
Publication of applications on planning authority websites.
Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### 1. Applicant Name, Address and Contact Details

<table>
<thead>
<tr>
<th>Title:</th>
<th>Ms</th>
<th>First name:</th>
<th>Mary</th>
<th>Surname:</th>
<th>Tappenden</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company name:</td>
<td>Biffa Waste Services Limited</td>
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<td></td>
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<tr>
<td>Street address:</td>
<td>Poplars Landfill Site</td>
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<td>Lichfield Road</td>
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<tr>
<td>Town/City:</td>
<td>Cannock</td>
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<tr>
<td>County:</td>
<td>Staffordshire</td>
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<tr>
<td>Country:</td>
<td>United Kingdom</td>
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<tr>
<td>Postcode:</td>
<td>WS11 8NQ</td>
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</tbody>
</table>

Are you an agent acting on behalf of the applicant? ☐ Yes ☑ No

### 2. Agent Name, Address and Contact Details

No Agent details were submitted for this application

### 3. Site Address Details

Full postal address of the site (including full postcode where available)

<table>
<thead>
<tr>
<th>House:</th>
<th>Suffix:</th>
</tr>
</thead>
<tbody>
<tr>
<td>House name:</td>
<td>Biffa Waste Services Landfill Site</td>
</tr>
<tr>
<td>Street address:</td>
<td>Grove Farm</td>
</tr>
<tr>
<td>Daventry Road</td>
<td></td>
</tr>
<tr>
<td>Town/City:</td>
<td>Ashby St Ledgers</td>
</tr>
<tr>
<td>County:</td>
<td>Northamptonshire</td>
</tr>
<tr>
<td>Postcode:</td>
<td>CV23 8XF</td>
</tr>
</tbody>
</table>

Description of location or a grid reference (must be completed if postcode is not known):

Eastings: 456938  
Northings: 269587
4. Pre-application Advice
Has assistance or prior advice been sought from the local authority about this application?  
☐ Yes  ☐ No
If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):
Officer name:
Title:  First name: Claire  Surname: Spokes
Reference: none
Date (DD/MM/YYYY): 29/06/2015 (Must be pre-application submission)
Details of the pre-application advice received:
Email from Claire Spokes advising that the correct route for dealing with this matter is via an application under S73 to amend the relevant condition.

5. Description of Proposal
Please provide a description of the approved development as shown on the decision letter:
The operation of a Green Waste Composting Facility at Kilsby Landfill Site at, Grove Farm, Daventry Road, Ashby St Ledgers, Northamptonshire, CV23 8XF
Application reference number: DA/2014/0510  Date of decision: 18/09/2014
Please state the condition number(s) to which this application relates:
Condition number(s):
2
Has the development already started?  ☐ Yes  ☐ No

6. Condition(s) - Removal
Please state why you wish the condition(s) to be removed or changed:
We wish to be able to import green waste from the county of Buckinghamshire but this county is not included in the approved catchment area as shown on Drawing number 5.
If you wish the existing condition to be changed, please state how you wish the condition to be varied:
Condition 5 should be varied to approve the amended Drawing number 5 (computer reference K3031702) to show a revised catchment area that includes Buckinghamshire but excludes Oxfordshire.

7. Site Visit
Can the site be seen from a public road, public footpath, bridleway or other public land?  ☐ Yes  ☐ No
If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?  (Please select only one)
☐ The agent  ☐ The applicant  ☐ Other person

8. Certificates (Certificate A)
Certificate of Ownership - Certificate A
I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding (“agricultural holding” has the meaning given by reference to the definition of “agricultural tenant” in section 65(8) of the Act).
Title: Ms  First name: Mary  Surname: Tappenden
Person role: Applicant  Declaration date: 16/07/2015  ☑ Declaration made

9. Declaration
I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
☐ Date 16/07/2015
Dear Sir

PLANNING PERMISSION REFERENCE DA/2015/0510
THE OPERATION OF A GREEN WASTE COMPOSTING FACILITY AT KILSBY LANDFILL SITE

Please find enclosed our planning application made under Section 73 of the Town and Country Planning Act 1990 to amend Condition 5 of planning permission DA/2015/0510 to allow green waste to be imported to the site from a revised catchment area. The application comprises:

- Completed forms and certificates;
- Drawing number 2 (computer reference K3031400) to identify the site and the planning permission boundary;
- Drawing number 5 (computer reference K3031702) which is submitted to replace approved drawing number 5 (computer reference K3031700);
- A cheque to the value of £195.00 in payment of the planning fee (the application has been submitted via the Planning Portal and the cheque send by post).

