Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant | Name and address of agent (if any)
--- | ---
Carbonarius Ltd Blythe House Blythe Park Cresswell Stoke On Trent Devon ST11 9RD | Gill Pawson, GP Planning Ltd The Stables Long Lane East Haddon Northampton NN6 8DU

Part I - Particulars of application

Date of Application
17 October 2013

Application No.
NCC Ref: 13/00098/WASFUL
DDC Ref: DA/2013/0851

Particulars and location of development

Erection of a Replacement Renewable Energy Generation Building at Pebble Hall Farm, Theddington 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:-

1. Commencement

The development to which this relates shall be begun not later than the expiration of THREE YEARS beginning with the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within 7 days of such commencement.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase

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.
2. The implementation of this permission supersedes the planning permission granted on 17 September 2008 for a renewable energy generation facility reference 08/0053/WAS and DA/2008/0685 which shall no longer be extant following the date of commencement notified under Condition 1.

Reason: To clarify the planning status of the previous planning permission for a renewable energy generation facility.

3. **Scope of Permission**

Except as otherwise required by conditions attached to this planning permission, the development hereby permitted shall be constructed, operated and maintained in accordance with the submitted application comprising the following:

*Planning Documents*
- Application Forms dated 17 October 2013;
- Planning Statement dated October 2013;
- Design and Access Statement dated September 2013;

*Drawings*
- GPP/C/PH/REFG/13/01v1 Site Location Plan
- GPP/C/PH/REFG/13/02v5 Site Plan
- GPP/C/PH/REFG/13/03 v3 Existing Site Layout Plan
- GPP/C/PH/REFG/13/04v6 Proposed Site Layout Plan
- GPP/C/PH/REFG/13/05v6 Landscape Plan
- GPP/C/PH/REFG/13/06v5 Building Elevations
- GPP/C/PH/REFG/13/00v5 Catchment Area Plan
- GPP/C/PH/REFG/13/09v1 Photographe Panel A,B &D
- GPP/C/PH/REFG/13/13v1 Theoretical Visibility Plan
- GPP/C/PH/REFG/13/14v1 National Character Areas
- GPP/C/PH/REFG/13/15v2 Viewpoint Photopanels
- GPP/C/PH/REFG/13/16v1 Hedgerow Removal Plan
- GPP/C/PH/REFG/13/17v1 Cross Sections
- GPP/C/PH/REFG/13/18v1 Traffic Routing
- GPP/C/PH/REFG/13/19v1 Winter Viewpoints
- GPP/C/PH/REFG/13/20v1 Carbonarius Illustrative Visualisations
- GPP/C/PH/REFG/13/21v1 Hothorpe Cross Sections
- GPP/C/PH/REFG/13/22v1 Hothorpe Photo Panels
- GPP/C/PH/REFG/13/23v1 Illustrative Photo Location Plan

*Technical Reports*
- Origin Transport Consultants Transport Statement v3 dated January 2014;
- Abington Consulting Engineers Flood Risk Assessment Revision C dated 30 December 2013;
- Walker Beak Mason Noise Report dated 28 May 2014;
- Sound Barrier Solutions Report and Covering note dated 20 March 2014;
- GFE Atmospheric Dispersion Modelling - Wood Gasification Facility dated December 2013;

*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.
Dioxin Health Risk Assessment dated August 2013;
Health Impact Assessment dated August 2013;
Ian Sharland Ltd, Noise and Vibration Specialists, Assessment of
Environmental Impact dated 6 January 2014;
Ian Sharland Ltd, Noise and Vibration Specialists, Addendum Considering
Impact on Hothorpe Hall Eco-Lodges, dated 7 April 2014
GP Planning Landscape and Visual Impact Assessment dated September
2013;
GP Planning Addendum LVIA dated January 2014;
GP Planning Supplementary LVIA assessing Impact on Hothorpe Hall Visitors
dated April 2014;
GFE DMRB Screening Air Quality Assessment for Vehicle Emissions dated 3
April 2014;
GFE Dust Impact Assessment with GPP covering letter dated April 2014;
GFE Supplementary Air Quality Assessment dated 13 March 2014;
GFE Assessment of Potential Impact on Local Wildlife Sites dated 20 April
2014.
Annual Landscape Maintenance Report dated 9 April 2014;
Construction Management Plan v2 dated April 2014;
Hedgerow Ecological Inspection dated 3 April 2014

Reason: To define the scope of the permission in accordance with the
submitted application details and in the interest of clarity.

