



**Northamptonshire
County Council**

**my
county
council**

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Infinis Energy Services Limited
First Floor
500 Pavillion Drive
Northampton Business Park
Northampton
NN4 7YJ

Name and address of agent (if any)

Mr Christian Smith
ICon Innovation Centre
Eastern Way
Daventry
NN11 0QB

Part I - Particulars of application

Date of Application

1 December 2017

Application No.

NCC Ref: 17/00058/WASVOC

CBC Ref: 17/00708/COC

Particulars and location of development

Variation of Condition 10 (Cessation of Development) of planning consent ref. CO/02/280C to extend the End Date at Weldon Landfill Site, Kettering Road, Weldon, Northamptonshire, NN17 3JG.

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:-

1. Commencement

The development (subject of application ref. no. 17/00058/WASVOC) hereby permitted has commenced.

Reason: In the interests of clarity and 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. Upon commencement this planning permission consolidates, superseded and

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replaces Northamptonshire County Council planning permission ref. no. CO/02/280C.

Reason: In the interests of clarity and for the avoidance of doubt.

3. Area of Site

The development hereby permitted is restricted to the area edged red on submitted plan Drawing GPP/IW/EXT/17/02 Rev 1 dated 29th November 2017 (submitted with application ref. no. 17/00058/WASVOC).

Reason: To specify the area and to avoid doubt as to the scope of this planning permission having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

4. Safety Measures

The following safety measures shall be maintained on site for the duration of the development:

- a) A twenty-four hour emergency contact telephone number shall be displayed on the gates or fence at the access to the site.
- b) Two 4.5 kilogramme Dry Powder Fire Extinguishers (fire rating at 144B) in accordance with BS EN3 shall be permanently located within the compound in weather proof boxes.

All firefighting equipment shall be inspected and tested annually by a competent person. The date and result of the test should be recorded and the equipment maintained in a satisfactory condition.

Reason: In the interests of safety having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

5. Noise

Noise generated by the power station shall not exceed an equivalent free field rating level of 40dB(A) at any residential properties.

6. In the event of any noise complaints received by the Waste Planning Authority and thereafter notified in writing to the operator, noise monitoring at the nearest residential properties shall be undertaken and the results provided in a report to the Waste Planning Authority. In the event that the 40dB(A) level is exceeded then a scheme of remedial measures shall be submitted to the Waste Planning Authority to reduce noise levels to comply with condition 6. The scheme of measures shall thereafter be implemented in full.

Reason for conditions 5 and 6: In the interests of amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

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7. Restoration

Upon completion of the use of the gas flare stack, compound and generating station or the date stated in Condition 8 of this permission, whichever is the sooner, all plant, machinery and foundations used in connection with this development shall be removed from the site forthwith and the site shall be restored to agricultural use and left in a clean and tidy condition, all to the satisfaction of the Waste Planning Authority.

Reason: In the interests of amenity and the environment and to ensure the satisfactory restoration of the site having regard to Policy 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

8. Cessation of Development

The development hereby permitted shall cease no later than the 31st December 2061 and the site shall be restored in accordance with the conditions of this permission, all to the satisfaction of the Waste Planning Authority.

Reason: 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 site having regard to Policies 18 and 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this application the Waste Planning Authority has worked positively and proactively with the applicant. The proposals and the content of the application have been assessed against relevant Development Plan policies, the National Planning Policy Framework, the National Planning Policy for Waste and the National Planning Policy Guidance. The Waste Planning Authority has identified all material considerations; considered any valid representations received; liaised with consultees to resolve issues; and, progressed towards a timely determination of the application. Issues of concern have been raised with the applicant, through negotiation and acceptable amendments to the proposals. The applicant has been given advance sight of the draft planning conditions. This approach to this application has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Date: 1st March 2018 Signed: C.P. Watson

For Assistant Director of Environment,
Planning and Transport

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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.*

4. *Guidance on using the Planning Portal's online appeals service, see leaflet PCS4 available at http://www.planningportal.gov.uk/PpWeb/jsp/redirect.jsp?url=http%3A//www.planningportal.gov.uk/uploads/pins/pcs_a5_leaflet.pdf*

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