

TOWN AND COUNTRY PLANNING ACT 1990

## FULL PLANNING PERMISSION



**APPLICATION NO: 2006/0411**

**Applicant:** Mr M Harty

**Address/Agent:** Biffa Waste Services  
C/O Severn Trent Water Ltd  
Park Lane  
Minworth  
Sutton Coldfield  
West Midlands  
B76 9BL

**North Lincolnshire Council** hereby give notice that the application received on 15/03/2006 to:

**vary condition 7 of 2002/1134 to allow tipping and phased restoration of the site to be carried out in accordance with the revised plans dated 19 July 2005 at Roxby Landfill Site, Winterton Road, Roxby**

has been considered and that permission for this development in accordance with the plans and written particulars submitted has been granted subject to the following conditions and reasons:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

This permission shall enure for the benefit of Biffa Waste Services Ltd only and not for the benefit of the land.

Reason

In order that the development is carried out in accordance with the details as submitted.

3.

The infilling of Roxby Gullet hereby permitted shall be by non-putrescible, non-hazardous industrial by-product wastes and domestic, commercial and industrial wastes only.

Reason

In order that the development is carried out in accordance with the details as submitted

4.

There shall be no tipping of special waste as defined in The Special Waste Regulations 1996.

Reason

In order that the development is carried out in accordance with the details as submitted.

5.

The tipping of waste materials shall be restricted to the area of Roxby Landfill shown on the amended application drawing no. BIF/ROX/PAB/02 - Revision A.

Reason

To define the extent of the tipping area.

6.

The permission shall have a duration of 20 years from the date the development commenced. At the end of the 20 year period referred to above all tipping operations shall have ceased and the site shall have been cleared in accordance with the approved details.

Reason

To ensure that the development is carried out in a timely manner.

7.

Before tipping commences in any phase detailed plans of the proposals for public access to the restored area shall be submitted to and approved in writing by the Local Planning Authority in consultation with English Nature and the Lincolnshire Wildlife Trust. Details shall include:

(i) proposals for the retention or re-establishment of existing vegetation by transplantation and recolonisation and the retention of existing rock exposures of geological interest where appropriate and reasonably practicable to achieve;

(ii) a detailed specification and programme for establishing trees, shrubs and ground cover in furtherance of the general proposals indicated in the approved restoration plan and accompanying statement. The programme shall include ground preparation, species, size and spacing of trees, protection and maintenance to establishment. Unless otherwise agreed in writing by the Local Planning Authority, planting shall be carried out during the first planting season following completion of restoration in any phase in accordance with the specification and programme so approved.

Reason

In the interests of amenity and to ensure the satisfactory restoration of the site.

8.

Upon the satisfactory completion of restoration each phase shall be managed for a period of 5 full growing seasons in accordance with an aftercare programme to be agreed in writing with the Local Planning Authority. At the commencement of each growing season there shall be a meeting between the site operator and the Local Planning Authority to consider aftercare management for the ensuing year.

Reason

In the interests of amenity and to ensure the satisfactory restoration of the site.

9.

Prior to the formation of any water areas a detailed scheme for the shape and slopes of the lake margins and the establishment of emergent vegetation shall be submitted for the approval of the Local Planning Authority. Thereafter the formation of the water areas shall be carried out in accordance with the scheme so approved.

Reason

In the interests of amenity and to ensure satisfactory restoration.

10.

Except in cases of emergency all operations pursuant to this permission shall be carried out only between 6.00 am and 6.00 pm on Mondays to Fridays and between 6.00 am and 2.00 pm on Saturdays. No operations shall be carried out on Sundays or Public Holidays. At times when operations are not permitted works shall be limited to servicing maintenance and testing of plant and work of an emergency nature only.

Reason

In the interests of amenity and to ensure the satisfactory restoration of the site.

11.

All machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the best practicable means shall be employed to prevent or counteract the effects of noise emitted from vehicles, plant, machinery or otherwise arising from the development. Adequate opportunities shall be given to persons authorised by the Local Planning Authority to periodically monitor the emission of noise from vehicles plant and machinery.

Reason

In the interests of amenity and to ensure the satisfactory restoration of the site.

12.

At all times the best practicable means shall be employed to prevent the undue emission of dust from the site, plant and tipping areas and all surfaces used by vehicular traffic shall be maintained to a high standard to minimise dust emissions.