4. Waste Wood Inputs

The total amount of wood waste to be imported in connection with the
development hereby permitted shall not exceed 72,000 tonnes per annum and
a maximum of 40,000 tonnes per annum shall be imported until the REGF
building works granted under this planning permission have been completed
and the gasification plant is installed and operational.

Reason: To define the scope of the permission and in the interest of clarity,
amenity protection and highway safety having regard to Policy 22 of the
Northamptonshire Minerals and Waste Local Plan (October 2014).

5. Waste Types

The developer shall ensure that systems are in place to ensure that the site
accepts and processes only wood waste of a non hazardous nature and that
systems are in place to deal with any prohibited wastes delivered to site. A
management plan with details of the systems to be employed shall be
submitted to the Waste Planning Authority for agreement in writing prior to
waste imports to the site commencing. The management plan shall thereafter
be implemented and maintained.

Reason: To restrict the waste types in the interests of amenity and the
environment having regard to Policy 22 of the Northamptonshire Minerals and
Waste Local Plan (October 2014).

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
should also be adhered to wherever appropriate.
6. **Hours of Working - REGF Operational Phase**

Except in emergencies (which shall be notified to the Waste Planning Authority as soon as practicable) the shredding of wood waste and all waste and other external delivery and collection vehicles, shall be restricted to between the hours of 07.00 hrs and 18.00 hrs Mondays to Fridays and 8.00 hrs to 13.00 hrs Saturdays with no such operations on Sundays or Public and Bank Holidays.

7. **Hours of Working - Construction Phase**

Except as otherwise approved in writing by the Waste Planning Authority all external construction activities associated with the development hereby permitted shall be restricted to between the hours of 07.00 hrs and 19.00 hrs Mondays to Fridays and 07.00 hrs to 16.00 hrs Saturdays with no construction activities on Sundays or Public and Bank Holidays.

Reasons for conditions 6 & 7: In the interests of amenity protection having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

8. **Buildings and Flue Stack**

The buildings hereby permitted shall be built in accordance with the dimensions identified in the submitted application as indicated on Drawing GPP/C/PH/REGF/13/06 revision 5.

9. Prior to the erection of the flue stack, final details on the dimensions and design shall be submitted to the Waste Planning Authority for prior agreement in writing. The stack shall only be constructed and maintained in accordance with the details as may be agreed in writing by the Waste Planning Authority.

10. The buildings, structures, plant and machinery shall be erected in accordance with the locations identified on GPP/C/PH/REGF/13/04 Revision 6 and all external materials, colour and finishes shall be in accordance with those on the submitted application form unless alternative details are submitted to and approved in writing by the Waste Planning Authority. The development shall be implemented and operated in accordance with the approved details.

   Reason for conditions 8, 9 and 10: To enable the landscape and visual implications of the buildings and final flue stack to be appropriately considered and controlled in the interests of visual amenity and landscape protection having regard to Policy 22 and Policy 27 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

11. Prior to the construction of the main buildings a scheme with details of the door system for use by plant and other vehicles shall be submitted to and approved by the Waste Planning Authority. The scheme as approved in writing shall be retained and maintained for the duration of the development hereby permitted.

**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.
12. **Grid Connection and Electricity Generation**

Prior to the bringing of the renewable energy generation plant into operation an electric grid connection shall be provided and installed via underground cables to a local grid connection point and all necessary construction and connection consents obtained. Electricity shall therefore be provided through the electrical underground cables to the national grid throughout the operational life of the development hereby permitted.