Condition 5 of planning permission DA/2015/0510 states:

All waste materials to be processed on the site shall originate from locations within the area shown on the submitted Plan – Green Waste Catchment Area Drawing No.5 dated 12 May 2014, unless expressly agreed otherwise by the County Planning Authority in writing.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interests of self-sufficiency and sustainability having regard to policies CS9 of MWDF Core Strategy DPD (May 2010) and CMD 1 and 4 of MWDF Control and Management Development DPD (June 2011).
I attach a copy of the plan referred to in Condition 5 for ease of reference (K3031700). The catchment area plan covers the whole of Northamptonshire, Warwickshire and Leicestershire and includes parts of the West Midlands and Oxfordshire.

We are currently bidding for a number of contracts for green waste composting and amongst these is a contract with Buckinghamshire County Council. If we are successful in winning the contract we would like the ability to bring up to 10,000 tonnes per annum of green waste from Buckinghamshire to Kilsby for treatment. In accordance with the terms of the contract, the waste from Buckinghamshire would be imported to the site for a period of up to 5 years from commencement.

The waste from Buckinghamshire would represent 30% of the total capacity of the Kilsby site and would enable us to implement the planning permission and provide a platform for attracting more green waste to fill the site to capacity. The facility could for example be available for green waste arisings from Northamptonshire as current contracts for the waste stream come to an end.

Although Buckinghamshire lies outside of the currently approved catchment area for the site, the county abuts Northamptonshire at its northern end and has very good road links with the county and Kilsby in particular via the M1 motorway. Green waste composting is a sustainable method of dealing with this waste stream and we consider that importing green waste to the site from Buckinghamshire would be wholly appropriate. It is likely that the product produced from this waste stream would be used within Northamptonshire as a soil enhancer providing further benefit to the county. Drawing number 5 has been amended to exclude an area of Oxfordshire that is included in the currently approved catchment area plan as a trade.

The National Planning Policy for Waste (October 2014) at paragraph 4 directs waste planning authorities to recognise that “new facilities will need to serve catchment areas large enough to secure the economic viability of the plant”. The key point here is that catchment (or “market”) is a commercial matter, influenced by many factors including for example gate fees, haulage costs, end user requirements and competitor activity. This is the same for any business in relation to its feedstock and its products. Whilst there may arguably be instances where disposal facilities, i.e. those facilities at the bottom of the waste hierarchy, warrant more stringent planning control; it is counterproductive to impose commercial restrictions on recycling and recovery facilities such as Kilsby whose purpose is to move waste management up the hierarchy. Imposing commercial restrictions simply deters investment in the types of sustainable waste management facilities which Government are keen to encourage and inhibits productivity.

Having regard to the commercial arguments, I should add that we are only bidding for a green waste contract with Buckinghamshire at this stage and should there be places closer to the waste source that can provide the service more economically that Kilsby (be they Biffa sites or a competitor sites) then the waste will not come to Kilsby. However, we want to be able to compete competitively with other businesses.

With that in mind and in accordance with Condition 5, I am writing to ask you to approve our proposed extension to the catchment area to include Buckinghamshire (and excluding part of Oxfordshire as a trade) and I attach revised plan K3031702 to show the proposed new area to substitute for the currently approved plan.
I trust that I have provided sufficient information for you to be able to approve our planning application. However, should you need any further information then please do not hesitate to contact me.

Yours faithfully
For Biffa Waste Services Ltd

Mary Tappenden Bsc Msc DIC PGDipTP MRTPI
Group Property and Development Manager

Encs.