

2100/1604

NORFOLK COUNTY COUNCIL

Town and Country Planning Act, 1990

Town and Country Planning (General Development Procedure) Order 1995

To: Milburn Leverington Thurlow
3 Whiting Street
Bury St Edmunds
IP33 1NX


Particulars of Proposed Development

Location: Former Sugar Beet Site, Poplar Avenue, Saddlebow Industrial
Estate, King's Lynn
Applicant: Cairogate Ltd
Agent: Milburn Leverington Thurlow
Proposal: Waste recycling and transfer facility

The Norfolk County Council hereby gives notice of its decision to PERMIT the development specified in the application and particulars deposited on the 5th October 2000

This permission is subject to the conditions specified on the attached sheet.

The reasons for these conditions are also set out on the attached sheet.

Signed:  Date: 4.10.02

for DIRECTOR OF PLANNING AND TRANSPORTATION

Norfolk County Council
County Hall
Martineau Lane
Norwich
NR1 2SG

SEE NOTES ON ATTACHED SHEET

NOTES

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and County Planning Act 1990, within six months of the date of this notice. The secretary of State has the 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, to the provisions of the Development Order, and to any directions given under the Order.
- (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 by the carrying out of any development which has been or would be permitted, he may serve on the Council of the county or district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land accordance with Section 137 of the Town and County 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 Sections 114 and 115 of the Town and Country Planning Act, 1990.
- (4) Any planning permission is subject to compliance with the byelaws (Local Acts, Orders, Regulations) and general statutory provisions in force.

Appeals must be made on a form which is obtained from the Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel: 0117 372 6372 Fax: 0117 372 8782 or e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Location: Former Sugar Beet Site, Poplar Avenue, Saddlebow Industrial Estate

Conditions:

1. The development hereby permitted shall commence not later than five years from the date of this permission.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no buildings, plant or machinery, nor structures of the nature of plant or machinery shall be erected on the site, except with permission granted on an application under Part III of the Town and Country Planning Act 1990.
3. The development shall not take place except in accordance with the site layout shown on Plan 4167.01/G revised 23 May 2002, the elevations of buildings shown on Plan 4189.06 received 12 January 2001 and the details given in the application forms and Environmental Statement accompanying the application, as amended by the agents' letter dated 2 July 2001, unless otherwise agreed in writing with the County Planning Authority.
4. No operation shall take place except in accordance with the scheme of working outlined in Section 5 of the Environmental Statement accompanying the application, as amended by the agents' letter of 2 July 2001, unless otherwise agreed in writing with the County Planning Authority.
5. No operations shall take place within the area identified for inert waste processing (shown on plan number AW/MSE/1499-2-D dated 3 October 2000) until a scheme of working covering inert waste processing has been submitted and agreed in writing with the County Planning Authority. No operation shall take place except in accordance with the agreed scheme. The scheme shall include details of:-
 - (a) the layout of the site, including stockpile areas;
 - (b) the method of working and the types of machinery to be used;
 - (c) arrangements to screen the operations;
 - (d) arrangements to control noise and dust from the operations;
 - (e) stockpile heights;
 - (f) treatment of buildings and outside areas;
 - (g) fencing; and
 - (h) external lighting.
6. No material other than waste falling within categories 1, 2a and 2b, 4 (bonded asbestos only) and 5 (group E only) shall be brought onto the site.
7. With the exception of storage in the bays shown on Plan Number AW/MSE/1499-3-E dated 3 October 2000 and any inert waste processing as may be agreed under Condition 5 above, there shall be no activities other than within the building.