Reason: to ensure that the development is operated in accordance with the intentions in the submitted planning application and the functional intentions of the development having regard to Policy 11 and Policy 13 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

13. Prior to the commencement of construction of the electricity grid connection a scheme of details showing the location of cables and engineering works associated with this within the application site, up to the junction with the A4303 Public Highway, shall be submitted to and agreed in writing by the Waste Planning Authority. The scheme shall be implemented and maintained throughout the operational life of the REGF plant.

Reason: In the interests of amenity, biodiversity, flood protection and highway safety having regard to Policy 22 and Policy 24 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

14. **Storage and Processing**

No external deposit, processing or storage of wood waste, including packaging; shall take place on site outside of the building other than in the wood reception and processing area identified on Drawing GPP/C/PH/REGF/10/04 Revision 6. No external storage of residual waste ash shall take place outside of the building except in sealed containers.

Reason: In the interests of amenity protection and pollution control having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

15. **Noise**

Prior to the commencement of any part of the development hereby permitted, full details of proposed external plant and equipment including predicted noise levels and the provisions to be made for its control shall be submitted to and approved in writing by the Waste Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interests of amenity protection having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

**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.
16. Noise from the development, including from all plant and machinery, shall be controlled to ensure that no frequency, when measured as a one third octave band, shall be greater or less than 10dB of its neighbouring frequency. The noise levels shall be determined by a freefield measurement at the boundary of the nearest residential premises, unless an alternative methodology is agreed in writing by the Waste Planning Authority. The nearest residential premises are:

i. Hothorpe Hall;
ii. Hothorpe Hall Eco Lodges;
iii. Pebble Hall Farm;
iv. Woodside Farm;
v. Bosworth Hall

Reason: In the interests of amenity protection having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

17. All plant, equipment and machinery required in connection with the development hereby permitted shall be maintained in accordance with the manufacturer's specification.

18. Vehicles and mobile plant used on site, excluding off site collection and delivery vehicles, shall not be operated unless they have been fitted with white noise alarms, or other non-tonal alarm as may be submitted to and agreed in writing by the Waste Planning Authority.

19. The development shall not commence until a scheme for monitoring cumulative day time and night time noise from the developments at Pebble Hall Farm in accordance with the requirements of BS4142 and BS8233 has been submitted to and approved in writing by the Waste Planning Authority. The scheme as agreed shall thereafter be implemented in full and maintained.

20. Noise levels from day time and night time operations at the site shall be controlled to ensure the BS4142 derived 'Rating Noise Level' for the development including cumulatively with the permitted TAD (NCC reference 13/00117/WASFUL and DDC reference DA/2013/0851) shall:

a) not exceed the equivalent background noise levels, L90 dB(A), by more than 5 dB(A), at the following locations;

i. Hothorpe Hall;
ii. Hothorpe Hall Eco Lodges;
iii. Woodside Farm;
iv. Bosworth Hall

b) not exceed the equivalent background noise levels, L90 dB(A), by more than 10 dB(A), at the following locations;

v. Pebble Hall Farm;

This requirement shall not apply at times when the Rating Noise Level and the

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.
background noise level are deemed by BS4142 to be 'very low'.

Reason for conditions 15-20: In the interests of amenity protection having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

21. **Dust**

Prior to the commencement of the development a scheme and programme for the suppression of dust in connection with the wood chipping operations shall be submitted to the WPA for agreement in writing. The scheme as agreed shall be implemented in full from the date of commencement of the development notified in accordance with Condition 1. The scheme shall also include suitable measures which shall be adopted to ensure dust is kept to a minimum including the use of water spray facilities in periods of dry weather for operational areas outside the building, including hard surfaces and roadways.

Reason: In the interests of the amenities of the surrounding area, and having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

22. **Access and Highway Safety**

The development hereby permitted shall not be commenced unless and until planning permission has been obtained from Leicestershire County Council for use of the vehicular access in connection with the development hereby permitted, and any pre-commencement conditions discharged.

