Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant    Name and address of agent (if any)
Welland Waste Management Ltd    Mrs Gill Pawson
Pebble Hall                     The Stables
Bosworth Road                   Long Lane
Theddingworth                  East Haddon
Northamptonshire             Northamptonshire
LE17 6NJ                        NN6 8DU

Part I - Particulars of application

Date of Application    Application No.
15 September 2015        NCC Ref: 15/00074/WASFUL

Particulars and location of development

Formation of two surface water drainage lagoons (Retrospective Application) at Pebble Hall Farm, Theddingworth Road, Marston Trussell, Northamptonshire, LE17 6NJ

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:-

Commencement

1. The development hereby permitted has commenced and the conditions of this planning permission shall take effect from the date of this permission.

Reason: For the avoidance of doubt.

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.
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:

*Planning Documents*

- Application Forms dated 28 August 2015
- Planning Statement dated 14 September 2015

*Drawings*

- GPP/WWM/PHL/15/01 Rev 1 Site Location Plan
- GPP/WWM/PHL/15/02 Rev 3 Site Plan
- GPP/WWM/PHL/15/03 Rev 3 Site Layout Plan
- GPP/C/PH/REGF/13/05 Rev 9 Landscape Plan with Lagoons

*Technical Reports*

- Flood Risk Assessment Revision C prepared by Abington Consulting Engineers dated 30 December 2013

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

Surface Water Management


Reason: To prevent the increased risk of flooding, both on and off site having regard to Policy 22 of the Minerals and Waste Local Plan (2014).

4. The development hereby permitted shall be retained and maintained in accordance with the approved plans and details for the duration of the developments permitted under planning permissions 13/00098/WASFUL and 13/00117/WASFUL (or any superseding planning permission for the aforementioned developments), unless an alternative drainage scheme is approved under this condition on any other superseding permission.

Reason: To prevent the increased risk of flooding, both on and off site having regard to Policy 22 of the Minerals and Waste Local Plan (2014).

5. The development hereby permitted shall be removed and the land restored in accordance with planning permission 13/00098/WASFUL upon cessation of electricity generation at the renewable energy generation plant for a 12 month (365 days) period.

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Reason: To safeguard landscape character should the development cease and to enable the site to be appropriately reinstated to an acceptable condition having regard to Policy 25 and Policy 28 of the Northamptonshire Minerals and Waste Local Plan (2014).

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

Date 11th December 2015
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.

4. Guidance on using the Planning Portal’s online appeals service, see leaflet PCS4 available at:


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