeping with the character and appearance of the host dwelling and its surroundings.
Impact on Residential Amenity

7.6 The application site sits within a modern residential development and is surrounded by residential properties. To the south are properties on Main Street which are sited some distance from the proposed alterations to the garage with large rear gardens and intervening landscaping. To the east are the rear of properties on Southwick Road.

7.7 Concern has been expressed that the proposed increase in height, external staircase and rear rooflights would lead to an overbearing impact, overlooking and loss of privacy to properties to the south and east of the site.

7.8 The application proposes a slight increase in height of the garage. To the shared rear boundary, the eaves height will be increased by 0.21m and the ridge, which slopes away from the shared boundary, by 1.15m. A total increase in height of 1.36m. Properties to the south on Main Street are sited approximately 35 metres from the application site and to the east on Southwick Road, approximately 15 metres.

7.9 Two rooflights are proposed on the rear roof slope of the building. Due to the angle of the rooflights within the roof and the proposed cill height this would not lead to any direct overlooking of the rear gardens on Main Street. The Parish Council and representations from neighbouring properties have requested that the rooflights are obscurely glazed. However, this is not considered to be reasonable or necessary due to the angle of the openings within the roof and that no direct overlooking will occur.

7.10 Concern has also been expressed with regards to the front dormer windows proposed and the unobstructed views from these windows. The proposed dormers would be in the front, north, elevation of the garage. Directly to the north is the application property. Properties on Southwick Road, in particular Fiddler’s Creek and Linden, are sited to the northeast. These properties are 20 metres or more from the frontage of the garage and at an angle to the proposed windows. Due to the angle of the frontage dormers and distance separations involved, whilst there could be incidental overlooking of rear gardens, it is not considered that the frontage dormers would lead to any adverse impact to properties on Southwick Road.

7.11 This application has been amended to include a screen at the top of the staircase following concerns expressed by Officers in relation to overlooking or the perception of being overlooked from the staircase. The amended plans propose bamboo screening panels to the landing area of the staircase, on the south and east side, at a height of 1.7 metres. This will prevent anyone standing on the landing area overlooking the rear gardens to Main Street and Southwick Road. The proposed staircase may allow for some views to the north, of properties to the northeast on Southwick Road, however, this would not result in direct views into adjoining properties and would be obstructed by mature landscaping to the boundary. Having regard to the above it is considered that the proposal would not impact significantly upon neighbouring properties and a satisfactory relationship would remain.

7.12 Due to the scale of the proposal, location of the rooflights, distance separations involved and the proposed screening panels to the staircase it is not considered that the extension and alterations to the garage would result in any overbearing impact or overlooking to adjoining residential properties to the south and east.

7.13 To the north, properties on Braesby Lane would be screened from the proposal by the host property.
7.14 No. 2 Braesby Lane lies to the west and is separated from the proposal by a detached garage and driveway. Due to the orientation of this property to the application site and intervening garage it is not considered that the works would have any detrimental impact to the occupants of No. 2.

7.15 Overall, it is considered that the inclusion of the bamboo screen would prevent any direct overlooking and having regard to the above it is considered that the proposal would not impact significantly upon neighbouring properties to warrant a refusal and a satisfactory relationship would remain.

**Highway Safety and Parking**

7.16 The proposal involves the extension and conversion of the first floor above an existing double garage. The ground floor will remain as a garage and the works will have no impact on parking or access to the property. Accordingly, the development would not impact upon highway safety.

**8 Other Matters**

8.1 **Equality Act 2010:** It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

**9 Conclusion / Planning Balance**

9.1 Overall, the proposal is considered to be of acceptable design and there is no impact on the amenities of neighbouring properties or highway safety which would justify refusing the application.

**10 Recommendation**

10.1 That Planning Permission be GRANTED subject to conditions.

**11 Conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

   **Reason:** To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out strictly in accordance with the following documents:
   - Location Plan, received 5th October 2020
   - Proposed Plans and Elevations, REE/20/0780/2C, received 30th November 2020

   **Reason:** In order to clarify the terms of this consent and to ensure that the development is carried out as permitted.

3. The development hereby permitted shall be finished externally in materials as detailed on the submitted application form and plans. The approved materials should be maintained and retained in perpetuity thereafter.

   **Reason:** To achieve a satisfactory elevational appearance for the development.
4 The bamboo screening to the external staircase, as shown on the submitted plan REE/20/0780/2C, shall be installed prior to the first occupation of the approved habitable roof space and shall be retained and maintained in perpetuity.

