



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Aurora Energy Ltd.
The Old Rectory
Hinton on the Green
Evesham
Worcs
WR11 2QU

Name and address of agent (if any)

Wardell Armstrong
Lancaster Building
High Street
Newcastle under Lyme
ST5 1PQ

Part I - Particulars of application

Date of Application

10th March 2006

Application No.

KE/06/245

Particulars and location of development

Development of land without complying with condition 7(a) of planning permission KE/01/361C to revise stack height at Rushton Landfill Site, Oakley Road, Rushton, in accordance with Location Plan (Scale 1:10000) drawing number NL07169/07, Site Plan (1:2500) drawing number NL07169/08 and plant layout drawing number C1200-GA-001.

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 shall commence within **THREE YEARS** of the date of this permission. The County Planning Authority shall be given written notice of intention to commence development two weeks prior to the commencement of works on 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.

AREA OF SITE

2. This planning permission shall only relate to the site shown hatched on the plan NL07169/08 attached to this permission hereafter referred to as the "Site" and the development hereby permitted shall only be carried out within the Site in accordance with the details set out in the submitted application form, supporting written statement, plans.

PROTECTION OF WATERCOURSES

3. Any facilities for the storage of oils, fuels or chemicals including portable units 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 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.
4. All drums and small containers used for oil and other chemicals shall be stored in bunded areas which do not drain to any watercourse, surface water or soakaway.

SAFETY MEASURES

5. (a) Prior to the commencement of the development, the following works shall be undertaken:-
 - (i) A 24 hour emergency contact number shall be displayed on the gates or fence adjacent to the development.
 - (ii) Two 4.5 kilogramme Dry Powder Fire Extinguishers in accordance with BS 5423 shall be permanently located within the compound in a weather proof box.

All fire fighting equipment shall be inspected and tested annually by a competent person. The date and result of the test shall be recorded and the equipment maintained in a satisfactory condition.

- (b) The compound area shall be kept clear of combustible materials, ie: weeds etc.

LOCATION OF GAS AND LEACHATE PIPES

6. Prior to the commencement of the development, details of the collection system for landfill gas and leachate on the site shall be submitted to the County Planning Authority for approval. Except as may otherwise be agreed in writing by the County Planning Authority, the system incorporating any amendments the County Planning Authority may require shall be installed in the format

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agreed for the life of the development.

PROTECTION OF AMENITIES

7. (a) The flare stack shall not exceed 8.5 metres in height.
- (b) Details of any floodlighting shall be submitted to and approved in writing by the County Planning Authority prior to its installation and shall be operated and maintained in accordance with that approved scheme.

RESTORATION

8. Upon completion of the use of the generating equipment or the date stated in Condition 9 of this permission, whichever is the sooner, all plant, machinery and foundations used in connection with this development shall be removed from the site forthwith and the site shall be restored to agricultural use and left in a clean and tidy condition in accordance with the conditions of Planning Permission KE/89/714C.

CESSATION OF DEVELOPMENT

9. The development hereby permitted shall cease not later than 15 years from the date of commencement given in accordance with Condition 1 above and the site shall be restored in accordance with the conditions of this permission.

Reasons for conditions and relevant Development Plan Policies

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. To ensure the permission is implemented in all respects in accordance with the submitted details.
- 3.&4. To minimise the risk of pollution of watercourse and aquifers and to prevent pollution of the water environment (Waste Local Plan Policy 13)
5. In the interests of safety.
6. In the interests of amenity and the environment and to ensure the satisfactory restoration of the site (Waste Local Plan Policy 15)
7. (a) To minimise visual intrusion to the surrounding area (Waste Local Plan Policy 15).
- (b) To protect the amenities of local residents from the intrusion of floodlighting at night (Waste Local Plan Policy 15).
8. In the interests of amenity and the environment and to ensure the satisfactory restoration of the site (Waste Local Plan Policy 16).
9. To specify the date when the conditions of this permission shall have been

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fully implemented and to enable the County Planning Authority to reconsider the development position in the light of the circumstances prevailing at the end of the consent period (Waste Local Plan Policy 15).

Informative

The applicants attention is drawn the advice of the Environment Agency regarding the need to vary the PPC permit of the plant.

REASONS FOR APPROVAL

The character and amenity of the area as a whole will not be adversely affected and the development will not cause an unacceptable increase in vehicular movements.

The application is considered to be acceptable in accordance with policies W3 and GS5 of the Northamptonshire County Structure Plan (2001), policy ENV30 of the Kettering Borough Local Plan (1995) and with policy 15 of the Waste Local Plan (2006).

Date 5th May 2006

Signed G.P. Watsar

On behalf of the
Head of Sustainable Development

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APPENDIX ONE

LIST OF SUBMITTED PLANS

Drawing Number	Title	Date Drawn	Date Received
NL07169/08	Rushton Landfill Site	Febryary 2006	10 March 2006
C1200-GA-001	Stnd Single engine compound	14 November 2005	10 March 2006

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