



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

SUEZ Recycling and Recovery UK Ltd
North Tyneside Transfer Station
Wallsend Road
North Shields
NE29 7SH

Name and address of agent (if any)

Part I - Particulars of application

Date of Application

8 January 2021

Application No.

NCC Ref: 20/00075/WASVOC

DDC Ref: DA/2021/0051

Particulars and location of development

Variation of condition 6 of planning permission 12/00034/WAS to allow retention of existing renewable power generation compound at Brixworth Landfill Site, Scaldwell Road, Brixworth, Northamptonshire NN6 9EN

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:-

Scope of Permission

1. Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved documents:
 - Application Forms dated 7 December 2020;
 - Supporting Planning Statement dated December 2020;
 - Drawing No. BR921-D1v2 – Location Plan; and
 - Drawing No. BR921-D2v3 – Gas Compound Layout.

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 define the scope of the permission and in the interests of clarity.

Protection of Amenities

2. The details of all buildings and plant including size, layout, colouring and materials shall be in accordance with the submitted plans, reference: Figure 2 (Alteration to Generator Base Detail) and 2488-BW01-0B, received on 26th August 2004, and maintained for the life of the development.

Reason: In the interests of local amenity having regard to Policy 18 of the NMWLP (2017).

Safety Measures

3. The following works shall be undertaken and maintained for the life of the development:
 - a) A twenty-four hour emergency contact number shall be displayed on the gates or fence at the access to the site.
 - b) Two 4.5 kilogramme Dry Powder Fire Extinguishers in accordance with BS 5423 (fire rating at least 144B) shall be permanently located within the compound in a weather proof box. All fire fighting 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.
 - c) Combustible materials and vegetation shall not be allowed to accumulate within the site compound.

Reason: In the interests of safety having regard to Policy 18 of the NMWLP (2017).

Restoration

4. Upon completion of the use for the purpose permitted, all plant, machinery and foundations used in connection with this development shall be removed from the site and the site shall be restored in accordance with a restoration scheme to be submitted within six months of the date of this permission to the Waste Planning Authority for written approval.

Reason: To ensure the proper restoration of the site having regard to Policy 24 of the NMWLP (2017).

Cessation of Development

5. Once the renewable power generation compound ceases to be required for the management of landfill gas from the adjoining landfill site, the infrastructure shall be removed and the site shall be restored in accordance with the scheme approved under condition 4.

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

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restoration of the site having regard to Policies 18 and 24 of the NMWLP (2017).

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Date 31 March 2021

Signed 

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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