PLANNING PERMISSION

Name and address of applicant  Name and address of agent
Biffa Waste Services Ltd
Portland House
Bickenhill Lane
Birmingham
B37 7BQ

Part I - Particulars of application

Date of Application  Application No.:
Received – 27 April 2010  NCC – 10/00032/WAS

Particulars and location of development

Variation of conditions 11 and 12 of planning permission DA/94/522C for the retention of the gas utilisation system for electricity generation at Welford Landfill Site, Northampton Road, Welford, Northampton, NN6 6JF

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:-

Note: This consent supersedes, consolidates, and updates the previous planning permission for the site which was granted, reference DA/94/522C.

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.
Commencement

1. The development hereby permitted shall commence within twelve months of the date of this permission.

Reason: 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.

Scope

2. The development hereby permitted is restricted to the area shown hatched on the plan attached to this permission.

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

Protection of Amenities

3. The scheme for acoustic insulation of the buildings and positioning of exhaust silencers shall be in accordance with the details submitted within the letter from Biffa Waste Services Ltd dated 8th August 1996. These measures shall continue and be maintained for the life of the development.

4. The details of all buildings and plant including size, layout, colouring and materials shall be in accordance with the submitted plan, reference: B42127/1 and maintained for the life of the development.


5. The electricity generating compound will be surrounded by a security fence in accordance with the details stated on submitted plan, reference: B42127/1 and maintained for the life of the development.


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Safety Measures

6. The following works shall be undertaken and maintained for the life of the development:

   a. An 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 shall be permanently located within the compound in a weather proof box.

   c. 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.


7. The compound shall be provided with a surface water drainage system and the surface water shall be collected and either passed into the surface water drainage system for the landfill or disposed to foul sewer with the consent of the water company, and maintained for the life of the development.

8. 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 sewer or soakaway.


Restoration

9. Upon completion of the use of the generating equipment or by the date stated in Condition 10 of this permission, whichever is the sooner, all plant, machinery and foundations used in connection with this development shall be removed from the site and the site shall be restored to a condition suitable for agricultural use, unless another beneficial use is agreed in writing by the Waste Planning Authority, and left in a clean and tidy condition.

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**Cessation of Development**

10. The development hereby permitted shall cease no later than the 31st December 2050 (twenty hundred and fifty) by which time the site shall be restored in accordance with the conditions of this permission.

**Reason:** To enable the Waste Planning Authority to reconsider the development in the light of circumstances prevailing at the end of the period stated and to ensure that the site is restored in a reasonable timescale, having regard to Policy 16 of the Northamptonshire Waste Local Plan (2006) and Policy CS13 of the Northamptonshire Minerals and Waste Development Framework Core Strategy Development Plan Document (2010).

**REASONS FOR APPROVAL**

It is considered that this proposal will not result in any detriment to the local amenity and is in accordance with the provisions of the Development Plan in particular Northamptonshire Waste Local Plan (2006) Policies 2 (The Location of Waste Development); 15 (Local Amenity); 16 (Restoration, Aftercare and After-Use) and 20 (Waste to Energy Recovery) and the Northamptonshire Minerals and Waste Development Framework Core Strategy Development Plan Document (2010) Policies CS14 (Addressing the impact of proposed minerals and waste development) and CS13 (Restoration and after-use of minerals and waste development). The development is also consistent with the objectives of national planning policy in PPS22 (Renewable Energy). Accordingly the development should be approved subject to the conditions.

**Date:** 13 July 2010

Signed

For Chief Planning Officer

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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.


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