Reason: In the interests of highway safety and in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

23. **Vehicle Sheeting/Mud on the Road**

All operational vehicles arriving at and leaving the site shall be appropriately sealed so as to prevent material spillage, wind blow and dust nuisance.

Reason: In the interests of highway safety and local amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

24. All construction and operational vehicles leaving the site shall be clean to ensure no mud or other debris is deposited on the public highway.

Reason: In the interests of highway safety and local amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

25. **Surface Water Management/Drainage**

No development shall take place until a surface water drainage scheme for

**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.
the site, based on sustainable drainage principles and an assessment of the hydrological and hydrological context has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. Inter-alia the scheme shall also include:

i. Full detailed surface water calculations and drawings to ensure adequate surface water drainage facilities on site for all events up to and including 1% (1 in 100) plus climate change.

ii. An assessment of overland flood flows.

iii. Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

26. Prior to the commencement of the development the applicant shall submit a final drainage plan for the application site for agreement in writing by the Waste Planning Authority. The plan shall inter alia include details of surface water collection, storage and disposal methods, and details of the engineering works related to the construction of the drainage lagoons and any water saving measures to be employed on the application site. The development shall be implemented and maintained in accordance with the detailed drainage plan as agreed in writing.

27. Foul drainage disposal shall be by a septic tank, unless an alternative foul drainage system is otherwise agreed in writing by the Waste Planning Authority. Full details of the proposed septic tank (or alternative system agreed in writing), (including Environment Agency Discharge Consent Number, site of unit, design and projected loading of unit, together with final discharge point and maintenance schedule) shall be submitted to the Waste Planning Authority. Only a scheme approved in writing by the Waste Planning Authority shall be implemented at the site and shall be fully operational before the development is occupied and thereafter maintained in perpetuity.

Reason for conditions 26-27: In the interests of surface and groundwater protection having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

28. **External Lighting**

No external lighting shall be erected or installed until a scheme has been submitted in writing and approved by the Waste Planning Authority. The scheme shall include a layout plan that covers all new proposed external lighting and details the proposed beam orientation and schedule of equipment in the design, including luminaire type, mounting height, aiming angles and luminaire profiles. In addition a lighting contour map shall be submitted along with detail of the proposed operating hours for the lighting and how these would be controlled. The approved scheme shall be installed, maintained and operated in accordance with the approved details for the lifetime of the

*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.
development.

Reason: In the interests of amenity, biodiversity, site security and sustainability having regard to Policy 22 and Policy 24 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

29. **Landscaping**

Within **TWO MONTHS** of the date of this permission, a revised landscaping scheme for the Pebble Hall Farm complex shall be submitted to the Waste Planning Authority for approval in writing. The scheme, including any amendments required by the Waste Planning Authority, shall inter-alia include:

i. types, number and size of species proposed with a focus on native species but incorporating a proportion of evergreen species to achieve greater all year screening;
ii. details of the visual screening bunds to be created;
iii. proposed ecological/biodiversity enhancement proposals;
iv. incorporate measures to rectify slow growth and failure from previous planting undertaken at the Pebble Hall Farm Complex.
v. timescales for planting and phasing.

The approved scheme shall be implemented in full as approved in writing by the Waste Planning Authority and thereafter maintained.

Reason: To ensure that the site is adequately screened in the interests of local visual amenity, in the short and long-term, and biodiversity, having regard to Policies 22, 24, 25 and 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

30. Any trees or shrubs which die or for any other reason fail to become established within five years of planting shall be replaced during the following planting season with trees and shrubs of a similar size and species to those originally required. All landscaping shall be carried out in accordance with the landscaping scheme approved under condition 30 and to a standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice.

Reason: To ensure that the site is adequately screened and in the long-term interests of local visual amenity having regard to Policies 22, and 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

31. **Ecology**

Prior to the commencement of development, a badger survey and scheme for mitigating the impacts on any badgers activity identified in the survey shall be submitted to and approved in writing by the Waste Planning Authority. The development shall only proceed in accordance with any mitigation measures approved by the Waste Planning Authority.