Reason: In order to safeguard the amenity of adjacent residential properties.

5 The resultant building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 1 Braesby Lane, Glapthorn.

Reason: In order to safeguard the amenity of adjacent residential properties and in the interests of highway safety.
The application is brought before the Planning Management Committee because it has been 'called in' by the Ward Member, Cllr Barbara Jenney, and as such falls outside the Scheme of Delegation in Part 3.2 of the Council's Constitution (2019) due to concerns regarding residential and visual amenity.

1 Summary of Recommendation

1.1 That advertisement consent is GRANTED subject to conditions.

2 The Proposal

2.1 This is a retrospective application for advertisement consent for a series of 16 signs in association with the one of the current site users known as Starbucks. This application is for Starbucks only and signage for the associated petrol station and retail units is being considered separately under ref: 20/01464/ADV. Each of the proposed signs for Starbucks is described below and will be referred to in the report thereafter as a number (e.g: Sign 3) which corresponds with the multiple elevation plans submitted.

2.2 Sign 1

A 9 metre high illuminated totem sign positioned on a black pole to the right hand side of the access point (when entering the site), comprising of 1800mm wide circular Starbucks ‘Siren’ logo in green and white acrylic on both sides with 1800mm x 520mm ‘Drive Thru’ sign in black and white below. The illumination would be via LED and the sign would be orientated so that the illuminated sides of the sign do not face towards the dwellings on Tyne Way.

2.3 Sign 2

A double sided illuminated (LED) directional ‘Drive Thru’ sign with arrows in black and white acrylic measuring 832mm by 480mm. The sign would be mounted on two black poles and would have a maximum overall height of 1500mm.
2.4 **Sign 3**

A height restriction barrier positioned at the entrance to the drive through with an overall height of 3000mm and a swinging element restricting access to vehicles over 2.7m. The sign would be in black and white powder coated aluminium with 'Starbucks' and the clearance height written in reflective lettering. The barrier would be set into a concrete slab.

2.5 **Sign 4**

A menu preview board positioned at the entrance to the drive through which would measure 700m wide and 1502m tall (including steel post at base). This sign would be illuminated with LEDs and could be opened to allow staff to display seasonal promotional posters.

2.6 **Sign 5**

A 3200mm high speaker canopy in black powder coated aluminium with 'Order Here' in white reflective lettering and digital monitor.

2.7 **Sign 6**

A black powder coated aluminium menu board positioned at the speaker point with three openable windows for displaying menu posters on an aluminium base. The sign would measure 1626mm in height and 2450mm in width. The menu boards would be illuminated with LEDs.

2.8 **Sign 7**

An illuminated (LED) 'No Entry / Thank You' sign in black powder coated aluminium with white lettering, sat upon black posts positioned at the drive through exit point.

2.9 **Sign 8**

An illuminated (LED) 'No Entry / Thank You' sign in black powder coated aluminium with white lettering, sat upon black posts positioned at the drive through exit point, but closer to car park.

2.10 **Sign 9**

An illuminated (LED) circular acrylic sign with 1500mm diameter showing Starbucks 'Siren' logo (green / white) positioned above (south side) serving hatch at a height of 5.3m.

2.11 **Sign 10**

'Drive Thru' sign measuring 2000mm by 1250mm and positioned adjacent to serving hatch with raised individual letters in white on a black background. This sign would be illuminated with LEDs mounted within each letter.

2.12 **Sign 11**

An illuminated (LED) circular acrylic sign with 1500mm diameter showing Starbucks 'Siren' logo (green / white) positioned above (north side) of serving hatch at a height of 5.3m.
2.13 **Sign 12**

250mm high by 2468mm long illuminated (LED) ‘Starbucks’ sign positioned on canopy over serving hatch.

2.14 **Sign 13**

250mm high by 2468mm long illuminated (LED) ‘Starbucks’ sign positioned above main entrance door.

2.15 **Sign 14**

There is no sign proposed as sign 14 (possible error by applicant).

2.16 **Sign 15**

A non-illuminated ‘Welcome’ directional sign in black with white arrows measuring 1300mm in height and 2000m in width on a mesh aluminium base, positioned near speaker point.

2.17 **Sign 16**

A non-illuminated ‘Thank you’ directional sign in black with arrows measuring 1300mm in height and 2000m in width on a mesh aluminium base, positioned adjacent to rear of store approaching exit.

