



**Town and Country Planning Act 1990**

**PLANNING PERMISSION**

**Name and address of applicant**

**Name and address of agent (if any)**

Mr Chris Simms  
Wastecom Ltd  
Furnace Park  
Telford Way  
Kettering  
Northants  
NN16 8UN

**Part I - Particulars of application**

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**Date of Application**

**Application No.**

1<sup>st</sup> February 2007

KE/07/113

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**Particulars and location of development**

Erection of new shed to provide tipping hall to facilitate the transfer and bulking of waste at Furnace Park, Telford Way, Kettering.

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**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 three years beginning with the date of this permission.

**Scope of Permission**

2. This planning permission shall only relate to the area edged in red on the submitted plan, Site Location Plan, hereafter referred to as the "site". The development

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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.

### **Finish of Structure**

3. Prior to the commencement of the development hereby permitted, details of the external appearance in respect of colour, type and texture, shall be submitted to and approved in writing by the Waste Planning Authority.

### **Fencing**

4. The existing boundary fence adjacent to the railway line shall be retained and maintained to the satisfaction of the Waste Planning Authority.

### **External Lighting**

5. Details of any external lighting shall be submitted to and approved in writing by the Waste Planning Authority prior to its installation and shall be operated and maintained in accordance with that approved scheme.

### **Wheel Cleaning and Vehicle Sheeting**

6. 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**

7. Except as may otherwise be agreed in writing by the County Planning Authority, the development hereby permitted and all operations relating thereto, 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. Bank Holiday working shall be confined to municipal waste contracts only.

### **Amenity Protection**

8. 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) no plant, machinery or vehicles shall be used on site unless fitted with silencers maintained in accordance with the manufacturers recommendations and specification.
  - b) provision shall be made for the suppression of dust, including the use of water spray facilities, as necessary.
  - c) all green waste and putrescible waste shall be stored and processed in the new building.

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9. A 3m high screen/noise bund shall be provided along the eastern boundary of the site. The screen bund shall be such that the outward facing slope shall not exceed a gradient of 1 in 3 and the top of the mound shall be undulating to avoid an "engineered appearance". The mound shall be seeded to a grass or grass/shrub mixture and thereafter maintained through the operational life of the development.

### **Storage of Materials**

10. External storage and/or stockpiling of materials shall be no more than 6m in height and no materials susceptible to wind blow shall be stored outside the building. The area shall be controlled and managed to maintain a satisfactory appearance.

### **Use of Facility**

11. The development hereby permitted shall be used as a transfer and recycling facility for waste materials arising locally to the site in Kettering and its immediate hinterland.

### **Reasons for conditions and relevant Development Plan Policies**

1. 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.
2. To define the scope of the permission and in the interest of clarity.
3. To ensure that the proposed development is in keeping with the existing building and does not prejudice the appearance of the locality and in accordance with policy W3 of the Northamptonshire County Structure Plan (2001) and policies 7 and 15 of the Northamptonshire Waste Local Plan (2006).
4. In the interests of railway safety and in accordance with policies W3 of the Northamptonshire County Structure Plan (2001) and 15 of the Northamptonshire Waste Local Plan (2006).
5. In the interests of railway safety and in accordance with policies W3 of the Northamptonshire County Structure Plan (2001) and 15 of the Northamptonshire Waste Local Plan (2006).
6. In the interests of highway safety and in accordance with policies W3 of the Northamptonshire County Structure Plan (2001) and 8 of the Northamptonshire Waste Local Plan (2006).
7. In the interests of the amenities of the area as a whole and nearby residential occupiers in particular and in accordance with policies W3 of the Northamptonshire County Structure Plan (2001) and 15 of the Northamptonshire Waste Local Plan (2006).

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8. In the interests of the amenities of the area as a whole and nearby residential occupiers in particular and in accordance with policies W3 of the Northamptonshire County Structure Plan (2001) and 15 of the Northamptonshire Waste Local Plan (2006).
9. In the interests of the visual amenity and in accordance with policies W3 of the Northamptonshire County Structure Plan (2001) and 15 of the Northamptonshire Waste Local Plan (2006).
10. In the interests of the visual amenity and in accordance with policies W3 of the Northamptonshire County Structure Plan (2001) and 15 of the Northamptonshire Waste Local Plan (2006).
11. To ensure that waste materials are dealt with close to their source in order to prevent the long distance travelling of imported wastes in accordance with the "proximity principle" outlined in policies W3 of the Northamptonshire County Structure Plan (2001) and 1 of the Northamptonshire Waste Local Plan (2006).

#### Informative(s)

1. The applicant's attention is drawn to the points raised in the attached e-mail dated 12 March 2007 from Network Rail, in particular the carrying out of operations adjacent to the railway line.
2. The site has a current waste management licence and the applicant is advised to contact the Environment Agency regarding possible modifications to the licence and changes to the sites working plan. Please contact Chris Willis on 01536 385171.
3. All surface water from roofs shall be piped direct to an approved surface water system using sealed down pipes. Open gullies should not be used.

#### REASONS FOR APPROVAL

The proposed development is considered to be acceptable and will not adversely impact upon the surrounding area and there are no significant environmental, amenity or highway safety issues which would justify the refusal of the application.

The proposed development is considered to be in line with the Development Plan in particular Northamptonshire Structure Plan Policies W1 (Waste Management Strategy) and W3 (Criteria for Assessing Waste Management Facilities) and Northamptonshire Waste Local Plan Policies 1 (Principles for Waste Development), 4 (Development of Local Waste Facilities), 7 (Design), 8 (Traffic and Access), 15 (Local Amenity) and 17 (Waste Transfer, Recovery and Recycling).

Date 29<sup>th</sup> March 2007

Signed G.P. Watson

On behalf of the  
Head of Sustainable Development

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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.*
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.*

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