



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant	Name and address of agent
Frank Beale Frank Beale Vehicle Dismantlers Ltd Bottom Farm Desborough Airfield Stoke Albany Road Desborough NN14 2SP	Gill Pawson GP Planning Ltd The Stables Long Lane East Haddon Northampton NN6 8DU

Part I - Particulars of application

Date of Application	Application No.:
Valid – 11 th October 2011	NCC – 11/00070/WAS KBC – KET/2011/0688/NCC

Particulars and location of development

Relocation of vehicle dismantling yard at Bottom Farm, Desborough Airfield, Stoke Albany Road, Desborough, Kettering NN14 2SP

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:-

Time Limit

1. The development to which this relates must be begun not later than the expiration of THREE YEARS beginning with the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within 7 days of such commencement.

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 conform to the requirements of Section 91 of the Town and Country Planning Act 1990 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 submitted application:

- Application forms dated 10th October 2011;
- B014-01 Planning Statement dated October 2011;
- B014-01 Design and Access Statement Version 1 dated October 2011;
- 4668R001A Flood Risk Assessment October 2011;
- 4668-02 Indicative Surface Water Attenuation;
- SRL.110.11A Topographical Survey;
- GPP/FB/BF/11/01 Site Location Plan 1:25,000;
- GPP/FB/BF/11/01a Site Location Plan;
- GPP/FB/BF/11/02 Rev1 Site Plan;
- GPP/FB/BF/11/03 Rev2 Site Layout Plan;
- GPP/FB/BF/11/04 Rev1 Elevations for Polluted Car Storage;
- GPP/FB/BF/11/05 Rev1 Elevations for Portakabin;
- GPP/FB/BF/11/07 Rev1 Elevations & Floor Plan for De-Pollution Building;
- B014-01/ GPP/FB/BF/11/04Rev1 Photograph Panel A;
- B014-01/ GPP/FB/BF/11/04Rev1 Photograph Panel B;
- B014-01/ GPP/FB/BF/11/05Rev1 Historic Map of the Proposal Site (1972); and
- B014-01/ GPP/FB/BF/11/06Rev1 Illustrative Catchment Area Plan.

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

3. The development hereby permitted shall be restricted to an annual average throughput of 2,250 tonnes.

Reason: To define the scope of the permission, in the interest of clarity and in the interest of local amenity and highway safety having regard to Policy CS14 of the MWDF Core Strategy DPD (2010).

Landscape

4. Prior to the commencement of development, a comprehensive landscaping scheme shall be submitted to the Waste Planning Authority for its approval in writing. Details shall be provided of the location, numbers/spacing, size, types

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.

and species of trees/shrubs proposed to be planted. Planting shall take place in the first planting season following the approval of the scheme. All plants shall be appropriately maintained for a period 10 years following planting and any plants which die or become diseased within this period shall be replaced in the following planting season.

Reason: The provision and maintenance of a satisfactory degree of landscaping is considered essential in the interest of visual amenity and in accordance with Policy CS14 of the MWDF Core Strategy DPD (2010).

Height of stockpiles

5. No depolluted vehicles shall be stored above two vehicles high and no other waste materials shall be stockpiled or stored above 2.6 metres high when measured from the adjacent ground level.

Reason: To minimise the visual impact of the development in the interests of visual amenity in accordance with Policy CS 14 of the MWDF Core Strategy (2010).

Contamination & Surface Water

6. Within 3 months of the date of this planning permission (or such other date or stage in development as may be agreed in writing with the Waste Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Waste Planning Authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and

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.

remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Waste Planning Authority. The scheme shall be implemented as approved.

Reason: Groundwater at the site is of low sensitivity, however, the site is located adjacent to a surface watercourse (Harper's Brook). Therefore, given the former brownfield use of the site, further investigation is required to assess the risks to controlled waters from the site having regard to Policy CMD7 of the MWDF Control and Management of Development DPD (2011). Should significant contamination be encountered, further investigation and/or remediation may be required. All investigations should comply with the requirements of PPS23 and the assessment of the risks to controlled waters should follow the risk management framework provided in CLR11 – Model Procedures for the Management of Land Contamination.

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Waste Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Waste Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner having regard to Policy CMD7 of the MWDF Control and Management of Development DPD (2011).

Mud on the Road

8. All operational vehicles leaving the site in connection with this development shall be controlled to ensure that there is no nuisance dust and no mud or other debris is deposited on the public highway.

Reason: In the interests of highway safety and local amenity in accordance with Policy CS14 of the MWDF Core Strategy (2010).

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.

Catchment Area

9. All waste materials to be processed on the site shall originate from locations within the area shown on the submitted 'Illustrative Catchment Area Plan' reference: B014-01/ GPP/FB/BF/11/06 Rev1.