**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.
32. **Fire Risk Management**

Within THREE MONTHS of the date of this permission, a fire risk management plan identifying the measures to mitigate the risk of the fire associated with external waste wood storage on the site shall be submitted to the Waste Planning Authority for agreement in writing. The plan as agreed in writing shall be implemented and maintained thereafter. (Refer to Note 1 at the end of this permission).

Reason: In the interests of safety having regard to Policy 27 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

33. **Complaints**

In the event that complaints about the REGF development including at the construction stage, regarding odour, noise, lighting and/or dust are received by the Waste Planning Authority from any sensitive receptor, and thereafter notified to the operator, an assessment of the complaint shall be undertaken by the operator. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures and works to be undertaken, with timescales for implementation, shall be submitted to the Waste Planning Authority for agreement in writing no later than five working days from the receipt of the complaint, unless a later date is otherwise agreed in writing by the Waste Planning Authority. The remedial measures agreed in writing shall thereafter be implemented in accordance with the agreed timescales and maintained thereafter.

Reason: In the interests of amenity protection having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

34. **Catchment Area**

All waste materials to be processed on the site shall only originate from locations within the area shown on the Indicative Catchment Area plan Drawing GPP/C/PH/REGF/13/08 Revision 4 dated 7 August 2013 and submitted as as part of the planning application, or other sub-regional catchment plan as may be submitted and approved in writing by the Waste Planning Authority. The annual report required by condition 37 shall incorporate such records that demonstrate full compliance with the approved catchment area plan.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interest of self sufficiency and sustainability having regard to Policies 13 and 23 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

**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.
35. Monitoring

The operating company shall submit an annual report in writing to the Waste Planning Authority within one month of the first anniversary of operations commencing and at 12 monthly intervals thereafter. The report shall include detailed information on the types, quantities and sources of all waste materials brought on to the site and taken off the site, including records that demonstrate compliance with the limit on imported waste (condition 4) and the indicative catchment area plan (condition 34). The information required by this condition shall also be supplied at any other time on request by the Waste Planning Authority.

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policy 11 of the Northamptonshire Minerals and Waste Local Plan (October 2014, and the requirements in Policies 13 and 29 of the Northamptonshire Minerals and Waste Local Plan (October 2014). and to ensure that waste materials are dealt with close to their source in accordance with Policy 23 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

36. Local Liaison Group

Prior to the commencement of the development details of a Local Liaison Group to be established, including proposed membership and ongoing facilitating arrangements, shall be submitted to the Waste Planning Authority for agreement in writing. The first meeting shall be arranged prior to the date of commencement as notified under condition 1. Subsequent meetings shall be arranged at six monthly intervals, or such other time period as agreed by members of the Local Liaison Group, for the life of the operations.

Reason: To discuss and review the operator’s current working practices and their future intentions and to monitor compliance with the Planning Permission with the local community and regulators having regard to Policy 29 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

37. Reinstatement

Following the date of first commencement of electricity generation, in the event that electricity generation ceases at the renewable energy generation plant for a 12 month (365 days) period, unless an extended period is otherwise agreed in writing by the Waste Planning Authority on the basis that evidence has been submitted which the Waste Planning Authority considers clearly demonstrates that electricity generation is to recommence, a scheme for decommissioning of the plant, including dismantling the buildings, flue stack and other structures comprised in the renewable energy generation facility, and clearance of the site, shall be submitted within two months of the end of the 12 month period to the Waste Planning Authority for agreement in writing. The site shall then be cleared in accordance with the scheme and timescales as agreed in writing.

Reason: To safeguard landscape character should the development cease.

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.
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 (October 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. Concerns and issues raised during consultation on the submitted application have been considered by the Minerals Planning Authority, discussed with consultees and the applicant/agent and are addressed by conditions where appropriate.

The approach to this application has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

**INFORMATIVE**

1. Guidance on reducing fire risk at sites storing combustible materials is provided by the Environment Agency in its Technical Guidance Note (TGN.01).

Date: 24th October 2014

Signed: ........................................

For Assistant Director of Environment and Planning

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.
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 him 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.