2.18 **Sign 17**

Non-illuminated vinyl banner (interchangeable) with frame measuring 4000mm by 99mm on two black posts, with an overall height of 1150mm and displaying ‘Starbucks’ lettering with logo in white on a black background. The banner frame is positioned to the eastern corner of the adjacent to John Clark Way.

3 **The Site and Surroundings**

3.1 The application site is positioned to the north west of the junction of John Clarke Way (A5001) and a roundabout on the A6. The site accommodates a recently constructed petrol station with integral retail units and a drive through food outlet which is to be occupied by Starbucks. Access to the site is off John Clarke Way and the roadway is currently being constructed. At the time of writing this report, the site was not open to the public.

3.2 There is warehousing to the west of the site, open land to the north, a roundabout and the A6 to the east, and a residential estate, separated by John Clark Way and a substantial planted earth bund, to the south.

3.3 The nearby dwellings are set on land which is raised in comparison to the application site. The distance between Sign 1 (the tallest and closest to the southern boundary of the site) and the rear elevation of the nearest dwelling (three storey) on Tyne Way is approximately 52 metres.
4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 8 - North Northamptonshire Place Shaping Principles

4.3 Rushden Neighbourhood Plan (Made April 2018)
Policy E1 - Design in Development

4.4 Other Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
North Northamptonshire Joint Planning Unit - Sustainable Design Supplementary Planning Document (2009)
East Northamptonshire Council - Shop Front Supplementary Planning Document (2011)

5 Relevant Planning History

5.1 18/02433/OUT - Outline: One drive-thru unit (Use Class A1/A3/A5) alongside a petrol filling station (Sui-Generis/A1) (All matters reserved except Access) - PERMITTED (04.07.2019)

5.2 19/01376/REM - Reserved matters: Appearance, landscaping, layout and scale pursuant to planning permission 18/02433/OUT dated 4th July 2019 - Outline: One drive-thru unit (Use Class A1/A3/A5) alongside a petrol filling station (Sui-Generis/A1) (All matters reserved except Access) – REFUSED (11.10.2019)

5.3 19/01977/REM - Consent for all matters (appearance, landscaping, layout and scale), save access is sought. Access arrangements were approved pursuant to outline planning approval (Réf. 18/02433/OUT) – PERMITTED (05.03.2020)

5.4 20/01464/ADV – Signage for Petrol Station and integral retail units – Currently being considered.

6 Consultations and Representations

6.1 Neighbours

Neighbour consultations are not required for advertisement consent applications.

6.2 Rushden Town Council

Comments received 24.09.2020: Object to the 2 x 9 metre high totem pole. The poles are too high and will cause light pollution to the three storey homes directly opposite the site.

Officer comment: Only one 9 metre high totem pole is proposed as part of this application.
6.4 Northamptonshire County Council - Local Highway Authority (LHA)

Comments received 09.09.20: No objection

6.5 East Northamptonshire Council - Environmental Protection Officer

Comments received 06.10.20: No objection. Details of the type of signage and where it will be located have been provided in presentation slides submitted in support of the planning application. From this, a number of signs will be at vehicle height to guide customers through the drive thru service. There will be wall mounted, illuminated, lettering and company roundels. There is one column mounted roundel and this is orientated such that the illuminated face does not point towards existing development. It is considered that none of the proposed illuminated signs should result in light pollution, glare, dazzle or adverse impact and as such I have no objection.

7 Evaluation

Principle of Development

7.1 The proposed signage would be associated with a new commercial development where signage for individual tenants is to be expected. The proposal is acceptable in principle.

7.2 The assessment of the proposed signs will need to take account of the impact on visual amenity and highway safety, as well as the cumulative impact of the proposed signs with others; including those proposed for the adjoining petrol station and retail units. Whilst the local planning authority acknowledges the need for signage in order to promote the success of businesses, unnecessary signage should be kept to an absolute minimum in order to prevent visual clutter.

Impact on Visual Amenity

7.3 The signage proposed as part of this application was put in place prior to the application being submitted. Whilst this is frustrating, it gives Members, Officers and the public (including the nearest residential neighbours) the opportunity to experience the full impact of the signage to make an informed conclusion. When considering the visual impact of the proposed signs, it is important to remember that the development of the Starbucks site is not yet complete, so there is construction paraphernalia, Herras fencing and other temporary clutter within the site that will be removed when the build is complete. There is a danger that, as the construction and safety equipment currently on site is unsightly and creates a cluttered appearance, the visual impact of the signage itself could be perceived to be more significant. As such, it is crucial to focus purely on the impact of the signage and not the unfinished state of the site.

