



Name and address of agent:

Name and address of applicant:

Aurora Energy Ltd
The Old Rectory
Hinton on the Green
Evesham
WR11 2QU

NOTICE OF APPROVAL

Town and Country Planning Act 1990 (as amended)

Part I – Particulars of application

Date Valid:

19 April 2021

Application Number:

NN/21/00012/WASVOC

Location: Rushton Landfill Generating Station, Rushton Landfill Site, Oakley Road, Rushton, Kettering, Northamptonshire NN14 1QS

Description: Variation of condition 9 of planning permission KE/06/245 to extend the life of the generation station for a further 15 years

Part II – Particulars of decision

North Northamptonshire Council having considered a valid application for the above development, in pursuance of its powers under the above mentioned Act

GRANTS PERMISSION

for the development as described in Part I above and in accordance with the application and plans submitted, subject to the following conditions:

Commencement and Compliance

1. The development hereby permitted has commenced.

Reason: To comply with Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

Scope of Permission

2. 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 17 April 2021
 - Planning Statement dated 24 March 2021
 - Drawing No. NL07169/07 Site Location
 - Drawing No. C1200-GA-001-AB Site Layout

Reason: To specify the approved documents in the interests of amenity.

Area of Site

3. This planning permission shall only relate to the site shown in red on the Drawing No. NL07169/07 attached to this permission hereafter referred to as the "Site" and the development hereby permitted shall only be carried out within the Site in accordance with the details set out in the submitted application form, supporting planning statement and plans.

Reason: To define the scope of the permission and in the interests of clarity.

Protection of Watercourses

4. Any facilities for the storage of oils, fuels or chemicals including portable units shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%. All filling posts, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
5. All drums and small containers used for oil and other chemicals shall be stored in bunded areas which do not drain to any watercourse, surface water or soakaway.

Reason for conditions 4 and 5: To minimise the risk of pollution of watercourse and aquifers and to safeguard against pollution of the local environment having regard to Policy 18 of the NMWLP (2017).

Safety Measures

6. (a) The following shall be undertaken for the lifetime of the development:
 - i. A 24 hour emergency contact number shall be displayed on the gates or fence adjacent to the development.
 - ii. Two 4.5 kilogramme Dry Powder Fire Extinguishers in accordance with BS 5423 shall be permanently located within the compound in a weather proof box.

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

(b) The compound area shall be kept clear of combustible materials, i.e. weeds etc.

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

Protection of Amenities

7. (a) The flare stack shall not exceed 8.5m in height.

(b) Details of any flood 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.

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

Restoration

8. 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: In the interests of amenity and the environment and to ensure the satisfactory restoration of the site having regard to Policies 18 and 24 of the NMWLP (2017).

Cessation of Development

9. The development hereby permitted shall cease not later than 15 years from the date of this permission and the site shall be restored in accordance with the scheme approved under condition 8 within 12 months of this date.

Reason: To specify the date when the conditions of this permission shall have been fully implemented and to enable the Waste Planning Authority to reconsider the development position in the light of the circumstances prevailing at the end of the consent period.

Decision Date:

21 July 2021

Signed:



Name: George Candler

Title: Executive Director Place and Economy

IMPORTANT NOTES:

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals can be made online at: www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. *

Purchase Notices

If either the local planning authority or The Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part IV of the Town and Country Planning Act, 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by The Inspectorate on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act, 1990.

NOTES: This decision notice relates solely to planning control. If the development includes the erection or alteration of a building or a change of use the work must not be carried out nor the change of use take place until the Building Regulations have been complied with.

WHERE by any act of Parliament, statutory instrument or other authority, other CONSENTS, LICENCES, PERMISSIONS OR APPROVALS IN ADDITION TO THOSE SPECIFIED IN THIS PERMISSION ARE REQUIRED in respect of the development or notice thereof is required to be given to any person, (including a local authority), THE APPLICANT MUST COMPLY with such requirements BY SEPARATE APPLICATION OR NOTICE. This includes applications for ADVERTISEMENT CONSENT and LISTED BUILDING CONSENT.