Reason

In the interests of amenity and to ensure the satisfactory restoration of the site.

13.

Best current practice shall be used to restrict the emission of vibration smoke, fumes or grit from the development hereby permitted.

Reason

In the interests of amenity and to ensure the satisfactory restoration of the site.

14.

Before any additional buildings or immobile plant are erected in connection with the use of the site as a waste tip or as part of the restoration scheme for the site, full details in relation to their siting, design and external appearance shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of amenity and to ensure the satisfactory restoration of the site.

15.

Details of any additional fences, gates and other means of enclosure proposed in connection with the operational development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before they are constructed.

Reason

In the interests of amenity and to ensure the satisfactory restoration of the site.

16.

On cessation of operations, all buildings, plant, surface equipment, hardstanding areas and internal roads which are not required to be retained as part of the restoration and afteruse of the site, except as may be agreed in writing by the Local Planning Authority, shall be removed from the site within 6 months from the date of such cessation, and the land shall be treated in accordance with the approved restoration plan.

Reason

In the interests of amenity and to ensure the satisfactory restoration of the site.

17.

In the event of the premature cessation of operations on site for any reason then within 6 months of such cessation an amended scheme of restoration based on the approved restoration plan and accompanying statement shall be submitted by the operator to the Local Planning Authority for approval. Restoration of the site shall thereafter proceed in accordance with the revised scheme and shall be completed within 12 months from the date of the approval of the revision except as may otherwise be agreed in writing by the Local Planning Authority.

Reason

In the interests of amenity and to ensure the satisfactory restoration of the site.

18.

Within three months from the date of this permission, a surface water management scheme, including a timetable for its implementation, shall be submitted to the Local Planning Authority for approval. Once approved, the scheme shall be implemented in accordance with the agreed timetable.

Reason

To prevent the increased risk of pollution by ensuring the provision of a satisfactory surface water management system.

19.

Throughout the period of working, restoration and aftercare the company shall take all reasonable steps to ensure that drainage from the areas adjoining the site are not impaired or rendered less efficient by the permitted operations. The company shall take all reasonable steps including the provision of any necessary works to prevent damage by erosion, silting or flooding and to make proper provision for the disposal of all water entering, arising on or leaving the site during the permitted operations.

**Reason**

To ensure that the development does not give rise to pollution or other problems for surrounding land and water courses.

20.

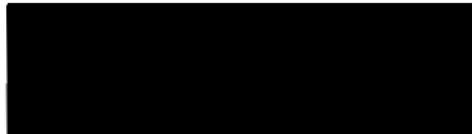
At all times the best practicable means shall be used by the operator to prevent the pollution or silting up of any adjoining watercourses or pollution of the underlying strata arising from operations on the site. In particular any fixed fuel or oil supply tanks shall be surrounded by bund walls of sufficient height so as to contain the contents of the tanks and any associated pipework, pumps and valves in the event of spillage. The floor and walls of the bund must be impervious to water and oil all to the satisfaction of the Local Planning Authority.

**Reason**

To ensure that the development does not give rise to pollution or other problems for surrounding land and water courses.

Dated: 10/05/2006

Signed:



*M*

**M Welton  
Business Unit Manager,  
Development Control**

This decision (based on the plans and information submitted with and contained in the application) has, where appropriate, been considered against and meets the provisions of the following policy/policies contained in:

1. North Lincolnshire Local Plan: W1, W2, W6, LC6, LC7, LC16
2. Humberside Structure Plan: EN1, EN15

**WARNING**

**THIS DOCUMENT DOES NOT CONSTITUTE ANY  
APPROVAL UNDER THE BUILDING REGULATIONS**

## WARNING

1. This is a PLANNING PERMISSION ONLY. It does NOT convey any approval or consent required under any enactment, byelaw, order or regulation other than those referred to in the heading of this notice. It is IMPORTANT that you should read the notes concerning APPEALS below.
2. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Planning Inspectorate, in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/04A, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN .

The Planning Inspectorate 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 Planning Inspectorate 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 provision of the development order, and to any directions 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.

3. If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Planning Inspectorate, 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 the carrying out of any development which has been or would be permitted, he may serve on the council in whose area 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.
4. 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 Planning Inspectorate 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.