Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant  Name and address of agent (if any)
Allen’s Metals  Philip Brown
Station Road  Park Road
Irthlingborough  Rugby
Northamptonshire  Warwickshire
NN9 5QE  CV21 2QX

Part I - Particulars of application

Date of Application  Application No.
27 January 2016  NCC Ref: 15/00038/WASFUL

ENC Ref: 16/00265/NCC

Particulars and location of development

Retrospective planning application for the erection of a steel framed building at Allen’s Scrap Yard, Station Road, Irthlingborough, Northamptonshire, NN9 5QF

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 has commenced.

   Reason: In the interests of clarity and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Scope of Use

2. The use of the building hereby permitted to be retained shall only be used in accordance with the land edged red submitted by Philip Brown Associates

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.
3. The building hereby permitted shall be retained in accordance with:
   - the location shown on the submitted survey plans reference nos. 01-01691-1 Rev. A and 01-01691-2 Rev. A, both by Aimcon Surveys dated 19 October 2015; and,
   - and in accordance with ‘storage building – elevations’ drawings and the ‘storage building - floorplan’ drawing received by this authority on 6 May 2015.

**Reason for conditions 2 and 3:** To specify the scope of the permission and the approved documents.

**Amenity & Landscaping**

4. The elevations and roof of the building hereby permitted shall be retained in a light grey colour finish, and in a clean and tidy state of repair.

5. A laurel hedge on the north eastern elevation of the site shall be maintained in place for the life of the development so as to provide a continuous visual screen along that elevation of the scrap yard site. The hedge shall be retained and maintained at a height of 2m – 2.5m for the life of the development hereby permitted. Any plant which dies shall be replaced by a plant of the same species and of a similar size within the first available planting season.

**Reason for conditions 4 and 5:** In the interests of visual amenity of the locality (Policy 22 and 27 of the Northamptonshire Minerals and Waste Local Plan (October 2014) and Policy 5 of the North Northamptonshire Core Spatial Strategy (June 2008)).

**Hours of Operation**

6. The building hereby permitted shall only be used between the hours of 08:00 – 17:00hrs Monday – Friday, and 08:00 – 13:00hrs on Saturdays, and shall not be used whatsoever on Sundays and public holidays.

**Reason:** In the interests of the amenity of the locality (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

**Positive and Proactive Statement**

In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. The applicant has been sent a draft copy of the planning conditions. This approach to this application has been taken in accordance with the requirement in the National Planning Policy.

**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.

Date 5th May 2016
Signed

For Assistant Director of Environment, Planning and Transport

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 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 Educational Needs and Disability Act 2001 should also be adhered to wherever appropriate.