



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant	Name and address of agent (if any)
Barton Seagrave Cricket Club Barton Seagrave Northamptonshire United Kingdom NN15	John Gough Hawksley Cottage 28 Town Street Sutton-Cum-Lound Retford Nottinghamshire DN22 8PT

Part I - Particulars of application

Date of Application	Application No.
9 April 2015	NCC Ref: 15/00021/WASFUL KBC Ref: KET/2015/0391/NCC

Particulars and location of development

Importation of inert materials to level the land of the Barton Seagrave cricket ground at Barton Seagrave Cricket Club, Barton Road, Barton Seagrave, Kettering, Northamptonshire, NN15 6TW.

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:-

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of THREE YEARS beginning with the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within seven days of such commencement.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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.

2. **Scope of Permission**

Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved plans:

- (a) Application Forms dated 19th March 2015;
- (b) Drawing No. BS/15/01 Rev B Location Plan;
- (c) Drawing No. BS/15/02 Rev B Extension of Playing Field;
- (d) Planning Statement dated April 2015, received 1st April 2015;
- (e) Written Scheme of Investigation for a Programme of Archaeological Monitoring during Soil Stripping ref. PC435a dated 28th March 2015, received 9th April 2015; and
- (f) Construction Traffic Management Plan ref. SJT/JLS/17175-01_CTMP, received 5th May 2015.

Reason: To specify the approved documents in the interests of amenity with regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

3. **Land Levels**

Final ground levels shall be in accordance with the submitted sections on Plan BS/15/02 Rev. B.

Reason: To specify the finished ground levels in the interests of amenity and the environment in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

4. **Hours of Working**

Site preparation, tipping, levelling and restoration operations and any associated activities shall be restricted to between the hours of 7.30am and 6.00pm Monday to Friday, and 8.00am to 1.30pm on Saturdays, with no such operations being carried out on the site on Sundays, Public or Bank Holidays.

Reason: To ensure that working on the site is carried out within reasonable hours so as to avoid disturbance to nearby residential properties and in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

5. **Soil Handling, Storage and Reinstatement**

a) Prior to tipping operations taking place all suitable topsoil shall be stripped from the tipping area and stored separately as indicated on Drawing BS/15/02 Rev B for re-use.

b) All operations referred to in part a) of this condition shall be undertaken during suitable, dry weather conditions. During periods of uncertain weather conditions, operations shall be undertaken in stages with breaks during wet weather.

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c) In any event no soil stripping operations should be undertaken during the months October to April inclusive unless otherwise agreed in writing by the Waste Planning Authority.

d) Upon completion of the land raising operations the land shall be ripped to relieve compaction, unless alternative compaction relief measures have been agreed in writing by the Waste Planning Authority, and the stored topsoil shall be replaced. The site shall then be grass seeded.

Reason: To enable proper handling and reinstatement of soils and to aid the restoration and drainage of the site in accordance with Policy 28 of the Northamptonshire Minerals and Waste Local Plan (2014).

6. Type of Waste

No materials shall be imported and deposited on the site other than inert waste soil materials from the Redrow Homes development off St. Botolph's Road, Barton Seagrave.

Reason: To specify the materials to be tipped in the interest of pollution control and the general amenity of the area in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

7. Access/Vehicle Routing

The sole vehicular access for the development hereby permitted shall be that which is shown on Drawing Ref. BS/15/01 Rev B Location Plan. This access shall be laid out in accordance with the following requirements prior to the commencement of any operations on site.

a) The access road shall be a minimum of 4.8m in width and shall be paved with a hard bound surface for the first 10m from the highway boundary and thereafter be retained.

b) The gradient of this access road shall not exceed 1 in 15 for the first 10m from the highway boundary.

c) Vehicular visibility splays of 2m from the carriageway edge along the centre of the vehicular access by a distance of 43m shall be maintained in both directions. For visibility purposes any obstructions within these vision splays shall be reduced to and maintained at a height not exceeding 0.9m above carriageway level.

d) Pedestrian visibility splays of at least 2m x 2m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. For visibility purposes any obstructions within these vision splays shall be reduced to and maintained at a height not exceeding 0.6m above access/ footpath level.

e) Provision shall be made to ensure that surface water from the access road does not discharge onto the highway.

f) No gates, barrier or means of enclosure shall be erected across the vehicular access within 10m of the highway boundary. Any such feature erected beyond that distance should be hung to open inwards away from the highway.

Reason: To ensure satisfactory means of access to the site and in the interest

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of amenity in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

8. All Heavy Goods Vehicles shall both access and exit the site via St. Botolph's Road and Barton Road and be routed as shown on Figure 2 of the Construction Traffic Management Plan (Drawing No. 17175-02 HGV Routing Plan), received 5th May 2015.

Reason: In the interests of highway safety and safeguarding local amenity in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

9. **Archaeology**

Prior to the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work in accordance with the Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Waste Planning Authority.

Reason: To ensure that the archaeological interest of the site is appropriately preserved or recorded in accordance with Policy 26 of the Northamptonshire Minerals and Waste Local Plan (2014).

10. **Wheel Cleaning/Sheeting Vehicles**

No vehicles shall enter the public highway unless its wheels and chassis are clean, to prevent the deposit of mud and other debris on the public highway.

