Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Enterprise
Gordon House
Sceptre Way
Bamber Bridge
Preston
PR5 6AW

Name and address of agent
David Miller Associates
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Deakins Park
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Bolton
BL7 9YT

Part I - Particulars of application

Date of Application
Received – 21st July 2011
Valid – 29th July 2011

Application No.:
NCC – 11/00044/WAS

Particulars and location of development

Variation of condition 3 of planning permission DA/05/1008C to amend the hours of working at a Waste Transfer Station, 27 High March, High March Industrial Estate, Daventry

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 planning permissions DA/97/0042 and DA/05/1008.

In the interests of clarity the following is a list of conditions originally granted on planning permission DA/97/0042 with amendments reflecting variations made under planning permission DA/05/1008 and 11/00044/WAS.

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. No longer applicable

Scope of Planning Permission

2. The development hereby permitted is restricted to the area shown edged red on the plan received by the Waste Planning Authority on 21st July 2011.

3. The range of wastes that may be imported to, stored on, handled on and ultimately exported off site shall be solely confined to materials that are inert, degradable and putrescible in nature (including bonded asbestos). No hazardous wastes (with the exception of bonded asbestos, cathode ray tubes, refrigerators, fluorescent tubes and category 2 & 3 clinical waste) shall be permitted at the site.

Reason for conditions 2 and 3: To define the scope of the permission and in the interest of clarity.

Access and Highway Safety

4. The sole vehicular access for the development hereby permitted shall be by way of the existing access from High March. The access shall be maintained in a clean and tidy condition.

Reason: To ensure a satisfactory means of access to the highway having regard to Policy CS14 of the Core Strategy DPD (2010).

Hours of Working

5. Except as may otherwise be agreed in writing by the Waste Planning Authority, the tipping and sorting of waste on site shall be confined to the hours of 07:00 to 18.00 Mondays to Saturdays and Public Holidays (excluding Christmas Day, Boxing Day and New Year’s Day). All other operations shall be confined to the hours of 06:00 to 18.00 Mondays to Saturdays and Public Holidays (excluding Christmas Day, Boxing Day and New Year’s Day). No operations shall be undertaken on Sundays.

Buildings, Plant and Machinery

6. No longer applicable.

7. External stockpiles of materials shall not exceed 3 metres in height.

Reason: In the interests of visual amenity having regard to Policy CS14 of the Core Strategy DPD (2010).

8. No longer applicable.

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Noise

9. a) Except as may otherwise be agreed in writing by the Waste Planning Authority all plant, equipment and machinery used on site, including vehicular traffic, shall be designed and maintained to reduce noise levels to a minimum and be operated in accordance with manufacturer’s instructions.

b) All plant, equipment and machinery used on site, including vehicular traffic, capable of being fitted with the appropriate silencers, baffles, cladding and rubber linings shall be so fitted and maintained.

Reason: To ensure that plant, equipment and machinery is adequately sound-proofed in the interests of the amenities of local residents having regard to Policy CS14 of the Core Strategy DPD (2010).

Dust

10. Operations at the application site shall be controlled to ensure that dust emissions do not cause nuisance to neighbouring properties in the locality.

Litter

11. Measures shall be taken to prevent wind-blow litter causing nuisance to adjacent properties and highway verges.

Reason for conditions 10 to 11: To protect the interest and amenity of local residents and other users of the area having regard to Policy CS14 of the Core Strategy DPD (2010).

Pollution/Waste Control

12. No longer applicable.

13. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, 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.

14. All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent shall be discharged to the foul sewer.

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Reason for conditions 13 to 14: To prevent pollution of the water environment having regard to Policy CS14 of the Core Strategy DPD (2010).

15. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

Reason: To prevent pollution of the water environment and to provide adequate method of surface water disposal having regard to Policy CS14 of the Core Strategy DPD (2010).

Security

16. Except as may otherwise be agreed in writing with the Waste Planning Authority, the security perimeter fence shall be retained and maintained in a condition fit for its purpose.

Reason: To ensure the security of the site.

INFORMATIVE

None

REASONS FOR APPROVAL

This application is to extend the hours of working at an existing waste transfer station. An objection has been raised from a nearby business with regard to odour but no other objections have been received. The application has been assessed against the local development plan, in particular Policy CS14 of the Northamptonshire Core Strategy DPD and it is considered that there are no policy grounds for the Waste Planning Authority to refuse this application, subject to conditions of consent.

Date: 30th September 2011

Signed: ......................................

For Assistant Director of Environment and Planning

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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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