



Northamptonshire
County Council

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Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Mr S Levell
Northamptonshire County Council
Highways Authority
Riverside House
Riverside Way
Northampton
NN1 5NX

Name and address of agent (if any)

Mr G Carr
MGWSP
Riverside House
Riverside Way
Northampton
NN1 5NX

Part I - Particulars of application

Date of Application

10th February 2010

Application No.

NCC Ref: 10/00009/CCD
DDC Ref: DA/2010/0155
SNC Ref: S/2010/0173/MR3

Particulars and location of development

Variation of condition 2 of planning permission SN/06/1502 and DA/06/1218 (construction of Sandy Lane Improvement North) to increase size and height of approved noise bunds. Land immediately to the West of Sandy Lane, Northampton and East of the village of Lower Harlestone.

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:-

Time Limit

1. The development hereby permitted shall be begun no later than the expiration of 3 YEARS from the date of this permission.

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.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

Scope of Permission

2. a) Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the submitted application and further information provided during the assessment process i.e. Planning Application Supporting Statement; Environmental Statement Volume 1, 2 and 3 (dated October 2006) and Addendum, Cultural Heritage Section Volume 1: Main Report (dated December 2006), and the Planning Application to increase the height and size of the approved noise bunds (dated 8th January 2010) and incorporating: Supporting Statement, Drawing No's 1001 Rev A; SL01/08/154 Rev B.; SL01/08/156 Rev B; SL01/08/157 Rev B; SL01/08/158 Rev B.

Reason: To define the scope of the permission and in the interest of clarity.

3. The construction of the Sandy Lane Improvement North shall occur in accordance with the details of the approved Ecological Management Plan (EMP) and Construction Environmental Management Plan (CEMP) required by Conditions 4 and 5 of this planning permission.

Reason: To ensure the visual and environmental amenity of the surrounding area is protected during the construction of the proposed development (Daventry District Local Plan Policy GN2 and South Northamptonshire Local Plan Policies G3 and EV24).

Construction Environmental Management Plan

4. Prior to the construction works commencing a Construction Environmental Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The plan shall include provision for mitigation of the effects of the development on the following:
- Cultural heritage (see condition 20).
 - Water quality and pollution control (see conditions 21, 22 and 23)
 - Noise and vibration (see conditions 7, 8, 9 and 10)
 - Air Quality (see conditions 15 and 16)
 - Pedestrians, cyclists and equestrian and community effects (see condition 18)
 - Geology and soils (see condition 17)
 - Dust Management Plan
 - An appropriate location for the Construction Compound should be identified

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- The plan as approved shall be implemented throughout the development works.

Reason: To ensure the visual and environmental amenity of the surrounding area is protected during the construction of the proposed development (Daventry District Local Plan Policy GN2 and South Northamptonshire Local Plan Policy G3 and East Midlands Regional Plan Policy 2).

Ecological Management Plan

5. Prior to commencing works onsite, the Applicant shall submit an Ecological Management Plan (EMP) to the Local Planning Authority for approval. Such EMP shall contain the detail identified in condition 6; and thereafter shall be implemented as approved upon commencement of works.

Reason: To ensure the ecology of the site and surrounding area is protected during the construction of the proposed development (Daventry District Local Plan Policy GN2 and South Northamptonshire Local Plan Policy G3 and East Midlands Regional Plan Policy 29).

6. The Ecological Management Plan should include the following:
 - i) A comprehensive summary of mitigation measures to be implemented as part of the development:
 - Summary of the measure to be implemented
 - Effect(s) which will be mitigated by this measure
 - Stage at which the measures will be implemented
 - The person responsible for implementing the measures
 - Measures identified subsequent to the original design of the road scheme.
 - ii) Ecological and biodiversity mitigation measures shall be designed in conjunction with the proposed EMP for the Sandy Lane Relief Road, so as to achieve an ecologically functioning wildlife corridor.
 - iii) Be in accordance with the proposed mitigation strategies proposed in the Environmental Statement and previously agreed by the Wildlife Trust and Natural England.
 - iv) A working design, methods statement and timetable of works to mitigate any undue adverse effects to badgers.
 - v) Include a detailed Landscape Plan as required by Conditions 21, 22 and 23 below;
 - vi) Post environmental construction management plan to be implemented and permanently retained thereafter.

