



Northamptonshire
County Council

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Town and Country Planning Act 1990

COPY

PLANNING PERMISSION

Name and address of applicant

Cook, Lubbock and Co
Storefield Lodge Farm
Oakley Road
Rushton
Northants
NN14 1QT

Name and address of agent

John Gough
Consultant Planning Manager
Mick George Limited
Second Drove
Meadow Lane
St. Ives
Cambridgeshire
PE27 4YQ

Part I - Particulars of application

Date of Application
27TH August 2008

Application No.:
08/00069/WAS and
KET/2008/0791

Particulars and location of development

Proposed erection of a covered waste recycling facility for the reception and recycling of non hazardous waste materials, and skip storage; Rushton Landfill Site, Oakley Road, Rushton, Northants, NN14 1RS

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 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.

Scope of Planning Permission

2. This planning permission shall only relate to the area edged in red on the submitted plan, Planning Drawing, hereafter referred to as the "site". The development hereby permitted shall only be carried out within the site in accordance with the details set out in the submitted application forms, certificates, and supporting information unless otherwise required by any condition attached to this permission.

Hours of Working

3. Except as may otherwise be agreed in writing by the Waste Planning Authority, site operations and any associated activities shall only be carried out between the hours of 07.00 and 18.00 Mondays to Friday and 07.00 and 13.00 on Saturdays. During the hours of 13.00 and 17.00 on Saturdays deliveries only of non-hazardous waste materials are permitted but there shall be no processing of waste materials or any other associated activities. No operations whatsoever shall be carried out on the site on Sundays, Public or Bank Holidays.

Dust

4. Suitable measures shall be adopted to ensure dust is kept to a minimum including the use of water spray facilities in periods of dry weather.

Stockpile Heights

5. All stockpiles of either imported inert waste or processed inert materials shall, at no times, exceed 5 metres in height.

Materials

6. Prior to the construction of the building hereby permitted details of all external materials and colours shall be submitted to the Waste Planning Authority for approval in writing and construction shall only take place in accordance with the materials as approved.

Noise

7. All plant and machinery shall be noise attenuated and noise generated from operations on the site shall not exceed 55dB(A) L_{eq} 1 hr free field at the nearest noise sensitive properties.

Wheel Cleaning and Vehicle Sheeting

8. All operational vehicles leaving the site shall be cleansed of mud and other debris to ensure that no mud or debris is deposited on the public highway.
9. All operational vehicles arriving at and leaving the site shall be sheeted to prevent material spillage or wind blow.

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Contaminated Land/Risk Assessment

10. Prior to the commencement of the development hereby permitted (or such other date or stage in development as may be agreed in writing with the Waste Planning Authority, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Waste Planning Authority:
- (a) A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.
 - (b) A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Waste Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Waste Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Surface Water Drainage/Groundwater

12. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Waste Planning Authority which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
13. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express consent of the Waste Planning Authority,

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which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

End Date

14. The development hereby permitted shall cease no later than 30th April 2013 by which time the recycling building shall be dismantled, foundations and hardstandings removed and the site shall be restored or reinstated in accordance with the conditions attached to Planning Permission KE/89/0791.

Monitoring

15. 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 processed or brought on to the site. Such information will only be used in aggregated format as part of an Annual Monitoring Report produced by the Waste Planning Authority.
16. The operating company shall keep records of the quantity of waste received by weight and its source and these records shall be provided to the Waste Planning Authority within seven days of a written request. All such information supplied will be treated on a confidential basis.

Reasons for conditions and relevant Development Plan Policies

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.
2. To define the scope of the permission and in the interest of clarity. (Northamptonshire Waste Local Plan (2006): Policy 15).
- 3-7 To safeguard the environment and the amenities of local residents. (Northamptonshire Waste Local Plan (2006): Policies 7 and 15).
- 8,9 In the interests of highway safety and to protect local amenity. (Northamptonshire Waste Local Plan 2003-2016; Policy 15).
10. To ensure that the propose development is not located above historic landfill areas or any other areas of infilling or potentially contaminative uses a phased investigation is considered appropriate. (Northamptonshire Waste Local Plan 2003-2016; Policy 13)
11. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be safely carried out safely without unacceptable risks to workers, neighbours and

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other offsite receptors. (Regional Spatial Strategy for the East Midlands- RSS8, Policy 3).

12. To ensure that the underlying strata does not receive potentially contaminated drainage. (Northamptonshire Waste Local Plan 2003-2016; Policy 13)
13. To ensure that a pathway for any potential contamination is not made to the underlying strata and to ensure that landfill liners or caps are not put at risk from foundation works. (Northamptonshire Waste Local Plan 2003-2016; Policy 13)
14. To retain control over the development and In the interests of visual amenity and to ensure that the development does not prejudice the overall restoration of the landfill site (Northamptonshire Waste Local Plan 2003-2016, Policy 16).
- 15-16 To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policy 1 of the Northamptonshire Waste Local Plan (2006) and the objectives of the National Waste Strategy for England 2007

Informative

This recycling proposal is consistent with the aims and objectives of "Waste Strategy for England 2007" in seeing waste as a resource, reducing the amount that would otherwise be landfilled and moving the management of the wastes to be received closer to the top of the waste management hierarchy.

The proposed operation would require an Environmental Permit. The Environment Agency should be consulted at the earliest opportunity such that the applicant can discuss the requirements of any such permit at an early stage. Please contact Sheila McMurray on 01522 585957 for further advice.

Summary of Reasons for Approval

Rushton Landfill site is an existing 'Main Site' (as designated in the Northamptonshire Waste Local Plan 2003-2016) and it is considered that the proposal generally accords with the provisions of the Development Plan, in particular Policies 2, 13, 15 and 17 of the Northamptonshire Waste Local Plan 2003-2016) and Policy 3 of the East Midlands Regional Spatial Strategy (RSS8) therefore it is further considered that, subject to the conditions set out above, planning permission should be granted.

Date: 19th November 2008 Signed 

For Chief Planning Officer

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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 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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