7.4 All of the signage proposed as part of this application for advert consent is designed in the well known Starbucks corporate branding. The majority of the proposed signs are small and would appear as features that we would expect to see at retail and food outlets (such as directional signs and height restriction barriers). Also, many of the signs as proposed would be incorporated discreetly into the design of the main building, such as those which are integrated into the speaker unit. Most of these smaller signs are illuminated but the level of illumination is modest in visual terms. As such, signs 2 to 16 would not be harmful to the appearance of the development or the wider area.
7.5 The two most prominent signs are the illuminated 9 metre high totem sign adjacent to the access (Sign 1) and the 4 metre wide non-illuminated banner frame positioned adjacent to John Clark Way and the A6 roundabout (Sign 17). The impact of the totem during the hours of darkness must also be considered, as the impact of illuminated signs is very different at night.

7.6 The totem sign is the tallest of the proposed signs and acts as the key sign to attract and identify the site in longer views. The sign is not excessively high in relation to the Starbucks building and canopy itself (approximately 7 metres), the adjacent dwellings or the adjacent warehouse buildings (approximately 19 metres); although it is accepted that it is a tall feature which sits quite separate from any other building or sign. However, this does not mean that it would have a detrimental impact.

7.7 The circular element of the sign at the top of the totem is not excessive in scale and the illuminated surface is also modest: given that it is in place in order to attract the eye in longer views. The very point of a sign is that it is visible and eye catching in order to encourage custom, so this prominence does not come as a surprise. Further, the sign highlights the presence of Starbucks as the landmark gateway site that was intended for this corner of John Clark Way.

7.8 The totem is attractive in design, positioned appropriately and is commensurate with the associated development and street scene in terms of scale. It is therefore considered that the totem is not harmful in a visual sense.

7.9 The proposed banner frame is low in height and its scale is not excessive; so, its zone of visibility is limited. From a visual point of view, the sign would sit against a commercial background when viewed from the adjoining roads, so it would not appear overly dominant or oppressive. The visual impact of the banner sign is not harmful given the context.

7.10 Each of the proposed signs has its own purpose and the number of signs throughout the Starbucks site is reasonable in order to advertise the business and direct customers around the facility. Therefore, none of the proposed signs are considered to create unnecessary visual clutter. Further, when all the signs are illuminated and viewed at night, the number of signs does not appear to be excessive.

7.11 Whilst the concerns raised by Rushden Town Council are acknowledged, the proposed signs are considered acceptable in a visual sense, for the reasons mentioned above.

*Impact on Residential Amenity*

7.12 A number of the proposed signs would be illuminated, and this has been raised as a concern by Rushden Town Council and the Ward Member. The main concern appears to be with the totem sign that has been erected near to the access point and the impact that this could have on the most sensitive receptor: being the three storey dwellings on Tyne Way which have their rear elevation facing the application site. Again, there is benefit in considering the proposal retrospectively because any impact from the illuminated signs can be experienced rather than imagined. It is acknowledged that the dwellings in Tyne Way are raised in comparison the application site and that this means the bedroom windows of the dwellings sit closer to the illuminated part of the totem sign.
7.13 The proposed totem sign has been positioned at a distance of over 50 metres from the rear elevation of the closest dwellings. The illuminated logo at the top of the totem sign measures 1800mm in diameter and has been orientated so that the illuminated areas face east and west, so as to face away from the nearby dwellings. As such, there is no issue with direct light pollution (as in a light beaming straight into a window) and instead, it is a question of whether or not the glow from the sign, when viewed from the side, would be detrimental to the residential amenity of the nearby occupiers during the hours of darkness. The illumination would not be a nuisance in any way during the day.

7.14 The case officer has visited the application site in the dark and notes that the illuminated totem does provide some illumination of the adjacent public footpath and some of the ground within the application site. However, the zone of illumination does not travel beyond 4 - 5 metres on the ground. Similarly, the glow to the sides of the totem sign appears to create a 'halo' which spreads approximately 2 metres from the outside edge of the sign. Beyond that, the light diminishes to a level that is difficult to attribute to the sign given that there is an existing lamp column to the Tyne Way side of John Clarke Way and lights within the application site.

7.15 Bearing in mind the significant physical separation distance between the sign and the rear elevation of the nearest dwellings, it is considered that the illuminated totem is not the cause of significant light pollution. It is agreed that the totem will be visible from the bedroom windows on Tyne Way, but the level of light pollution would not be to the degree which would prevent or affect sleep. If any residents are more sensitive to light than the average person, mitigation measures such as blackout blinds would be a simple solution.