Reason: In the interest of highway safety and to prevent mud and other debris getting onto the highway in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

11. All HGVs arriving at and leaving the site shall be sheeted to prevent material spillage, wind blow and dust nuisance.

Reason: In the interests of amenity protection and highway safety in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

12. **Noise**

All vehicles or mobile plant used exclusively on site and all HGV's transporting waste soils shall be fitted with and operate utilising white noise alarms or other non tonal alarms as may be agreed in writing by the Waste Planning Authority..

Reason: In the interests of amenity protection in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

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13. Road Signage

Prior to the commencement of the development hereby permitted, the applicant shall provide and erect adequate warning signs to alert users of the Public Highway about the site access. The signs and their location shall be submitted to the Waste Planning Authority for approval in writing prior to their installation. The road signage shall remain in place until the completion of the development, or the end date as set out in Condition 19 of this permission, whichever is the sooner, where after they shall be removed forthwith.

Reason: In the interest of highway safety and safeguarding local amenity in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

14. Reinstatement of Damage to Highway

No development shall take place until a scheme of measures to make provision for a 'before' and 'after' survey of the highway from the junction of St. Botolph's Road and Barton Road to the site access has been submitted to, and approved in writing by the Waste Planning Authority in consultation with the Highway Authority. The scheme shall include provision for the reinstatement of any damage to the highway in the immediate vicinity of the site no later than 6 months after the end date as set out in Condition 19 of this permission.

Reason: To ensure that no unreasonable deterioration to the highway occurs as a consequence of the development in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

15. Lighting

No permanent or temporary lighting shall be installed in connection with these permitted operations.

Reason: In the interests of amenity protection in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

16. Dust

Operations on site shall be controlled to ensure no dust is generated and 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 access creates amenity nuisance and water.

Reason: To reduce the amenity impacts of dust disturbance from the site on the local environment in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

17. Complaints

In the event that complaints regarding, noise, lighting and/or dust are received

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by the Waste Planning Authority from any sensitive receptor, and thereafter notified to the operator, an assessment of the complaint shall be undertaken by the operator. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures and works to be undertaken shall be submitted to the Waste Planning Authority for agreement in writing no later than five working days from the receipt of the complaint, unless a later date is otherwise agreed in writing by the Waste Planning Authority. The remedial measures agreed in writing shall thereafter be implemented and maintained thereafter.

Reason: In the interests of amenity protection in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

18. Landscape/Habitat Creation Scheme

No development shall take place until a landscaping/habitat creation scheme has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include details of appropriate locally native wildflower grassland seed mix. The scheme as agreed in writing by the Waste Planning Authority shall be implemented within the first available planting season following the completion of the development hereby permitted and in accordance with the approved scheme, including aftercare, monitoring and long term management.

Reason: To make appropriate provision for the management of natural habitat relating to the approved development in the interests of biodiversity in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

19. End Date

The development hereby permitted shall cease not later than one year from the date of its commencement and the land shall be reinstated to the final land levels and grass seeded by this date in accordance with the conditions of this permission.

Reason: To specify the date when the conditions of this permission shall have been fully implemented in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2014).

20. Monitoring

The operators of the site shall provide in writing to, and upon request by, the Waste Planning Authority detailed information on the quantity of all waste soil materials brought on to the site..

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policies 11, 13 and 29 of the Northamptonshire Minerals and Waste Local Plan (2014) and to ensure that waste materials are dealt with close to their source in accordance with Policy 23 of the

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Northamptonshire Minerals and Waste Local Plan (2014).

INFORMATIVES

1. A section 184 Highway License must be applied for via the Northamptonshire County Council website.
2. The applicant's attention is drawn to the fact that no works may commence within the existing highway without the express written permission of the local highway authority. This planning permission does not give or imply such consent which may be forthcoming subject to the completion of an appropriate licence or Agreement under the Highways Act 1980. Any works within the highway shall comply with the local highway authority's standards and specifications.
3. The applicant's attention is drawn to the Traffic Management Act 2004 where three month notice periods to allocate road space (for works within the highway) is required prior to the commencement of works. Such notice cannot be submitted or commence until the completion of an appropriate license or Agreement with the local highway authority.
4. The applicant's attention is drawn to the fact that no works may commence within the existing Public Right of Way, (PRoW HD1) without the express written permission of the local highway authority and Landowner. This planning permission does not give or imply such consent which may be forthcoming subject to the completion of an appropriate licence or Agreement under the Highways Act 1980. Any construction or improvements works on a new or existing PRoW would require a temporary closure in the form of a Traffic Regulation Order in the interests of public safety. A Traffic Regulation Order will be required to move the existing kissing gate further away from the site access to minimise the possibility of conflict as requested by the Highway Authority.
5. The applicant's attention is drawn to the service cover within the vehicular access which will need to be investigated and may require replacing with a heavy duty cover and frame.

Date 8th July 2015Signed For Assistant Director of Environment and
Planning

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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.*

4. *Guidance on using the Planning Portal's online appeals service, see leaflet PCS4 available at http://www.planningportal.gov.uk/PpWeb/jsp/redirect.jsp?url=http%3A//www.planningportal.gov.uk/uploads/pins/pcs_a5_leaflet.pdf*

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