Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant  Name and address of agent (if any)

English Partnerships, Redrow Homes  Halcrow Group Limited
(South Midlands) Ltd &  Lyndon House
Northamptonshire County Council  62 Hagley Road
C/o Halcrow Group Ltd  Egbaston

Application No.

Part I - Particulars of application

Date of Application  Application No.

10th October 2006  SN/06/1467

Particulars and location of development

Construction of the Sandy Lane Relief Road and associated landscaping and infrastructure works at Land between the A4500 Weedon Road and Berrywood Road, Northampton

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.

Reason: 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

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Scope of Permission

2. 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 Support Statement; Environmental Statement; Geotechnical Report and Phase 1 Geo-Environmental Audit; Transport Assessment and Appendices; Flood Risk Assessment and Surface Water Drainage Strategy (dated September 2006), and Drawing List CBB/ADL/497/PA.

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

3. The construction of the Sandy Lane Relief Road 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 in accordance with policies 1 and 28 of the Regional Spatial Strategy for the East Midlands (2005).

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 6, 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
- 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 in accordance with policy 1 of the Regional Spatial Strategy for the East Midlands (2005).

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 7; 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

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the construction of the proposed development in accordance with saved policies EV21 and EV24 of the South Northamptonshire Local Plan (1997).

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 Improvement North, so as to achieve an ecologically functioning wildlife corridor.

iii) Be in accordance with the proposed mitigation strategy for bats, breeding birds and reptiles as outlined in the Mitigation measures section of the respective survey reports.

iv) A working design, methods statement and timetable of works to mitigate any undue adverse effects to badgers.

v) Post environmental construction management plan to be implemented and permanently retained thereafter.

Reason: To ensure the protection of existing biodiversity within the site and surrounding area throughout the construction and implementation of the proposed development in accordance with saved policies EV21 and EV24 of the South Northamptonshire Local Plan (1997).

7. The following mitigation measures occur within the application site area and shall be undertaken in conjunction with the construction of the Sandy Lane Relief Road:

i) Creation of mammal underpasses;

ii) Installation of badger fencing;

iii) Creation of bat ‘hop-overs’ (dense thickets of vegetated hedgeline of at least 6m in height providing crossing points over the road);

iv) Verge planting incorporating hedgerows, scrub and herb-rich grassland;

v) Planting of gaps in existing hedgerows with native species local to the area, including hawthorn, hazel, field maple, blackthorn and dogwood;

vi) Provision of bird and bat boxes around the site;

vii) Creation of new open ditches and ponds as part of a sustainable drainage scheme.

Reason: To ensure the protection of existing biodiversity within the site and surrounding area throughout the construction and implementation of the proposed development in accordance with saved policies EV21 and EV24 of the South Northamptonshire Local Plan (1997).

8. Within one year of construction works commencing details of the following mitigation measures, including a timetable for implementation, shall be submitted to

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the Local Planning Authority for approval:

i) Creation of an artificial badger sett;
ii) Creation of areas of improved and semi-improved grassland;
iii) Creation of broad-leaved woodland;
iv) Creation of badger foraging habitat;
v) Planting of native tree species within and along green zones and pathways throughout the development;
vi) Creation of surfaced paths, erection of interpretation boards and use of thorny borders to prevent damage to retained habitats.

**Reason:** To ensure the protection of existing biodiversity within the site and surrounding area throughout the construction and implementation of the proposed development in accordance with saved policies EV21 and EV24 of the South Northamptonshire Local Plan (1997).

**Hours of Working**

9. 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.

**Reason:** To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to nearby residential properties in accordance with saved policy EV1 of the South Northamptonshire Local Plan (1997).

10. Any construction activity which is likely to emit perceptible levels of vibration and which are to occur within 40 metres of a residential property (specifically 139 Sandy Lane) shall not occur prior to 0900 hours on any working day.

**Reason:** To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to nearby residential properties in accordance with saved policy EV1 of the South Northamptonshire Local Plan (1997).

**Noise and Vibration**

11. 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,

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cladding and rubber linings shall be so fitted and maintained.

**Reason:** To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to nearby residential properties in accordance with saved policy EV1 of the South Northamptonshire Local Plan (1997).

12. The permission holder shall undertake to monitor all sensitive properties which could potentially be affected by vibration from construction works. Such properties would occur within 40 metres of the site area. If the measured vibration levels are to cause cosmetic damage to property appropriate mitigation measures shall be implemented and approved by the Local Planning Authority.

**Reason:** To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to nearby residential properties in accordance with saved policy EV1 of the South Northamptonshire Local Plan (1997).

13. 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:** To minimise noise disturbance to local residents and safeguard the interests of residential amenity in accordance with saved policy EV1 of the South Northamptonshire Local Plan (1997).

**Materials**

14. 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:** In the interest of amenity and highway safety in accordance with saved policy T3 of the Northamptonshire County Structure Plan (2001).

**Construction Traffic**

15. 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.

**Reason:** In the interest of amenity and highway safety in accordance with saved policy T3 of the Northamptonshire County Structure Plan (2001).

16. 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.

**Reason:** In the interest of amenity and highway safety in accordance with saved policy T3 of the Northamptonshire County Structure Plan (2001).

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Wheel Cleaning

17. 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:** To ensure that the M1 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimizing disruption on the trunk road resulting from traffic entering and emerging from the applications site and in the interests of road safety.