7.16 The Council’s Environmental Protection Officer was asked to comment on the proposals and was aware of the concerns raised by Rushden Town Council. The full response is at 6.5 above, but it is confirmed that the proposed development, specifically the totem sign, is not a cause for concern with regard to nuisance caused by light. As such, it would be difficult to substantiate a reason for refusal on this basis.

7.17 All the other illuminated signs proposed would be small in size or positioned far enough into the site to prevent a detrimental impact on the nearby dwellings.

Impact on Highway Safety

7.18 As set out in the description of development, the majority of the proposed signage is positioned on private property well within the application site. These signs would not have an impact on highway safety. However, two of the proposed signs are larger and would be positioned adjacent to the public highway. These are Sign 1 (illuminated totem) and Sign 17 (banner frame).

7.19 The Local Highway Authority (LHA) was asked to assess the impact of the proposed signs, especially Sign 1 given that it is illuminated and positioned close to the highway. The LHA confirms that the proposed signs (all 16) do not present a risk to highway safety. Sign 1 is illuminated well above road level so as not to cause difficulties with vision and Sign 17 would not be large or unusual in a way that it would distract, obstruct or confuse a road user’s view. None of the signs would impede the public highway or obscure visibility along the highway or at junctions. Likewise, none of the signs would, because of their size, position or brightness, result in glare and dazzle, or distract road-users, particularly in misty or wet weather.
7.20 Although not requested by the LHA, officers recommend a condition to prevent any flashing illumination which could be distracting to highway users.

8 Other Matters

8.1 Petrol Station Advert Consent Application: This application was purposefully held back until the applicant for the adjacent petrol station site submitted a retrospective application for consideration. This is so that both applications could be considered side by side and the full impact could be realised.

8.2 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

9 Conclusion / Planning Balance

9.1 This retrospective application for advertisement consent has been reviewed with particular attention paid to the impact on neighbouring residents, visual amenity and highway safety. The impact of the development is considered to be acceptable and as such, the application should be approved.

10 Recommendation

10.1 That advertisement consent is GRANTED subject to the following conditions:

11 Conditions

1 This consent shall expire at the end of a period of five years from the decision date shown below.


2 No advertisement is to be displayed without the permission of the owner of the site or any other person with interest in the site entitled to grant permission.


3 No advertisement shall be sited or displayed so as to:
   a) Endanger persons using any highway
   b) Obscure or hinder the ready interpretation of any traffic sign
   c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.


4 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not endanger the public.

5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.


6 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.


7 The means of illumination shall not be of a flashing or intermittent kind.

Reason: In the interests of highway safety.

8 The works hereby permitted shall be carried out strictly in accordance with the approved plans:

Location Plan - received 04.08.2020
Google Maps image – received 06.08.2020
‘Presentation for Starbucks’ document by NIS Signs (including elevation and site layout plans) – received 05.08.2020

Reason: In order to clarify the terms of the advertisement consent and to ensure that the development is carried out as permitted.

12 Informatives

1 Reason for Decision

In reaching this decision this Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraph 38.
20/01464/ADV - Euro Garages / BP - John Clark Way, Rushden
The application is brought before the Planning Management Committee because it has been ‘called in’ by the Ward Member, Councillor Barbara Jenney, and as such falls outside the Scheme of Delegation in Part 3.2 of the Council’s Constitution (2019) due to concerns relating to residential and visual amenity

1 Summary of Recommendation

1.1 That advertisement consent is GRANTED subject to conditions.

2 The Proposal

2.1 This is a retrospective application for advertisement consent for a series of 11 signs in association with the use of the recently approved petrol station and integral retail units. The retail units are to be occupied by Greggs and ‘Sainsbury’s - On the Go’. This application is for signage for the petrol station and retail units only and not for the signage associated with Starbucks Site; although this application does propose one small Starbucks sign (Sign 9) to be placed on the Euro Garages totem. Each of the proposed signs for the petrol station and retail units is described below and will be referred to in the report thereafter as a number (eg: Sign 3). The totems will be referred to as ‘Euro Garages’ totem and ‘BP’ totem.
2.2 Sign 1

Individual brushed stainless steel lettering saying ‘Welcome to Rushden Services’ back lit by LED’s and measuring 1750mm by 1102mm. This sign has been positioned approximately 3 metres above ground level on the south elevation.

