



Northamptonshire County Council

Town and Country Planning Act 1990

PLANNING PERMISSION

| Name and address of applicant | Name and address of agent (if any) |
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| Northamptonshire County Council Sustainable Transport Riverside House Riverside Way Northampton NN1 5NX | S Flack Head of Sustainable Transport Riverside House Riverside Way Northampton NN1 5NX |

Part I - Particulars of application

| Date of Application | Application No. |
|-----------------------------|-----------------------|
| 3 rd August 2005 | KE/05/790 & WP/05/584 |

Particulars and location of development

Construction of the A509 Isham Bypass, to include associated roundabout junctions and side roads. Land to the West of the Village of Isham , Northamptonshire.

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 FIVE 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.

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 i.e. Planning Support Statement; Flood Risk Assessment (dated January 2005), indicative landscape plan Figure 16 and Drawing No's, 51 C, 66 A Sheet 1, 66 A sheet 2, 28 B, 59 A, 60 A, 61 A, 62 A, 68 A, 69 A, 70 A and 72A,

Landscaping

3. The bypass shall be landscaped and planted with hedgerows, trees and shrubs in accordance with a comprehensive scheme which shall be submitted no later than twelve months from the date of this permission for approval in writing by the County Planning Authority. The scheme as approved shall be implemented concurrently with the development and shall be completed no later than the first planting season following the substantial completion of the development, or as may otherwise be agreed. Any hedgerow plants, trees or shrubs removed, dying, being seriously damaged or becoming seriously diseased within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted, or such other species as may be agreed.

Materials

4. 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.

Lighting

5. Within twelve months of the date of this permission a scheme of all lighting provision related to the development hereby permitted is required to be submitted to, and approved in writing by the County 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.

Hours of Working

6. Prior to the commencement of the development a scheme for the hours of construction works on site shall be submitted to the County Planning Authority for approval in writing, and thereafter implemented in accordance with the approved scheme.

Geotechnical Survey

7. Prior to the commencement of the construction works, a full geotechnical survey shall be carried out to identify the appropriate engineering works to ensure stability of all cuttings and embankments, and ground stability for adjacent land uses. Details of these works, in respect of any amendments to

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the approved drawings referred to in condition 2, shall be submitted to the County Planning Authority for approval in writing.

Construction Traffic

8. Prior to the commencement of the construction works, a scheme for the routing and control of construction traffic shall be submitted to and approved in writing by the County Planning Authority. The approved scheme shall be implemented and thereafter maintained during the construction of the bypass.
9. Prior to the commencement of construction works, all temporary accesses to be used by construction traffic and any temporary accommodating works to be provided, shall be submitted to the County Planning Authority for approval in writing.

Machinery Noise Suppression

10. Except as may otherwise be agreed in writing by the County 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.

Wheel Cleaning

11. 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.

Dust

12. 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.

Vehicle Sheeting

13. 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.

Archaeology

14. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation

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which has been submitted by the applicant and approved by the County Planning Authority.

Protected Species

15. Prior to the commencement of any construction work, further surveys shall be undertaken in respect of any bat activity, the presence of great crested newts and the location of badger setts. The results of the surveys, together with appropriate mitigation strategies shall be submitted to and approved by the County Planning Authority in writing and thereafter implemented and maintained in accordance with the approved details.

Drainage

16. Prior to the commencement of the construction works, a detailed Flood Risk Assessment/surface water drainage scheme incorporating the design, provision, implementation and maintenance of the proposed Sustainable Drainage System shall be submitted to, and approved in writing by the County Planning Authority in consultation with the Environment Agency.
17. The approved scheme for flood risk protection shall be implemented fully in accordance with the requirements of the approved flood risk assessment and with the approved implementation programme.

Public Rights of Way

18. Details of the design, construction and materials of all public rights of way overbridges and underpasses for the bypass shall be submitted to the County Planning Authority for approval in writing prior to their construction. The approved details shall then be implemented.