Air Quality

18. 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 in accordance with saved policy EV1 of the South Northamptonshire Local Plan (1997).

19. 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.

**Reason:** To safeguard the interest of users of the public highway in accordance with saved policy T3 of the Northamptonshire County Structure Plan (2001).

Geology and Soils

20. 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 in accordance with saved policy EV1 of the South Northamptonshire Local Plan (1997).

Signage along Public Rights-of-Way

21. 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 in accordance with saved policy T3 of the Northamptonshire County Structure Plan (2001).

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Lighting

22. 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 in accordance with saved policy EV1 of the South Northamptonshire Local Plan (1997).

Archaeology

23. 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.

**Reason:** To safeguard the archaeological interests of the site and enable adequate opportunities for archaeological investigations in accordance with policy 27 of the Regional Spatial Strategy for the East Midlands (2005).

Water Quality and Drainage

24. The Sustainable Drainage System as detailed in the Environmental Statement shall be implemented as part of the proposed Sandy Lane Relief Road development.

**Reason:** To ensure that stormwater drainage flows are controlled and to protect the receiving water body from pollution in accordance with policy 36 of the Regional Spatial Strategy for the East Midlands (2005) and Planning Policy Statement 25.

25. The construction methods of the proposed development shall comply with the Environment Agency's Pollution Prevention Guidelines.

**Reason:** To ensure that stormwater drainage flows are controlled and to protect the receiving water body from pollution in accordance with policy 36 of the Regional Spatial Strategy for the East Midlands (2005) and Planning Policy Statement 25.

26. The CEMP shall include mitigation measures to ensure that potential adverse effects on water quality during construction are prevented and/or minimised.

**Reason:** To safeguard the water resources of the surrounding area in accordance with policy 36 of the Regional Spatial Strategy for the East Midlands (2005) and Planning Policy Statement 25.

Landscape and Visual

27. The CEMP shall include detailed landscape plans identifying vegetation which is to be retained along with protection measures to ensure their health is not

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compromised during the construction period.

**Reason:** To ensure the effects on the visual amenity of the surrounding landscape is minimised and to safeguard the landscape character of the rural/urban interface in accordance with saved policies EV1, EV2, EV21 and EV29 of the South Northamptonshire Local Plan (1997).

28. 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.

**Reason:** To safeguard the long-term integrity of the surrounding landscape and ensure the preservation of local biodiversity in accordance with saved policies EV1, EV2, EV21 and EV29 of the South Northamptonshire Local Plan (1997).

29. Landscape planting shall occur in the first planting season following the construction of the Sandy Lane Relief Road. The landscaping shall be maintained and replaced until established.

**Reason:** To safeguard the long-term integrity of the surrounding landscape and ensure the preservation of local biodiversity in accordance with saved policies EV1, EV2, EV21 and EV29 of the South Northamptonshire Local Plan (1997).

**Phasing**

30. Prior to the commencement of the development hereby approved detailed phasing plan for the construction of the road either in whole or in part and the accommodation of works associated with the phased delivery of the road shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed only in accordance with the phased scheme unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure that the development of the road in phases (if required) is properly managed to avoid any unnecessary and adverse impacts on the environmental interests within the locality or amenities of nearby properties.

**Surface Water Drainage**

31. Prior to 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.

**Reason:** To prevent the increase in flood risk in accordance with policy 36 of the Regional Spatial Strategy for the East Midlands (2005) and Planning Policy Statement 25.

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Mitigation Measures

32. The development shall not commence until details and the technical specification for the wetlands to be constructed as identified in the Flood Risk Assessment 2006 together with a management plan for their continued maintenance have been submitted to and approved by the Local Planning Authority. The wetlands shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To prevent the increase in flood risk in accordance with policy 36 of the Regional Spatial Strategy for the East Midlands (2005) and Planning Policy Statement 25.

33. The development shall incorporate the sub-drainage measure identified in the application submission, the details of which shall first be submitted to be approved in writing by the Local Planning Authority. If during the construction process it becomes apparent that additional drainage measures or other mitigation measures are to secure the stability of the development are required no further development shall be carried out until the developer has submitted a report identifying the strategy for its treatment to the County Planning Authority for its written approval and thereafter such strategy as approved.

Reason: To ensure that the mitigation in respect of the land instability incorporated into the design of the road is implemented in line with the environmental statement and that any additional mitigation identified can be properly considered for its environmental and amenity impacts in accordance with Planning Policy Guidance Note 14 and the associated technical appendices.

REASONS FOR APPROVAL

The Regional Spatial Strategy, Policy 43 iv 52, identifies the objective of developing the transport infrastructure needed to support Northampton’s role as a principle Urban Area. A need to increase local road capacity by improved orbital movements around Northampton is also seen as an important component delivering housing development to accommodate growth (RSS para 128).

The environmental and amenity impacts of the proposed development have been considered against the appropriate Development Plan Policies (Saved South Northamptonshire Local Plan policies EV1, EV2, EV7, EV8, EV21 EV24, and EV29). Having regard to all relevant policies and the strategic significance of the proposed development for the future sustainable development and growth of the town; it is considered that there are no justifiable reasons to refuse the application.

Date 14th February 2008
Signed

For Chief Planning Officer

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