Northamptonshire County Council

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Barry Howard Waste Management Ltd
The Round Tin Barn
Victors Barns
Brixworth
Northamptonshire NN6 9DQ.

Name and address of agent (if any)
Gill Pawson Planning
Mill House
East Haddon
Northampton
NN6 8DU

Part I - Particulars of application

Date of Application
22ND May 2006

Application No.:
DA/06/623C

Particulars and location of development
Extensions to Research and Development Buildings, Land at Deer Park Nursery, West Haddon Road, Crick.

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 shall be begun within two years of the date of this planning permission.

Scope of Planning Permission

2. This planning permission provides for an extension to the research and development buildings which were permitted under planning permission DA/05/292C and should be read in conjunction therewith.

3. The development hereby permitted shall be carried out by or on behalf of and shall only be brought into use by the applicant company Barry Howard Waste Management Ltd; and the use of the buildings shall be restricted to waste research and development and no commercial or industrial development shall be carried out therefrom.
Access and Highway Safety

4. Prior to the commencement of any development, works of improvement to the adjacent highway (A428) and to the access into the site shall be carried out in accordance with the details shown on the deposited application plan drawing No 05-0144/IMF/01 P2 received on the 21st April 2005 in association with planning permission DA/05/292C and shall provide for:-

(a) 6m radii, at the access point

(b) Access driveway widened to 5.5m and levels raised to carriageway level for the first 20m into the site.

(c) Visibility splays of 4.5m x 215 m in each direction,

(d) The adjacent highway (A428) carriageway being widened and provided with ghost island markings and third turning lane into the site.

Odour

5. Appropriate measures and monitoring shall be undertaken to ensure that no obnoxious odorous emissions emanate from the site.

Hours of Working

6. Except as may otherwise be agreed in writing by the Waste Planning Authority all operations involved with the delivery of waste to or from the site and all construction and demolition works shall be controlled within the hours of 7.00 am to 6.00 pm Monday to Friday and 8.00 am to 1.00 pm on Saturdays with no such deliveries or works on Sundays and public holidays.

7. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by the Waste Planning Authority. The scheme shall be implemented in accordance with the requirements of the Environment Agency.
Reasons for conditions and relevant Development Plan Policies

1. As required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990

2. To define this permission

3. To define this permission since in view of the location of the development, it is not intended to allocate this site for any other form of commercial or industrial development; and in the interests of the amenities of the area as a whole. (County Structure Plan Policy RE3).

4. In the interests of highway safety. (County Structure Plan Policy W3).

5. To safeguard the amenities of the occupiers of residential properties in the of the vicinity site. (County Structure Plan Policy W3; Waste Local Plan Policy 19).

6. To protect the amenities of nearby residential properties. (County Structure Plan Policy W3).

7. To prevent pollution of the water environment through the provisions of a satisfactory means of drainage. (County Structure Plan Policy W3, AR9).

Reasons for Approval

Following consideration by the Development Control Committee, planning permission was granted for a Research and Development Centre for the conversion of wastes to energy and the production of Bio Fuels at the Deer Park Nursery Site under DA/05/292C on the 19th July 2005. Apart from some setting back of highway boundaries, no other development has commenced. An application has now been submitted for a two storey size extension at the rear of the Research and Development buildings together with a single storey infill extension. The main building will accommodate reactors and other specialist equipment. The new works will not be visible from outside the site. No objections have been raised to this additional development. It is considered therefore that planning permission should be granted subject to, amongst other things, the re-imposition of the highway access improvement conditions as required by the Highway Authority.

Informatives

Please see attached letter from the Environment Agency.
Date: 3rd August 2006
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 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.

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.