Breeding Birds

19. Operations that involve the destruction and removal of vegetation shall not be undertaken during the months of March to July inclusive, unless approved in writing by the County Planning Authority, once it is satisfied that breeding birds will not be adversely affected.

Noise Mitigation

20. Except as may otherwise be agreed in writing by the County Planning Authority, prior to the commencement of the development a scheme of hard and soft landscaping proposals to assist with the noise mitigation measures near to properties in Winston Close shall be submitted to, and approved in writing by the County Planning Authority. The approved scheme shall be implemented prior to the new road first coming into use.

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Reasons for conditions and relevant Development Plan Policies

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. To define the scope of the permission and in the interest of clarity.
3. In the interest of visual and residential amenity (Borough of Wellingborough Local Plan Policy G22 and Kettering Borough Local Plan Policy 6).
4. In the interest of residential amenity (Borough of Wellingborough Local Plan Policy E9 and Kettering Borough Local Plan Policy 12).
5. In the interest of residential amenity (Borough of Wellingborough Local Plan Policy E9 and Kettering Borough Local Plan Policy 12).
6. To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to nearby residential properties (Borough of Wellingborough Local Plan Policy E9 and Kettering Borough Local Plan Policy 12).
7. In the interest of residential amenity (Borough of Wellingborough Local Plan Policy E9 and Kettering Borough Local Plan Policy 12).
8. In the interest of amenity and highway safety (County Structure Plan Policies T3 and T5).
9. In the interest of amenity and highway safety (County Structure Plan Policies T3 and T5).
10. To minimise noise disturbance to local residents (Borough of Wellingborough Local Plan Policy E9 and Kettering Borough Local Plan Policy 12).
11. In the interest of highway safety and to prevent mud and dust getting onto the highway (County Structure Plan Policies T3 and T5).
12. To safeguard the local environment and protect the amenities of local residents from unreasonable dust levels (Borough of Wellingborough Local Plan Policy E9 and Kettering Borough Local Plan Policy 12).
13. To safeguard the interest of users of the public highway (County Structure Plan Policies T3 and T5).
14. To safeguard the archaeological interests of the site and enable adequate opportunities for archaeological investigations (County Structure Plan Policy AR6 and Kettering Borough Local Plan Policy 25).
15. To safeguard Protected Species (County Structure Plan Policy AR3).
16. To reduce the risk of flooding (County Structure Plan, Policy AR8).

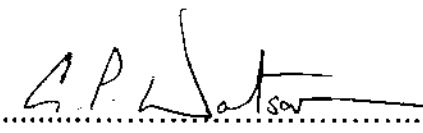
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17. To reduce the risk of flooding (County Structure Plan, Policy AR8).
18. In the interest of vehicular and pedestrian safety and visual amenity (County Structure Plan Policies T3 and T5).
19. To protect breeding birds (County Structure Plan Policies AR3 and AR5).
20. In the interest of residential amenity (Borough of Wellingborough Local Plan Policy E9 and Kettering Borough Local Plan Policy 12).

REASONS FOR APPROVAL

The proposed development is considered to be acceptable having regard to Northamptonshire County Structure Plan 2001: Policies T3, T4, T5, T8, AR1, AR2, AR3, AR5, AR6, AR7, AR8 and AR9, Borough of Wellingborough Local Plan 1999: Policies G6, G20, G21, G22, E9, T1 and A1 and Kettering Local Plan 1997: Policies 6, 7, 11, 12, 16, 18, 25, 26 and 78.

The environmental and amenity impacts of the proposed development have been considered against the appropriate Development Plan Policies, and although there will be some detriment to neighbouring residents, the mitigation measures proposed are considered to appropriately minimise their impact. It is deemed that planning conditions can be imposed which will sufficiently protect the natural environment and amenity of local residents.

Date... 5th May 2006 Signed... 
On behalf of the Head of Sustainable
Development

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