Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Ms Sue Reed
Daventry District Council
Contracts House
High March
DAVENTRY
Northants, NN11 4HB

Name and address of agent (if any)

Part I - Particulars of application

Date of Application
24th August 2005

Application No.: DA/05/1008C

Particulars and location of development
Modification of Condition 3 of planning permission DA/97/42C to provide for the storage and transfer of additional specified hazardous wastes, Waste Transfer Facility, High March, 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:-

Modification of Condition No 3 of Planning Permission DA/97/42C

3. Condition No 3 of planning permission DA/97/42C is hereby modified to read:- "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."

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 No longer applicable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 1/1250 scale deposited plan.

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.

Hours of Working

5. Except as may otherwise be agreed in writing by the Waste Planning Authority, the development hereby permitted and all operations relating thereto (with the exception of operations connected with the depot facility) shall be restricted to between the hours of 6.30am and 6.00pm Mondays to Fridays and 7.00am and 1.00pm on Saturdays, with no such operations taking place on the site on Sundays or Public Holidays. The use of the depot shall be permitted between the hours of 6.30am and 6.00pm Mondays to Fridays and 6.30am and 12.30pm on Saturdays, Sundays and Public Holidays.

Buildings, Plant and Machinery

6. No longer applicable.

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

8. No longer applicable.

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, and capable of being fitted with the appropriate silencers, baffles, cladding and rubber linings shall be so fitted and maintained.

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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-blown litter causing nuisance to adjacent properties and highway verges.

Pollution/Waste Control

12. Foul and surface water drainage arrangements for the site shall be in accordance with the approved plans.

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.

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.

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.

Reasons for conditions and relevant Development Plan Policies

2. To specify the area and to avoid doubt as to the scope of this planning permission. (Northamptonshire County Structure Plan (NCSP) Policy W3).

3. To specify the materials to be brought onto and stored on the site in the interests of the general amenity of the area. (NCSP Policy W3).

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4. To ensure a satisfactory means of access to the highway. (NCSP Policy W3).

5. To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to adjacent properties. (NCSP Policy W3).

7. In the interests of visual amenity. (NCSP Policy W3).

9. To ensure that plant, equipment and machinery is adequately sound-proofed in the interests of the amenities of local residents. (NCSP Policy W3).

10-11. To protect the interests and amenity of local residents and other users of the area. (NCSP Policy W3).

12. To ensure satisfactory drainage of the site. (as required by the Environment Agency). (NCSP Policy W3).


15. To prevent pollution of the water environment and to provide adequate method of surface water disposal (as required by the Environment Agency). (NCSP Policy W3).

16. To ensure satisfactory security of the site. (NCSP Policy W3).

REASONS FOR APPROVAL

Under the terms of the original planning permission for the waste transfer station (DA/97/42C) the intake of hazardous waste was restricted to bonded asbestos only. Daventry District Council has now applied to extend the range of hazardous waste to include cathode ray tubes, refrigerators, fluorescent tubes and category 2 & 3 clinical waste. The waste transfer operations will be carried out within the existing buildings or the secure enclosed yard area and are consistent with policies W1 and W3 of the County Structure Plan and policy 17 of the Northamptonshire Waste Local Plan (Proposed Modifications January 2005). No objections have been raised to the proposal and it is considered that planning permission should be granted for an amendment of the waste types be handled at the site.

Date: 9th November 2005
Signed: [Signature]

Authorised to sign on behalf of the Head of Sustainable Development

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

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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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