Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Anglian Water Services Ltd
Thorpe Wood House
Thorpe Wood
Peterborough
PE3 6WT

Name and address of agent

Part I - Particulars of application

Date of Application
Valid – 30th November 2011

Application No.: NCC – 11/00084WAS
ENC – EN/11/02071/NCC

Particulars and location of development
Construction of a new Sewage Treatment Works at Land off Wakerley Road, Harringworth.

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:

Time Limit

1. The development to which this relates must be begun not later than the expiration of THREE YEARS beginning with the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within 7 days of such commencement.

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 to 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 Permission**

2. Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the submitted application:

- Application forms dated 30th November 2011;
- Planning Statement dated November 2011;
- UHF ICNIRG Compliance;
- Planting Design & Maintenance;
- Express Lighting Solutions;
- R858/109036-006/V1/2011 Extended Phase 1 Habitat Survey dated November 2011;
- 11/234 Archaeological Evaluation dated November 2011;
- Brief for the Archaeological Field Evaluation dated 12th October 2011;
- Brief for a Programme of Archaeological Investigation dated 12th October 2011;
- Arboricultural Report dated October 2011 including Appendix D Drawings GC.57433.002 Tree Constraints & Protection Plan 1 of 2; GC.57433.003 Tree Constraints & Protection Plan 2 of 2; and GC.57433.004 Revision B Detailed Planting Option 1.
- 400106609 CMR Proposed;
- SD-G-2412 Rev D Preferred Arrangement;
- SD-S-80 Rev B 2500 LTR Capacity Anomex Bunded Dosing System;
- SD-S-102 6m Aerial Support;
- SEW-08020-HAWRST-2A-DET-051B Access Road & Turning Area Sections and Vision Splay;
- SEW-08020-HAWRST-2A-PLG-403B STW Location Plan, Site Plan & Topography;
- SEW-08020-HAWRST-2A-PLG-404B STW Location & Elevation on 'A';
- SEW-08020-HAWRST-2A-PLG-405B STW Location & Elevation on 'B';
- SEW-08020-HAWRST-2A-PLG-406B STW Location & Elevation on 'C';
- SEW-08020-HAWRST-2A-PLG-407B STW Location & Elevation on 'D';
- SEW-08020-HAWRST-2A-PLG-410A Proposed Primary Settlement Tank (Below Ground);
- SEW-08020-HAWRST-2A-PLG-411A Proposed Rotor Module;

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• SEW-08020-HAWRST-2A-PLG-412A Proposed Final Settlement Tank; and
• SEW-08020-HAWRST-2A-PLG-413B Proposed Stellar 1 Lamp.

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

Landscape

3. The planting shall be implemented in accordance with approved drawings SEW-08020-HAWRST-2A-PLG-403B and GC.57433.004 Revision B and reinforce the existing hedge along the south west boundary with additional planting as per the submission shall take place in the first planting season following completion of the building works. All plants shall be appropriately maintained for a period of 5 years following planting and retained for the life of the facility. Any plants which die or become diseased within the five year period shall be replaced in the following planting season.

Reason: The provision and maintenance of a satisfactory degree of landscaping is considered essential in the interest visual amenity and in accordance with Policy CS14 of the MWDF Core Strategy DPD (2010).

Protection of Breeding Birds

4. Operations that involve the destruction and removal of trees, hedgerows and shrubs shall not be undertaken during the months of March to September inclusive, unless an ecologist report is submitted to demonstrate that breeding birds will not be affected and this has been approved in writing by the Waste Planning Authority.

Reason: To ensure that breeding birds are not adversely affected in accordance with Policy CS14 of the MWDF Core Strategy DPD (2010).

Odour

5. The Chemical Dosing Unit shall at all times be operated and maintained in accordance with the manufacturers guidelines.

Reason: To ensure that odour does not become detrimental to residential amenity and in accordance with Policy CS14 of the MWDF Core Strategy DPD (2010).

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Lighting

6. The site lighting shall only be in use when authorised personnel are on site and switched off at all other times.

Reason: To prevent an adverse impact on residential amenity in accordance with Policy CS14 of the MWDF Core Strategy DPD (2010).

Noise

7. In the event that complaints regarding noise are received by the Waste Planning Authority from any sensitive receptor, and thereafter notified to the operator, an immediate assessment of the complaint shall be undertaken. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures to be undertaken shall be submitted to the Waste Planning Authority no later than 5 working days from the receipt of the complaint. Where noise complaints are not resolved and following written notification by the Waste Planning Authority a noise monitoring scheme shall be submitted to and agreed, and thereafter implemented.

Reason: In the interests of local amenity having regard to Policy CS14 of the MWDF Core Strategy DPD (2010).

Access

8. The access works hereby permitted shall be constructed in accordance with Drawing SEW-0820-HAWRST-2A-DET-051 Revision B, prior to the commencement of the construction works within the development site.

Reason: In the interests of highway safety and local amenity in accordance with Policy CS14 of the MWDF Core Strategy DPD (2010).

Mud on the Road

9. All vehicles entering and leaving the site shall be cleansed of mud and other debris to ensure that there is no mud or debris deposited on the public highway.

Reason: In the interests of highway safety and local amenity in accordance with Policy CS14 of the MWDF Core Strategy DPD (2010).

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INFORMATIVES

1. Prior to the commencement of any site works, all occupiers of potentially sensitive properties surrounding the site should be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom enquiries/complaints should be directed.

2. The Waste Planning Authority should be notified of the results of the badger site check/survey prior to commencement of clearance and construction at the site.

3. No works within the existing adopted highway may commence without the express written permission of the Highway Authority. This planning permission does not give or infer such permission. The Highway Authority, will only give consent to commence works subject to the completion of an appropriate Agreement, within the Highways Act 1980, to discharge the relevant condition above. The attention is drawn to the implementation of the Traffic Management Act 2004, where a three month notice period to allocate road space (for works within the highway) is formally given prior to the commencement of works.

4. The activity associated with this development will require an Environmental Permit under the Environmental Permitting Regulations 2010, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 08708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that the permit may not be granted. Additional Environmental Permitting Guidance can be accessed at www.environment-agency.gov.uk.

REASONS FOR APPROVAL

The applicant is seeking planning permission to install a sewage treatment works to enable the villages of Harringworth and Shotley to be connected to a public sewer for the first time. The existing sewage system is inadequate and is resulting in adverse impact on amenity and the environment. The principle of the proposed development is considered to be acceptable in accordance with Policy CS2 of the MWDF Core Strategy (2010) and Policy CMD1 of the Control and Management of Development DPD (2011). There have been no objections to the application by the statutory consultees and it is considered that there are no significant highway safety, visual amenity, odour, noise or light pollution issues which would justify refusal of the application. The concerns raised by Harringworth Parish Council and local residents regarding visual amenity, odour, noise, access to the site and power supply have been assessed. The concern about the adequacy of the south western boundary to screen the development has been mitigated by additional landscaping. The environmental performance of the operator will be controlled by the Environment

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Agency through the environmental permit. Therefore, the proposed development is considered to be acceptable having regard to Policies CS1, CS2 and CS14 of MWDF Core Strategy DPD (2010) and Policies CMD1, CMD2, CMD7, CMD10 and CMD14 of the Control and Management of Development DPD (2011).

Date: 29-2-2012
Signed: M B Chant

For Assistant Director of Environment and Planning

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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 of 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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