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Reason: To ensure the protection of existing biodiversity within the site and surrounding area throughout the construction and implementation of the proposed development (Daventry District Local Plan Policy GN2 and South Northamptonshire Local Plan Policies G3, EV21, EV24 and East Midlands Regional Plan Policy 29).

Hours of Working

7. Prior to the commencement of the development a scheme for the hours of construction works on site shall be submitted as part of the CEMP to the Local Planning Authority for approval in writing. Such hours of working shall occur between the following times:

Monday to Friday	0800 and 1800 hours
Saturday	0800 and 1300 hours
Sunday and Bank Holidays	No works shall occur

Permitted hours of operation and thereafter works shall be undertaken in accordance with the approved scheme unless otherwise agreed by the Local Planning Authority.

8. Any construction activity which is likely to emit perceptible levels of vibration and which is to occur within 40 metres of a residential property shall not occur prior to 0900 hours on any working day.

Noise and Vibration

9. Except as may otherwise be agreed in writing by the Local Planning Authority, all plant, equipment and machinery used on site for the road construction, including vehicular traffic to and from the site, shall be designed and maintained to reduce noise levels to a minimum and shall be operated in accordance with manufacturer's instructions. All plant, equipment and machinery used on site, including vehicular traffic, which is capable of being fitted with the appropriate silencers, baffles, cladding and rubber linings shall be so fitted and maintained.
10. The permission holder shall undertake noise monitoring at sensitive receptors in the surrounding area to confirm which residential properties will be entitled to insulation under the Noise Insulation Regulations (1988). The requirement for insulation should be based on a likely worst-case scenario.

Reason for Conditions 7, 8, 9 & 10: To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to nearby residential properties (Daventry District Local Plan Policy GN2 and South Northamptonshire Local Plan Policies G3 and EV1).

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Materials

11. The road shall be constructed utilising a low road noise surface material as proposed in the submitted application and all maintenance thereafter shall utilise the same type of low road noise construction materials.

Reason: To minimise noise disturbance to local residents and safeguard the interests of residential amenity (Daventry District Local Plan Policy GN2, and South Northamptonshire Local Plan G3, EV1 and East Midlands Regional Plan Policy 2).

Construction Traffic

12. Prior to the commencement of the development, a scheme for the routing and control of construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and thereafter maintained during the construction of the development.
13. Prior to the commencement of development details of all temporary access, construction and accommodating works shall be submitted to the Local Planning Authority for approval in writing and thereafter maintained.

Wheel Cleaning

14. No vehicle used in connection with the road construction works shall enter the public highway unless its wheels and chassis are clean, to prevent the deposit of mud, slurry, or other debris.

Reason for Conditions 12, 13, & 14: In the interest of amenity and highway safety (Daventry District Local Plan Policy GN2, South Northamptonshire Local Plan G3 and East Midlands Regional Plan Policy 2).

Air Quality

15. During the road construction works suitable measures, including the use of water spray facilities in periods of dry weather shall be adopted to ensure that dust is kept to a minimum on the site and temporary access, construction and accommodation roads.

Reason: To safeguard the local environment and protect the amenities of local residents from unreasonable dust levels (Daventry District Local Plan GN2 and South Northamptonshire Local Plan Policies G3 and EV1).

16. All vehicles transporting materials to and from the site in connection with the road construction works shall be securely sheeted in such a way to ensure that no material is deposited on the public highway.

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Reason: To safeguard the interest of users of the public highway (Daventry District Local Plan Policy GN2, South Northamptonshire Local Plan Policy G3 and East Midlands Regional Plan Policy 2).

Geology and Soils

17. If during development, contamination not previously identified, is found to be present at the site no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the CEMP. This addendum to the CEMP must detail how this unsuspected contamination shall be dealt with and thereafter implemented as approved.

Reason: To prevent soil and water contamination (Daventry District Local Plan Policies GN1 and GN2 and South Northamptonshire Local Plan Policies G3 and EV1).