2.3 Sign 2

A ‘Greggs’ sign in blue, white and orange powder coated acrylic measuring 2225m by 400mm. This sign is illuminated by LED and fixed to the fascia of the building (south) above and to the left of the entrance door.

2.4 Sign 3

A ‘Sainsbury’s On the Go’ sign in orange with white lettering on a powder coated aluminium back board measuring 3800mm by 1000mm. This sign is illuminated internally by LED and positioned above the main entrance door.

2.5 Signs 5 – 9 (Euro Garages totem)

This collection of signs would be positioned upon an illuminated 6.7 metre high and 2.0m wide ‘BP’ totem and would consist a petrol pricing window, a 2m x 1.5m ‘EG’ logo (Sign 6) a 2.2m by 800mm Sainsburys sign (Sign 7), a 1.7m by 400mm ‘Greggs’ sign (Sign 8) and a 1.7m by 400mm ‘Starbucks’ sign (Sign 9). This type of sign is familiar in service station settings and is used to highlight the retail offer to passing customers. This totem has been installed adjacent to John Clark Way.

2.6 Sign 11

An orange and brown ‘opening hours’ sign measuring 375mm by 675mm which is affixed to the window adjacent to the main entrance door.

2.7 Sign 12

An orange and brown statutory sign displaying fire evacuation details etc. measuring 225mm by 675mm affixed to the window adjacent to the main entrance door.

2.8 Sign 13

A series of 8 vinyl signs affixed to the windows showing images of food products each measuring 1060mm by 2890mm, plus a ‘Night pay’ image.

2.9 Signs 4, 10 and 4 x moveable flag signs are detailed on some of the submitted plans, but these signs do not require advertisement consent and do not need to be considered as part of this application.

2.10 An additional 8-metre-high illuminated totem has been positioned by Euro Garages adjacent to John Clark Way to the left hand side of the access point which is finished in black powder coated aluminium. This totem has space for six smaller (650mm by 1600mm) ‘badges’ to advertise the offer at the site. Three of the badge spaces are taken up by signs for Sainsbury’s, Greggs and Starbucks.
3 The Site and Surroundings

3.1 The application site is positioned to the north west of the junction of John Clarke Way (A5001) and a roundabout on the A6. The site accommodates a recently constructed petrol station with integral retail units to be occupied by Greggs and 'Sainsbury’s - On the Go' and a drive through food outlet which is to be occupied by Starbucks. Access to the site is off John Clarke Way and the roadway is currently being constructed. At the time of writing this report, the site is not yet open to the public.

3.2 There is warehousing to the west of the site, open land to the north, a roundabout and the A6 to the east, and a residential estate, separated by John Clark Way and a substantial planted earth bund, to the south.

3.3 The nearby three storey dwellings are set on land which is raised in comparison to the application site and their rear elevations face towards the petrol station.

4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 8 - North Northamptonshire Place Shaping Principles

4.3 Rushden Neighbourhood Plan (Made April 2018)
Policy E1 - Design in Development

4.4 Other Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
East Northamptonshire Council - Shop Front Supplementary Planning Document (2011)

5 Relevant Planning History

5.1 18/02433/OUT - Outline: One drive-thru unit (Use Class A1/A3/A5) alongside a petrol filling station (Sui-Generis/A1) (All matters reserved except Access) - PERMITTED (04.07.2019)

5.2 19/01376/REM - Reserved matters: Appearance, landscaping, layout and scale pursuant to planning permission 18/02433/OUT dated 4th July 2019 - Outline: One drive-thru unit (Use Class A1/A3/A5) alongside a petrol filling station (Sui-Generis/A1) (All matters reserved except Access) – REFUSED (11.10.2019)

5.3 19/01977/REM - Consent for all matters (appearance, landscaping, layout and scale), save access is sought. Access arrangements were approved pursuant to outline planning approval (Ref. 18/02433/OUT) – PERMITTED (05.03.2020)

5.4 20/00937/AVD – Signage for Starbucks (16 signs) – Currently being considered.
6 Consultations and Representations

6.1 Neighbours

Neighbour consultations are not required for advertisement consent applications.

6.2 Rushden Town Council

No response received.

6.3 Northamptonshire County Council - Local Highway Authority (LHA)

Comments received 27.11.20: No objection

6.4 East Northamptonshire Council - Environmental Protection Officer

Comments received 27.01.2020: No objection.