Reason: To ensure that waste materials are dealt with close to their source in order to prevent the long distance travelling of imported wastes having regard to Policy CS9 of the Northamptonshire MWDF Core Strategy DPD (2010).

Hours of Working

10. The car breaking activities hereby permitted shall take place solely between the hours of 08.00 to 18.00 Monday to Friday; 08.00 to 13.00 Saturday and at no other time whatsoever on Sundays and public holidays. The retailing activities hereby permitted shall take place solely between the hours of 08.00 to 18.00 Mondays to Sundays.

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

Noise

11. In the event that complaints regarding noise are received by the WPA from any sensitive receptor, and thereafter notified to the operator, an immediate assessment of the complaint shall be undertaken. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures to be undertaken shall be submitted to the Waste Planning Authority no later than 5 working days from the receipt of the complaint. Where noise complaints are not resolved and following written notification by the Waste Planning Authority a noise monitoring scheme shall be submitted to and agreed, and thereafter implemented.

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

Lighting

12. A lighting scheme shall be submitted to the Waste Planning Authority for approval in writing, before the lighting is installed. The scheme shall take into account lighting needs during operational hours and shall reduce lighting to a minimum outside of operational hours. The scheme shall minimise the risk of light spillage beyond the operational areas and into the sky. Upon approval in

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.

writing, the details shall be fully implemented and thereafter the development shall be operated in accordance with the approved details.

Reason: In the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit. This condition is imposed, having regard to Policy CS14 of the Core Strategy DPD (2010).

Monitoring

13. The operating company shall keep records of the quantity of waste received by weight, type and source as well as the number of traffic movements to and from the site. These records shall be provided to the Waste Planning Authority within seven days of a written request.

Reason: To control any additional pressure on the existing infrastructure, in the light of highway safety and convenience, having regard to Policy CS9 of the MWDF Core Strategy (2010).

14. The operators of the site shall submit an annual report in writing to the Waste Planning Authority within one month of the first anniversary of operations commencing and at 12 monthly intervals thereafter. The annual report shall incorporate such records that demonstrate performance with catchment area controls (condition 9) and as required by the above monitoring condition (condition 13). Information of commercial sensitivity will only be used in aggregated format as part of an Annual Monitoring Report produced by the Waste Planning Authority.

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policy CS1 of the MWDF Core Strategy DPD (2010) and to ensure that waste materials are dealt with close to their source in accordance with Policy CS9 of the MWDF Core Strategy DPD (2010).

15. A copy of the terms of this permission, including all documents hereby permitted and any documents subsequently approved in accordance with this permission (or amendments approved pursuant to this permission) shall be displayed at the site office and shall be made known to any person given responsibility for the management or control of operations at the site.

Reason: To ensure that the site manager can monitor the implementation of the conditions in accordance with Policy CS1 of the MWDF Core Strategy DPD (2010).

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.

INFORMATIVE

1. The applicant's attention is drawn to the surface water management good practice advice contained within the Environment Agency's Flood Risk Standing Advice on their web site at www.environment-agency.gov.uk.
2. Notwithstanding the planning permission(s) that may be granted or extant on the site, any proposed works affecting ordinary watercourses, statutory main river, within the indicative floodplain or within the byelaw distance requires the prior written consent of the Environment Agency under the relevant statutory legislation and current land drainage byelaws. Please note that Environment Agency formal consent is required irrespective of any Town and County Planning Act approvals/permissions. Consent is not implied by these comments and it is therefore imperative that early contact is made with the Environment Agency for advice regarding their requirements.

REASONS FOR APPROVAL

The applicant is seeking planning permission for the relocation of the vehicle dismantling yard at Bottom Farm, Desborough Airfield, to an adjacent site (the application site) which will handle up to 2,250 tonnes of waste per year. The scrapped cars will be de-polluted and made available for component reclamation prior to their compaction and off site removal for recycling at an appropriate facility. The principle of the proposed development is considered to be acceptable in accordance with Policies CS1 and CS2 of the MWDF Core Strategy DPD (2010) and Policy CMD1 of the MWDF Control and Management of Development DPD (2011). There have been no objections to the application by the statutory consultees or neighbouring properties and it is considered that there are no significant highway safety, traffic amenity or noise, dust and pollution issues which would justify refusal of the application. The environmental performance of the operator will be controlled by the Environment Agency through the environmental permit. Therefore, the proposed development is considered to be acceptable having regard to Policies CS1, CS2 and CS14 of the MWDF Core Strategy DPD (2010) and Policies CMD1, CMD7, CMD8 and CMD10 of the MWDF Control and Management of Development DPD (2011).

Date 9th January 2012

Signed G P Watson

For Assistant Director of Environment and Planning

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.

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*

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.