8. With the exception of the storage bays shown on Plan Number AW/MSE/1499-3-E dated 3 October 2000 and any inert waste processing as may be agreed under Condition 5 above, no waste materials or other goods shall be kept, deposited or stored in the open on the site the subject of this permission.
9. No plant or machinery shall be used on the site unless it is maintained in a condition where it is efficiently silenced.
10. No operations shall take place unless measures are taken to minimise dust nuisance caused by the operations, including use of dust suppression sprays and spraying of road surfaces and storage areas as necessary.
11. No operation authorised or required under this permission shall take place on Sundays or public holidays, or other than during the following periods:-

Mondays to Fridays 07.00 - 17.00
Saturdays 07.00 - 13.00

unless otherwise agreed in writing with the County Planning Authority.

12. With the exception of materials being delivered to or removed from the storage bays shown on drawing AW/MSE/1499-3-E dated 3 October 2000, there shall be no loading or unloading of vehicles save within the proposed building.
13. No development shall take place until a scheme of landscaping is submitted and agreed in writing by the County Planning Authority. This scheme shall be implemented within three months of commencement of the development or such other period agreed in writing with the County Planning Authority. The scheme shall include details of size, species and spacing of trees and shrubs and arrangements for their protection and maintenance. It shall be completed within 18 months of the date of this permission and shall make provision for:-
 - (a) the screening of the operations by trees;
 - (b) the protection and maintenance of existing trees which are to be retained on the site;
 - (c) re-planting where failures or damage occur within a period of five years from the date of planting; and
 - (d) the replacement of any damaged or dead trees with trees of similar size and species at the next appropriate season.
14. Any drums and small containers used for oil and other chemicals on the site shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaways and all oil or chemical storage tanks, ancillary handling facilities and equipment including pumps and valves shall be contained within an impervious bunded area of at least 110% of the total stored capacity.
15. All roads and hardstanding areas shall be drained via trapped road type gullies and discharged to a positive system.

16. The operational area outlined in blue on Plan RH/MSE/1898-8 dated 4 September 2002 of the site shall be maintained with an impermeable surface which shall be drained to a sealed system and which shall be emptied when necessary and the contents disposed of in a manner approved by the County Planning Authority and which will not lead to pollution of surface or underground waters.
17. The visibility to the north of the access point of Poplar Avenue with Saddlebow Road shall at all times be maintained to the satisfaction of the County Planning Authority.
18. The development hereby permitted shall not commence until such time as a sign has been erected at the vehicular exit to the Saddlebow Road to indicate to drivers of vehicles leaving the site that they shall only turn left. The sign shall be maintained for the duration of the development.
19. Prior to the commencement of the development two windrow sampler type boreholes to a depth of 7m shall be installed between the development and the former landfill site. These shall be monitored weekly for landfill gas, borehole pressure and liquid level for a period of 6 weeks and the results submitted to the Environment Agency for their consideration. In the event of the monitoring demonstrating unacceptable levels of landfill gas, measures shall be taken to remove and treat the gas to the satisfaction of the Environment Agency. All necessary precautions shall be taken to protect the development from landfill gas levels defined by the investigation as outlined in the Construction Industry Research and Information Association Report 149.
20. Prior to commencement of the development the areas of hydrocarbon contamination in area TP1 as identified in the Laboratory report SA/02/4077 shall be removed and replaced with clean material.

The reasons for the Council's decision to authorise the development subject to compliance with the conditions herein before specified are:

1. To accord with Section 91 of the Town and Country Planning Act 1990
- 2 - 4, 7 & 8
12&13,19 To ensure orderly working in the interests of the amenities of the surrounding area as required under Policies WAS.3 and WAS.13 of the Adopted Waste Local Plan.
5. To ensure that the Local Planning Authority retains control over this area in the interests of the amenity of the area in accordance with Policies WAS.3 and WAS.13 of the Adopted Waste Local Plan.
- 6, 9 - 11. To protect the amenities of the surrounding area in accordance with Policy WAS.13 of the Adopted Waste Local Plan
- 14 – 16,20 To safeguard hydrological interests in accordance with Policy WAS.18 of the Adopted Waste Local Plan
- 17 & 18 In the interests of highway safety as required under Policy WAS.16 of the Adopted Waste Local Plan