I have looked at the application which is for a number of illuminated signs and window graphics for the companies that will occupy the main petrol station building. Also for an illuminated totem pole adjacent to the A6 roundabout. Comments have already been made on the adjacent drive-thru food outlet.

The signs on the building face towards the fuel filling and parking area. Given the size and position they should not result in light pollution to any existing sensitive receptor.

It is proposed to have a 6750mm high totem pole near to the junction of John Clark Way and the A6 roundabout. This is orientated such that it faces up and down the road. There are residential properties on the other side of the road. However, given the orientation of the totem pole it should not shine directly towards any windows. Having looked at the illuminance levels they comply with guidance issued by the Institute of Lighting Professionals. It is unlikely that light from the totem pole will result in loss of amenity or glare and dazzle although it may be visible in the landscape. As such I have no objection to the advertising signs.

7 Evaluation

Principle of Development

7.1 The proposed signage would be associated with a new commercial development where signage for individual tenants is to be expected. The proposal is acceptable in principle.

7.2 The assessment of the proposed signs will need to take account of the impact on visual amenity and highway safety, as well as the cumulative impact of the proposed signs with others; including those proposed for the adjoining Starbucks site. Whilst the local planning authority acknowledges the need for signage in order to promote the success of businesses, unnecessary signage should be kept to an absolute minimum in order to prevent visual clutter.
Impact on Visual Amenity

7.3 The signage proposed as part of this application was put in place prior to the application being submitted. Whilst this is frustrating, it gives Members, Officers and the public (including the nearest residential neighbours) the opportunity to experience the full impact of the signage. When considering the visual impact of the proposed signs, it is important to remember that the development of the Petrol Station site is not yet complete, so there is construction paraphernalia, Herras fencing and other temporary clutter within the site that will be removed when the build is complete. There is a danger that, as the construction and safety equipment currently on site is unsightly and creates a cluttered appearance, the visual impact of the signage itself could be perceived to be more significant. As such, it is crucial to focus purely on the impact of the signage and not the unfinished state of the site.

7.4 All of the signage proposed as part of this application for advert consent is designed in the well known corporate banding for each company. The majority of the proposed signs are small and would appear as features that we would expect to see at petrol stations and food outlets (such opening hours details and petrol pricing). Also, many of the signs as proposed have been incorporated discreetly into the design of the main building, such as those which are fixed to the windows. Sign 1 is an attractive and necessary introductory sign and all of the other signs for the front elevation of the building are appropriate in terms of their scale, number, design and positioning.

7.5 The two most prominent signs as part of this application are the illuminated totem signs: the 8-metre-high Euro Garages totem to the left of the access point and the 6.7 metre high ‘BP’ totem adjacent to John Clark Way (nearer to the roundabout). The Euro Garages totem is positioned on the boundary closest to the nearby residential properties in Tyne Way. The impact of the totems during the hours of darkness must also be considered, as the impact of illuminated signs is very different at night.

7.6 The ‘Euro Garages’ sign is attractive and modern and fits with the overall aesthetic of the service station. The totem is not excessively high in relation to the Starbucks building, the adjacent dwellings or the adjacent warehouse buildings and it appears as part of the built environment when viewed in context with those surrounding buildings. Given that the BP totem is positioned further towards the roundabout, the Euro Garages totem is viewed separately and there is an equal spacing between the Euro Garages sign, the Starbucks totem (as proposed as part of application ref: 20/00937/ADV) and the BP totem. The Euro Garages totem does not look cluttered in itself and does not detract from the area in a visual sense and the three totem signs do not appear excessive when seen in unison given the spacing in-between.

7.7 The proposed BP sign is positioned so that it can be seen by users of the A6 and is orientated so that the petrol pricing details are prominent and easy to read. The BP totem is shorter than the Euro Garages totem and the associated Starbucks totem and appears as an appropriately proportioned sign in its location. The design of the BP totem is appropriate for its setting and does not appear cluttered. The illumination of this sign is appropriate given its purpose on a site that can be open 24 hours a day. Further, whilst both totems have different purposes, both highlight the presence of the service station as the landmark gateway site that was intended for this corner of John Clark Way.

7.8 Overall, the signage detailed as part of this application does not raise concerns in a visual sense.
Impact on Residential Amenity

7.9 The sign most likely to have an impact on neighbouring amenity would be the Euro Garages totem erected near to the access point. The impact that this totem could have on the most sensitive receptor: being the three storey dwellings on Tyne Way which have their rear elevation facing the application site, needs to be assessed. Again, there is benefit in considering the proposal retrospectively because any impact from the illuminated signs can be experienced rather than imagined. It is acknowledged that the dwellings in Tyne Way are raised in comparison to the application site.

