PLANNING PERMISSION

Name and address of applicant
Lowick Manor Farms Ltd
Drayton Estate Office
Lowick
Thrapston
Northamptonshire
NN14 3BG

Name and address of agent (if any)
Gill Pawson Planning
Mill House
East Haddon
Northamptonshire
NN6 8DU

Part I - Particulars of application

Date of Application
2nd June 2006

Application No.:
EN/06/1416C

Particulars and location of development
Variation of Condition 2 of Planning Permission EN/03/1434C to additionally permit the storage and composting of wood waste, Land at Old Aldwincle Road, Lowick

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:-

Commencement

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

Scope of Planning Permission

2. The development hereby permitted is restricted to the storage and composting of biodegradable green waste and wood waste only, and no other form of waste storage or processing shall take place on the site.

Access and Highway Safety

3. Prior to the commencement of the development hereby permitted, a minimum 10.5m kerb radii shall be provided on the southern side of the access point with
Aldwincle Road. (Please see attached form P.L.6).

4. The access gradient shall not exceed 1 in 20 for the first 15 metres into the site from the highway boundary.

5. Any gates at the access point shall be hung to open inwards only and shall be set back such that the largest vehicle that will visit the site can wait clear of the highway while the gates are operated.

6. All commercial traffic visiting and leaving the site shall be directed via Aldwincle Road to and from the A6116 junction to the south and a sign shall be erected inside the gateway requiring all such vehicles to turn right into Aldwincle Road when leaving the site. Access to and from the western (village) end of Old Aldwincle Road to the A6116 shall be restricted to local farm traffic only.

7. The route of the public bridleway NH.19 which follows the length of Old Aldwincle Road shall be kept clear, unobstructed and safe for users and no structures or plant or materials shall be placed on the right of way. Any damage to the surface of the right of way shall be made good by the applicant.

8. A passing bay shall be provided in Old Aldwincle Road approximately midway between the entrance to the site and the access to the public highway.

Wheel Cleaning and Vehicle Sheeting

9. All operational vehicles leaving the site shall be cleansed of mud and other debris and all waste transported to the site shall be securely sheeted to ensure that no mud, debris or waste materials are deposited on the public highway.

Hours of Working

10. Except as may otherwise be agreed in writing by the County Planning Authority, the development hereby permitted and all operations relating thereto, other than the turning of the compost windrows and the receipt of green waste, shall be restricted to between the hours of 07.00 and 18.00 Monday to Friday and 07.00 to 13.00 on Saturday with no working on Sundays or Bank Holidays.

Amenity Protection

11. All operations shall be carried out in such a manner and measures undertaken to ensure that any effects of noise, dust and odour are kept to an absolute minimum. More specifically:-

a) during the permitted operational hours the level of noise emitted as a result of any activity or operations shall not exceed 55dB LAeq (1 hour) when measured at or recalculated as at a height of 1.2m above ground level and 3.6m from the facade of any residential property or other occupied building during any 30 minute period.

b) provision shall be made for the suppression of dust, including the use of water spray facilities, as necessary.

c) the compost windrows shall be regularly turned to ensure appropriate aerobic conditions to prevent odorous emissions.

12. Any plastic sacks and other plastics or non biodegradable materials shall be
removed before shredding takes place and the site shall be regularly cleared of any plastic waste and other windblown materials.

13. No floodlighting shall be installed or operated as part of the construction or in the operation of the development.

14. The water storage lagoon shall be securely fenced and provided with safety warning notices.

**Visual Amenity**

15. Prior to the erection of any buildings, details of their design, materials and location on the site shall be submitted to and agreed in writing by the County Planning Authority.

16. Any buildings subsequently permitted are to be used only as an ancillary part of the principal development permitted by this permission and for no other purposes whatsoever. The buildings shall be removed in the event of the cessation of composting operations. (See Condition 20).

17. Composting windrows shall not exceed 3.0 metres in height and stockpiles of green waste material prior to processing or awaiting export on completion of processing shall not exceed 4 metres in height.

**Landscaping**

18. Landscaping and ‘ground modelling’ shall take place in accordance with the details and provisions of the landscaping scheme as contained in Drawing No 1 ‘Level Grid Overlay’ dated 9th March 2004 approved by letter dated 17th February 2005 and shall be completed within 12 months of the date of this decision unless otherwise agreed in writing by the County Planning Authority. All planting shall maintained for the first 5 years and then left to grow to maturity.

**Archaeology**

19. No development shall take place until the applicant has secured the implementation of a programme of archaeological investigation and recording in accordance with a written scheme which has been submitted to and approved by the County Planning Authority.

**Restoration**

20. In the event of the composting processes ceasing for a period in excess of 12 months all concrete hardstandings, buildings and other structures shall be removed and the land shall be restored in accordance with a scheme utilising the materials incorporated into the ground modelling works which shall be submitted to the County Planning Authority for agreement in writing. The agreed scheme shall be implemented within the timescales as approved.

**Surface Water Drainage**

21. Prior to the commencement of any development, a scheme for the provision and implementation of surface water runoff attenuation shall be submitted and agreed in writing with the County Planning Authority. The works/scheme shall be
constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.

The reasons for the conditions and the Development Plan policies relevant are:-

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. To define this permission. (County Structure Plan (CSP) 1996 – 2016 – Policy W3)

3. To ensure a satisfactory means of access to the highway. (CSP Policy W3)

4-5. In the interests of highway safety. (CSP Policy W3)

6. To ensure that all commercial traffic visiting and leaving the site is routed via the principal road network and does not enter nearby villages. (CSP Policy W3)

7&8. To protect users of the bridleway and to avoid conflict with composting traffic. (CSP Policy W3)

9. In the interests of highway safety. (CSP Policy W3)

10-14. To safeguard the amenities of the area as a whole and the local community in particular. (CSP Policy W3)

15. To retain control over the detailed appearance and treatment of the development in the interests of the amenities of the area. (CSP Policy W3)

16. To ensure that the site is only used for the purposes proposed and is satisfactorily restored afterwards. (CSP Policy W3)

17. In the interests of visual amenity. (CSP Policy W3)

18. To ensure that the development is adequately screened and is absorbed into the local landscape. (CSP Policies AR2 and W3).

19. To safeguard the archaeological interests of the area. (CSP Policy W3).

20. To enable the County Planning Authority to adequately control the development and to ensure, if necessary, that the land is restored to a condition capable of beneficial use. (CSP Policy W3).

21. To prevent the increased risk of flooding.

Informative - Please see:-

1. Attached letters setting out the requirements of the Environment Agency.
REASON FOR APPROVAL OF THIS APPLICATION

The composting of green waste accords with the County Council's waste management objectives and the waste hierarchy (County Structure Plan Policy W1). Although the approved composting facility is located in the open countryside, it is viewed against the backdrop of Bullicks Wood and implementation of the approved planting and ground modelling will assist with its assimilation into the local landscape. No objections have been raised to the current proposal to allow the composting of wood waste in addition to the biodegradable green waste already permitted and, having regard to the location of the site outside of the village of Lowick, it is unlikely that this will cause any significant problems and refusal of permission could not therefore be justified.

Date 1st September 2006 Signed

Authorised to sign on behalf of the Head of Sustainable Development
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 (e), 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.

4. 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.

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 Educational Needs and Disability Act 2001 should also be adhered to wherever appropriate.