Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant: Atlas Recycling Ltd
C/- Woods Hardwick Planning Ltd
15-17 Goldington Road
BEDFORD
MK40 3NH

Name and address of agent: J B Hargreaves Esq
Woods Hardwick Planning Ltd
15-17 Goldington Road
BEDFORD
MK40 3NH

Part I - Particulars of application

Date of Application
Received: 25th September 2008
Valid: 7th October 2008

Application No.: NCC Ref: 08/00084/WAS
ENC Ref: 08/01898/EXT/PTO

Particulars and location of development

Variation to Planning Permission EN/99/69C, relating to the removal of conditions 2a and 2b which restrict operations at the site to a specific operator; on land at Hill Farm Estate, Little Addington.

Part II - Particulars of decision:

The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

**Note:** This consent supersedes, consolidates, and updates the previous planning permission for the site which was granted, reference EN/99/69C.

Commencement

1. The development must be begun not later than the expiration of 3 years beginning with the date of this permission.

**Note:** This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
**Reason:** To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

**Scope of Planning Permission**

2. The development hereby permitted is restricted to the area outlined in red on the plan of Woods Hardwick Planning Ltd received by the Waste Planning Authority on 25th September 2008. The development hereby permitted shall be carried out solely within the site in accordance with the details set out in the submitted application forms and supporting information.

**Reason:** To define the area of the site and in the interest of clarity.

3. The annual throughput of waste at the transfer station shall not exceed 18,050 tonnes per annum.

**Reason:** To define the scope of the permission and to ensure consistency with the original permission, and in the interest of clarity.

4. The range of wastes that may be imported to, stored on, handled on and ultimately exported off site shall be solely confined to inert, commercial and industrial wastes that are non-hazardous.

**Reason:** To define the scope of the permission and to ensure consistency with the original permission, and in the interest of clarity.

**Access and Highway Safety**

5. The sole vehicular access to the development hereby permitted shall be by way of the existing access as shown on the plan of Woods Hardwick Planning Ltd received by the Waste Planning Authority on 25th September 2008.

6. All commercial vehicles leaving the site shall turn left with no such vehicles leaving the site turning right and travelling through the village of Little Addington, except if the vehicles are collecting or delivering skips to Little Addington village.

7. Signs informing vehicle drivers of the requirements in Condition 6 above shall be maintained in a visible location near to the egress on site, to the satisfaction of the Waste Planning Authority.

8. All waste shall be transported to and from the site only in vehicles used by the business operating at the site.

**Reasons for access and highway safety conditions:** In the interests of highway safety, and in accordance with Policy 8 of the Northamptonshire Waste Local Plan (2006).

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Wheel Cleaning / Vehicle Sheeting

9. Wheel cleaning facilities shall be provided on site with appropriate drainage, and thereafter be maintained to the satisfaction of the Waste Planning Authority. The wheels of all vehicles leaving the site shall be cleansed of mud and other debris by the use of such facilities to the fullest extent reasonably practicable to prevent mud being carried onto the highway.

10. All vehicles transporting materials in connection with this development shall be adequately sheeted to the satisfaction of the Waste Planning Authority.

Reasons for cleaning and sheeting conditions: In the interests of highway safety, and in accordance with Policy 8 of the Northamptonshire Waste Local Plan (2006).

Hours of Working

11. No vehicle shall enter or leave the site and no working shall take place except between the hours of 7.00 a.m. and 6.00 p.m. Mondays to Fridays, and 8.00 a.m. to 1.00 p.m. on Saturdays. There shall be no working on Sundays, Bank Holidays and public holidays.

Reason: In the interests of the amenities of the area as a whole, and in accordance with Policy 15 of the Northamptonshire Waste Local Plan (2006).

Dust

12. Suitable measures, including the use of water spray facilities in periods of dry weather, shall be adopted to ensure dust is kept to a minimum, to the satisfaction of the Waste Planning Authority.

Reason: In the interests of the amenities of the area as a whole, and in accordance with Policy 15 of the Northamptonshire Waste Local Plan (2006).

Buildings

13. Prior to erection, plans for all buildings and structures on site shall be submitted to the Waste Planning Authority for approval. The plans shall include particulars of their layout, design, external appearance and dimensions. The development shall be carried out in accordance with the details submitted, incorporating any amendments that the Waste Planning Authority may require.

Reason: In the interests of the amenities of the area as a whole, and in accordance with Policy 15 of the Northamptonshire Waste Local Plan (2006).

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Material Storage

14. The materials stored on site shall be confined to bunds not exceeding two metres in height.

Reason: In the interests of the amenities of the area as a whole, and in accordance with Policy 15 of the Northamptonshire Waste Local Plan (2006).

Consignment Note Records

15. Consignment note records of the waste, required to be kept under the Waste Management Licence, shall be made available to the Waste Planning Authority upon request. Within 7 days of the end of December, March, June and September of each year, details of the total amount of waste transferred at the site shall be submitted in writing to the Waste Planning Authority.


Hedgerows and Trees Protection Distances

16. Operations at the site shall be controlled to ensure the minimum disturbance to, and the retention of all existing trees, hedgerows, shrubs and other vegetation on the boundaries of the site. Accordingly, no tipping operations or other associated activities or development shall take place within 2 metres of any hedgerow or 7 metres of the bole of any tree bordering the site.

Reason: To ensure the enhancement of the development through the retention of existing natural features by safeguarding their health and stability, and in the interests of the amenities of the area, in accordance with Policy 15 of the Northamptonshire Waste Local Plan (2006).

Monitoring

17. The operators of the site shall at a minimum of 12 monthly intervals provide in writing to, and upon request by, the Waste Planning Authority detailed information on the quantities and types of all waste materials brought on to the site for re-use, recovery, and disposal, together with an assessment of used and remaining capacity. Such information will only be used in aggregated format as part of an Annual Monitoring Report produced by the Waste Planning Authority.


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18. A copy of the terms of this permission, including all documents hereby permitted and any documents subsequently approved in accordance with this permission (or amendments approved pursuant to this permission) shall be displayed at the site office and shall be made known to any person given responsibility for the management or control of operations on the site.

Reason: To ensure that the site manager can monitor the implementation of the conditions in accordance with Policy 27 of the Northamptonshire Waste Local Plan (2006).

Informative(s)

1. For the avoidance of doubt the drawings and documentation to which this decision refers are as follows:
   - Application Form (dated 7 October 2008);
   - Supporting Statement - Waste Transfer Station, Hill Farm Estate Little Addington for Atlas Recycling (September 2008);
   - Site Location Plan (September 2008).

2. The development hereby permitted shall be in accordance with the Agreement dated 17th May 1994 under Section 106 of the Town and Country Planning Act 1990 between Beeches Farm Limited and East Northamptonshire District Council, and in particular Section 7, the Third Schedule which states that the number of commercial vehicles operating from the site shall not exceed two.

Summary of Reasons for Approval

The continuing use of a previously developed site within an existing industrial estate, originally developed on a brownfield site, is considered consistent with Policies 1 and 2 contained in the Northamptonshire County Council Waste Local Plan relating to the principles and location of waste developments. This development is not considered to increase the effects of the activity on the surrounding area as this development does not include provision to expand the operation in any manner and the site is subject to an existing agreement restricting the numbers of commercial vehicles operating from the site.

Date: 11th December 2008

Signed ..................................................

For Chief Planning Officer

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements (a), to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.


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