7.10 The proposed totem sign has been positioned at a distance of over 50 metres from the rear elevation of the closest dwellings. The Euro Garages sign is shorter than the totem sign proposed for Starbucks (20/00937/ADV) and the existing planted earth bund which runs across the rear boundary of the dwellings and parallel to John Clark Way would help to form a barrier. As with the Starbucks totem, the Euro Garages totem has been orientated so that the illuminated areas do not face towards the nearby dwellings. As such, there is no issue with direct light pollution (as in a light beaming straight into a window) and it is a question of whether or not the glow from the sign, when viewed from the side, would be detrimental to the residential amenity of the nearby occupiers during the hours of darkness. The illumination would not be a nuisance in any way during the day.

7.11 The light emitted from the Euro Garages totem is limited – even more so than the Starbucks totem - and given the physical separation distance of 52 metres between the sign and the nearest dwellings in Tyne Way, the impact of the sign would not be harmful to sleep. If any residents are more sensitive to light than the average person, mitigation measures such as blackout blinds would be a simple solution.

7.12 The BP totem would be illuminated but would be positioned closer to the A6 roundabout and at a greater distance from dwellings to the south. The level of illumination is similar to that of the Euro Garages totem, which is not considered to be harmful in terms of light disturbance. The illumination from all three totems plus all other signs within the site is not excessive at night.

7.13 All of the other illuminated and non-illuminated signs proposed are comparatively small in size or positioned far enough into the site to prevent a detrimental impact on the nearby dwellings.

7.14 The Council’s Environmental Protection Officer does not object to the proposed development for the reasons set out at 6.4 of this report. The proposed development would not have a detrimental impact on neighbouring residential amenity.

Impact on Highway Safety

7.15 As set out in the description of development, the majority of the proposed signage is positioned on private property well within the application site. These signs would not have an impact on highway safety. However, two of the proposed signs are larger and would be positioned adjacent to the public highway. These are the ‘Euro Garages’ totem and the ‘BP’ totem.
7.16 The Local Highway Authority (LHA) was asked to assess the impact of the proposed signs, given that they are illuminated and positioned close to the highway. The LHA confirms that none of the signs present a risk to highway safety. None of the signs would not be overly large or unusual in a way that they would distract, obstruct or confuse a road user’s view. None of the signs would impede the public highway or obscure visibility along the highway or at junctions. Likewise, none of the signs would, because of their size, position or brightness, result in glare and dazzle, or distract road-users, particularly in misty or wet weather.

7.17 Although not requested by the LHA, officers recommend a condition to prevent any flashing illumination which could be distracting to highway users.

7.18 As such, the proposed signs would not present a significant risk to highway safety.

8 Other Matters

8.1 Starbucks Advert Consent Application: The advertisement consent application for Starbucks was purposefully held back until the applicant for the petrol station site submitted this current retrospective application for consideration. This is so that both applications could be considered side by side and the full impact could be realised.

8.2 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

9 Conclusion / Planning Balance

9.1 This retrospective application for advertisement consent has been reviewed with particular attention paid to the impact on neighbouring residents, visual amenity and highway safety. The impact of the development is considered to be acceptable and as such, the application should be approved.

10 Recommendation

10.1 That advertisement consent is GRANTED subject to the following conditions:

11 Conditions

1 This consent shall expire at the end of a period of five years from the decision date shown below.


2 No advertisement is to be displayed without the permission of the owner of the site or any other person with interest in the site entitled to grant permission.

3 No advertisement shall be sited or displayed so as to:
   a) Endanger persons using any highway
   b) Obscure or hinder the ready interpretation of any traffic sign
   c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.


4 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not endanger the public.


5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.


6 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.


7 The means of illumination shall not be of a flashing or intermittent kind.

   **Reason:** In the interests of highway safety.

8 The works hereby permitted shall be carried out strictly in accordance with the approved plans, received on 09.11.2020:

   Location Plan
   181288-03(c)
   Signage Brochure by IVC Signs 1 of 2
   Signage Brochure by IVC Signs 2 of 2
   SPEC.UKMN.0202 (BP totem)

   **Reason:** In order to clarify the terms of the advertisement consent and to ensure that the development is carried out as permitted.

12 **Informatives**

1 **Reason for Decision**

In reaching this decision this Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraph 38.