



Northamptonshire
County Council

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Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant	Name and address of agent (if any)
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Mr William Boyd
Bird Contractors limited
Horninghold Hall
Horninghold
LE16 8DH

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Part I - Particulars of application

Date of Application	Application No.
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3 July 2018

NCC Ref: 18/00033/WASNMA

CBC Ref: 18/00630/COC

Particulars and location of development:

PROPOSED DEVELOPMENT: Non-Material Amendment to planning permission ref. no. 16/00038/WASVOC for the removal of hardcore stockpiles at Land to the North of Princewood Road, Earlstrees Industrial Estate, Corby

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:-

22.

- a) The development hereby permitted shall only take place ~~except~~ in accordance with the proposed mitigation strategies for national and international protected species, as detailed in the Ecological Mitigation Plan ref 3183/C02/Ref 00-009 Version 1 dated August 2008 submitted with application ref. no. 08/00067/WAS, as specifically amended by Great Crested Newt Survey Report ref. eco/gen/06/15 by Jonathan Tye consulting (dated 27 February 2018) submitted with application ref. no. 18/00033/WASNMA, and any further subsequent amendments that are previously agreed in writing by the Waste Planning Authority.

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.

- b) In the event that Great Crested Newts are discovered when searching or removing the rubble pile shown as 'Heap 1' and 'Heap 2' (on the Heap Volumes Plan dated 29/12/2010 submitted with ref. no. 18/00033/WASNMA), works shall cease immediately and the operator shall notify the Waste Planning Authority and also contact Natural England. If a licence is issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010, authorising the specified activity/development to go ahead, the Waste Planning Authority shall be provided with a copy of the licence forthwith.
- c) In the event of a conflict between the documents condition 22(a) and the licence by Natural England, then the requirements of the Natural England Licence shall take precedent.

Reason: To safeguard protected species having regard to Policies 1822 and 2024 of the Minerals and Waste Local Plan (July 2017 ~~October 2014~~) and Policy 4 of the North Northamptonshire Joint Core Strategy (July 2016).

23. Except as may be otherwise be agreed in writing by the Waste Planning Authority, the finished ground levels of the development hereby permitted shall only be in accordance with the submitted 'Proposed Finished Levels Phase 1 Contours' Drawing No. WJB/PL/21/7-2 Rev AB dated 28 October~~June~~ 20018.

Reason: To ensure proper restoration of the site and in the interests of the general amenity of the area having regard to Policies 1822, 2024 and 2428 of the Northamptonshire Minerals and Waste Local Plan (July 2017~~October 2014~~) and Policy 4 of the North Northamptonshire Joint Core Strategy (July 2016).

24. Within 3 months of the date of this permission an updated the ecological management, restoration and aftercare of the site and grassland translocation area shall be fully implemented as detailed in Ecological Management Plan based upon (ref. 15-2230) Version 7 (ref. 15-2230) dated June 2016 by Lockhart Garratt (as amended by the addendum set out in the letter by Willie Boyd dated 28 November 2016) submitted with this application, have been submitted to and approved in writing to the Waste Planning Authority. The plan shall set out:

- a) A review of ecological mitigation undertaken to date;
- b) Short-term mitigation proposals for the duration of the construction and infilling works;
- c) A detailed restoration contour plan for the application site;
- d) A detailed Habitat Creation Plan for the application site;
- e) Detailed habitat creation proposals, seed mixes, and types, number and size of tree and shrub species proposed and a timetable for the creation of all of the habitat types set out in the Habitat Creation Plan;
- f) A detailed calendar of aftercare measures to be undertaken for a period of 5 years following the completion of the development;

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- g) A detailed calendar of ecological monitoring to be undertaken on an annual basis, including the submission of results, for annual review by the Waste Planning Authority;
- h) Remedial actions in the event of habitat creation not succeeding within the approved timeframe or significant negative impact on amphibian populations;

The revised Ecological Management Plan shall be fully implemented as approved by the Waste Planning Authority.

Reason: In the interests of the local landscape and achieving beneficial biodiversity establishment and outcomes having regard to Policies 1822, 2024, 2125 and 2428 of the Northamptonshire Minerals and Waste Local Plan (July 2017 ~~October 2014~~) and Policy 4 of the North Northamptonshire Joint Core Strategy (July 2016).

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, material considerations, consultation responses, any valid representations that may have been received, and discussing changes to the proposal with the applicant/agent. The applicant has been sent a draft copy of the planning conditions. This approach has been taken in accordance with the requirements of the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Date...24th September 2018.....

Signed G.P. Watson.....

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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