



## Town and Country Planning Act 1990

### PLANNING PERMISSION

#### Name and address of applicant

Mick George Ltd  
6 Lancaster Way  
Ermine Business Park  
Huntingdon  
PE29 6XU

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

#### Part I - Particulars of application

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##### Date of Application

10 January 2017

##### Application No.

**NCC Ref:** 17/00004/WASVOC

**KBC Ref:** KET/2017/0034/NCC

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#### Particulars and location of development

Variation of Condition 12 (Final Landform Profile and Contours) of planning permission 08/00102/WAS at Rushton Landfill Site, Oakley Road, Rushton, Kettering, Northamptonshire NN14 1QS.

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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 hereby permitted commences upon the date of the permission (25 April 2017).

**Reason:** For the avoidance of doubt.

#### Scope of Planning Permission

2. This planning permission shall only relate to the area edged in red on the

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submitted Drawings R14/D/01 and R14/D/02 hereafter referred to as the "site" submitted with planning application ref. no. 08/00102/WAS.

3. The development hereby permitted relates to the restoration and landscaping in accordance with the Final Restoration Scheme drawing no. R14/16/R/01 (dated 05/10/2016) and the letter from Mick George Limited dated 10 October 2016 by no later than 30 September 2017 (twenty hundred and seventeen).
4. Except where required to complete the approved development as defined in condition 3, and as part of approved maintenance and aftercare under this permission, there shall be no further mineral extraction or infilling as part of the development.

**Reason for conditions 2 to 4:** For the avoidance of doubt and to define the scope of the permission.

### **Aftercare**

5. The development hereby permitted shall be subject to an aftercare and maintenance period of 5 years upon the restoration in accordance with the scheme referenced condition 3 above.

**Reason:** To ensure appropriate restoration having regard to Policy 28 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

### **Drainage**

6. The ponds hereby permitted shall be maintained for their entire lifetime.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 22 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

### **End Date**

7. The development hereby permitted shall cease no later than 30th September 2017 (twenty hundred and seventeen) by which time the site shall be restored or reinstated in accordance with the conditions attached to this planning permission.

**Reason:** To ensure the appropriate restoration of the site in a timely manner having regard to Policy 28 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

## **POSITIVE AND PROACTIVE MANNER STATEMENT**

In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. The applicant has been

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sent a draft copy of the 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 25<sup>th</sup> April 2017

Signed G. 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](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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