

**Development Control Committee****Tuesday 15 October 2013****7.00pm in The Council Chamber, The Cube, Corby**

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**Present:** Councillor – Brown (Chair)  
Councillors Addison, Butcher, Beeby, Goult, Petch, Heggs, Riley, & Sims

**16. Apologies for Absence**

Apologies for absence were received from Councillor Latta, Councillors Eyles substituted.

**17. Declarations of Interest**

Members were asked to declare any personal interests they may have in the business to be discussed and/or indicate whether this was prejudicial or non-prejudicial, the nature of any interest, and whether they intended participating in the relevant agenda item. Councillor Heggs declared a personal non-prejudicial interest as he sat on the Planning Committee at County Council.

**18. Minutes of the Previous Meeting**

Members were asked to confirm the minutes of the meeting held on 17 September 2013 as a correct record.

**RESOLVED that:-**

The minutes of the meeting held on 17 September 2013 be agreed as a correct record.

**19. Applications for Planning Permission****19.1 13/00278/COC      Erection of an Advanced Conversion Technology (ACT) and Anaerobic Digestion (AD) facility with an integrated education centre, access, landscaping and associated work, Land at Shelton Road, Willowbrook East Industrial Estate, Corby.**

A report was presented to Committee with regard to an application made to Northamptonshire County Council for the erection of an industrial building for processing, anaerobic digestion tanks and energy generation from gas.

Relevant policies had been considered and consultation had taken place with the Borough Councils Environmental Quality department.

This was a consultation in respect of a waste treatment facility on part of a car storage site to the North of Shelton Road.

The proposed process for the development was divided into a variety of stages as follows:

The process will utilise two autoclaves for the processing of mixed source waste and the production of a biomass fuel product. Each autoclave comprises a rotating cylindrical structure with an internal cylinder fitted with a helical screw. They are designed to break up the waste through rotation and application of pressurised, high temperature steam. The material discharged from the autoclave will be transferred onto a moving floor and passed through sorting/segregation plants.

This process reduces the volume of the waste materials by approximately 80% with the recyclates being separated and recycled. The remaining biomass fibre is utilised for the production of a synthesis gas within the pyrolysis units. The biomass fibre is a peat like material which is transferred to the pyrolysis reactors. The residuals are transferred to the anaerobic digesters.

In the pyrolysis reactors the biomass fibre is heated in an oxygen free environment to produce synthetic gas (syngas) which is combusted within gas engines to produce electricity.

The anaerobic plant accepts solid biodegradable wastes which is heated and mixed in the absence of oxygen to produce biogas which is subsequently combusted within three gas Combined Heat and Power engines.

The principle of the development was supported by national and local planning policy which sought to reduce the quantity of materials that were sent to landfill by increasing recycling and processing non-recyclables for the creation of energy through controlled processes.

The site was formerly associated with the steel works and was at potential risk of being contaminated, the site has been previously tested and the reports from 2000 show the site was remediated to allow usage as open car storage. The proposed development is likely to result in removal/disturbance of the existing tarmac which could increase the risk of contamination from the site.

The catchment area for the development is shown in the submitted plans as being sub regional and covering an area within approximately 30 minutes HGV driving time from the site. It was considered that the condition restricting the catchment area to accord with the submission should be imposed.

Head of Planning & Environmental Quality said there were Environmental Quality concerns regarding the site. There was a potential for landfill gases from the site and additional gas protection measures were needed. The noise assessment was considered to require further work as it was felt that it did not address the residential receivers. The odour/emissions from the site had potential to impact on the nearby industrial operators (particularly food manufacturers) and discussions were necessary between CBC Environmental Health and the applicant to discuss the appropriate control measures.

Members discussed their concerns regarding contamination and asked about the varying degrees of recycling. Officers advised that since Northamptonshire County Council were the Planning Authority dealing with the application it would not be possible for members to have conditions imposed but they could request conditions to be added including those limiting the development to the specific use applied for. If Northamptonshire County Council imposed the requested condition should the applicant wish to change the development there would be a consultation with Corby Borough Council.

Members suggested also that it would be good if any generated energy could be directed to the factories in the area, perhaps it would be worthwhile involving Electric Corby.

**RESOLVED that:-**

Following full consideration on the proposed development Corby Borough Council have no objection to the proposed development but request that conditions relating to the following are imposed;

The following are listed as conditions:

- Contamination (remediation and unexpected)
- Gas monitoring and gas protection measures
- Catchment Area in accordance with the indicative catchment area
- Specific usage as per the details within the Environmental Statement
- The materials used for energy generation are restricted to those proposed

And that the Senior Environmental Health Officer is contacted to discuss the odour impact and noise Implications of the scheme.

**20. Urgent Item**

**Northamptonshire County Council - Non – material amendment consultations**

Corby Borough Council had been notified by Northamptonshire County Council about proposed amendments under the non-material amendment procedure.

A non-material amendment is an application under s96a of the Town and Country Planning Act designed to allow non-material amendments to existing planning permission via a simplified procedure.

These items were consultations on a non-material amendment and are subject to strict time frames and there is no duty on NCC to consider any comments made by CBC or wait for a response.

The County Council had chosen to consult Corby Borough Council in respect of two proposed non-material changes to development at Shore Energy Site, Gretton Brook Road, Corby.

The site was within close proximity to the Brookfield Plantation Resource Recovery Park application site and the covering letter referred to the export of heat to the Brookfield Plantation Resource Recovery Park.

The approach by the County Council to undertake a formal consultation on these amendments suggested that the applications were of a level of materiality that demonstrated that an application should be made.

The submitted non-material amendment notifications sought to change the development from the originally approved development to enable generation of energy within the site which was a material change from that originally approved and the environmental statement.

There were also physical changes to the building, position of the stacks, footprint of the building, elevation and heights, location of the opening, relocation of weigh bridges and the addition of a 2m fence.

The proposed development was clearly a material change from that originally approved and required a replacement air quality assessment due to the differences in the development procedure which should be consulted on.

The previous applications on the site had been subject to public consultation and there is planning permission on the site.

The absence of a formal planning application removed CBC's and the public's opportunity to give detailed consideration to the proposed changes and there were significant concerns by both officers and Members with the way in which County were dealing with the applications given the changes to the development and especially the significant public interest in the adjacent proposed development site.

There was also a notification of relating to proposed changes to the Corby Link Road permission. The proposed non-material amendment related to a change in height and profile of earthworks and erection of acoustic fencing where the road crossed the Harpers Brook feeder stream.

This was notification only and CBC was not being asked for comments. However there was concern with this approach.

Members raised concerns about the reduction in height of the fence, confusion over why CBC was being consulted if non-material changes. Oakley Vale residents had had long consultation with NCC and now NCC were going back on agreement with residents.

**RESOLVED that:-**

Corby Borough Council formally object to the consideration of the amendments to the Shore Energy Site, Gretton Brook Road as non-material and Northamptonshire County Council's approach to dealing with the applications. Corby Borough Council further request that the proposed amendments are resubmitted as a formal planning application which is subject to full public consideration.

Corby Borough Council raises concern about Northamptonshire County Council's approach to the Link Road Bunding/fencing non-material amendment application especially given the previous consultation with Oakley Vale residents which resulted in the introduction of the bunding given concerns about noise.

**21. Close of Meeting 7.45pm.**