Signage along Public Rights-of-Way

18. The CEMP required by Condition 3 above shall include mitigation measures identified in the Environmental Statement for the provision of signage to be implemented during construction. These measures shall be implemented prior to the closing or re-routing of public rights of way and farm access routes.

Reason: In the interests of public amenity and safety (Daventry District Local Plan Policies GN2 and CM8 and South Northamptonshire Local Plan Policy G3).

Lighting

19. All lighting provision related to the development hereby permitted shall be in accordance with a detailed scheme to be submitted to, and approved in writing by the Local Planning Authority, prior to its installation unless otherwise agreed by the Local Planning Authority. The scheme as approved shall include details of the types and height of lights and/or light columns, their location, technical specification, means of preventing or minimizing light spillage and the proposed hours of use.

Reason: In the interest of residential and landscape amenity (Daventry District Local Plan Policies GN1, GN2 and EN1 and South Northamptonshire Local Plan Policies G3 and EV1).

Archaeology

20. The construction of the proposed new road and associated works shall be continually monitored for the uncovering of archaeological remains. The CEMP required by Condition 3 shall include details of this monitoring and actions to be taken as a result of any find.

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Reason: To safeguard the archaeological interests of the site (Daventry District Local Plan Policies GN1 and GN2, South Northamptonshire Local Plan Policy G3 and East Midlands Regional Plan Policy 27).

Landscape and Visual

21. The Ecological Management Plan shall include detailed landscape plans identifying vegetation which is to be retained along with protection measures to ensure their health is not compromised during the construction period.
22. Within three months of works occurring on the site a detailed Landscape Plan shall be submitted to the Local Planning Authority for approval. The plan shall include details of long-term management to ensure the long-term viability of the landscaping.
23. Landscape planting shall occur in the first planting season following the construction of the Sandy Lane Improvement North. The landscaping shall be maintained and replaced until established.

Reason for Conditions 21, 22 & 23: To safeguard the long-term integrity of the surrounding landscape and ensure the preservation and enhancement of local biodiversity (Daventry District Local Plan Policies GN1, GN2 EN1, and EN26 and South Northamptonshire Local Plan Policies G3, EV1, EV2, EV21 and EV29).

Water Quality

24. Prior to the commencement of any development, a detailed surface water drainage scheme (including overland flow routings) for the design, provision, implementation and long term maintenance of surface water drainage, fully in accordance with the requirements of the approved flood risk assessment shall be submitted to and approved by the Local Planning Authority. The scheme shall be fully constructed and completed before the road is opened to traffic, and in accordance with the phasing plan submitted and approved in relation to Condition 25.
25. There shall be no development until details of a phasing plan for construction of the development has been submitted to and approved in writing by the County Planning Authority and the development shall be carried out and brought into use in accordance with the details so approved.


Reason for Conditions 24 & 25: To prevent the increase in flood risk. The primary purpose of the above condition is to ensure that the attenuation facility is fully operational before the road is surfaced, so that flood risk is not increased (South Northamptonshire Local Plan Policy G3 and Daventry District Local Plan Policy GN1).

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REASONS FOR APPROVAL

- 1.1 Planning permission for the construction of Sandy Lane Improvement North (SLIN) already exists (planning permission reference SN/06/1502 and DA/06/1218) and this application is to modify and increase the size and height of some of the screening bunds which were approved as part of the original scheme.
- 1.2 Several objections have been received relating primarily to the visual amenity and landscape impacts of the increased size and height. The development has been assessed having regard to the Policy 2 of the East Midlands Regional Plan and saved Policies G3 and EV1 of the South Northamptonshire Local Plan, which require these matters to be considered in respect of development proposals. It is considered that the visual amenity impacts are not significant and are outweighed by the benefits in visual screening of traffic and further noise reduction to nearby residential occupiers of the Weggs Farm Road estate which the development would achieve.
- 1.3 The landscape impacts are considered to not be significant and whilst bunds are not natural features the land is not in the open countryside and the development can be softened by landscaping. Several other concerns relating to: light pollution; potential anti-social use by motorcyclists; and the use of a double roundabout junction on Berrywood/Nobottle Road, have been considered but do not justify refusal of the application.

Date 7th May 2010

Signed 

For Chief Planning Officer

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