



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Name and address of agent (if any)

Bela Partnership Ltd
Rockingham House
Mitchell Road
Corby
Northamptonshire
NN17 5AF

Part I - Particulars of application

Date of Application

Application No.

11 February 2014

NCC Ref: 13/00089/CCDVOC

CBC Ref: 14/00265/NCC

Particulars and location of development

Variation of condition 2 of planning permission 07/00052/CCD (Retrospective) to provide an alternative alignment of the Corby Northern Orbital Road at Rockingham Motor Speedway, Mitchell Road, Corby, Northamptonshire, NN17 5AF.

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 hereby permitted has commenced and the conditions of this permission shall be effective from the date it is issued.

Reason: Required to be imposed pursuant to 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 submitted application and further information provided during the assessment process i.e. New Drawing No's:

- Location Plan 3081(P)020 Rev A;
- General Arrangement Layout Sheet 1 of 3 Drawing 3081(P)011Rev C;
- General Arrangement Layout Sheet 2 of 3 Drawing 3081(P)012 Rev C;
- General Arrangement Layout Sheet 3 of 3 Drawing 3081(P)013 Rev D;
- Proposed Longitudinal Section Drawing 3081(P)003 Rev B;
- Drainage Layout Scheme Drawing 3081(P)503 Rev D;
- Drainage Layout Scheme Drawing 3081(P)502 Rev E;
- Drainage Layout Scheme Drawing 3081(P)501 Rev G;
- Proposed Road Cross Sections Sheet 1 of 2 Drawing 3081(I)004-1 Rev B;
- Proposed Road Cross Sections Sheet 2 of 2 Drawing 3081(I)004-2 Rev B;
- Planning Statement Technical Note Describing Amendment to Alignment of CNOR Revision A received on 6 February 2014.

Original Documents and Drawings which still have relevant information contained thereon (except as amended by the new road alignment): CL00490/P39, CL00490/P40, Tree Survey 1 of 4 CL00490/P50 Revision B, Tree Survey 2 of 4 CL00490/P51 Revision C, Tree Survey 3 of 4 CL00490/P52 Revision B, Tree Survey 4 of 4 CL00490/P53 Revision B, , Bridge Plan CL00490/P80B, Bridge Elevation and Deck Section CL00490/P81C, Maximum Flood Extent EL00333.83(Fig 3) Rev B, Planning Support Statement (Volume 1 dated September 2007), Environmental Statement (Volume 3 dated September 2007), Flood Risk Assessment (Volume 5 dated September 2007) and Revised Ecological Management Plan (June 2008).

Other Documents with relevant information and recommendations which the development shall be in accordance with:

- Re-Revised Ecological Management Plan (October 2014)
- Delta Simons Environmental Consultants LTD Badger Survey Issued March 2014;
- Delta Simons Environmental Consultants LTD Reptile Survey Issued September 2014;
- Delta Simons Environmental Consultants LTD Riparian mammal Survey Issued September 2014.
- Delta Simons Environmental Consultants LTD Bat Monitoring Survey Issued September 2014;
- Delta Simons Environmental Consultants LTD Great Crested Newt Monitoring Report Issued October 2014.

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

3. The construction of the Corby Northern Orbital Road shall be in accordance with the details of the approved Construction Environmental Management

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.

Plan and the Ecological Management Plan (EMP) required by Conditions 4 and 5 of this planning permission.

Reason: To safeguard protected species and to prevent a net loss of biodiversity having regard to Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

4. **Construction Environmental Management Plan**

The development shall be implemented and controlled in accordance with the Construction Environmental Management Plan and appendices produced by Hewlett Construction Limited and dated 1st August 2014.

Reason: To minimise the environmental impacts of the development and in particular to safeguard protected species and to prevent a net loss of biodiversity having regard to Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

5. **Ecological Management Plan**

Within two months of the date of this permission a revised Ecological Management Plan (EMP) incorporating both Phase 1 and 2 of the Corby Northern Orbital Road shall be submitted to the County Planning Authority for approval in writing. The revised plan shall incorporate the original submitted EMP dated June 2008 and the additional revised EMP document dated October 2014, and the survey reports; Badger Survey Issued October 2014; Reptile Survey Issued September 2014; Bat Monitoring Survey Issued September 2014; Great Crested Newt Monitoring Report Issued October 2014, and Riparian Mammal Survey Issued September 2014.

The EMP shall be consistent with the Construction Environmental Management Plan and also detail :-

- i) the further ecological works required.
- ii) the mitigation for protected species and habitats,
- iii) enhancement measures to the surrounding habitat of the Corby Northern Orbital Road.
- iv) the further surveys that will be undertaken including programme and timescales.
- v) monitoring, management and reporting to be carried pre, during, and post construction phase.
- vi) measures for creating a 'Net gain' of biodiversity.
- vii) any further measures which emerge from the European Protected Species Licence application to Natural England.

For Condition 5 (i) - 5 (vii) inclusive, the EMP will:-

- i) detail a summary of the measure to be implemented.
- ii) detail effect(s) which will be mitigated and / or enhanced by this measure.
- iii) detail the stage at which the measures will be implemented.
- iv) give details of the person responsible for implementing the measures.

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.

The development shall be implemented in full accordance with the Ecological Management Plan as approved in writing, including on an ongoing basis following the completion or partial completion of the road construction works.

6. Further Ecological Work

Prior to completing the construction of Phase 2 of the road scheme beyond Roundabout 4, a scheme for further ecological survey, assessment, and mitigation for protected species shall be submitted to the County Planning Authority for agreement in writing. The scheme as agreed shall be incorporated into the Ecological Management Plan as approved under condition 5 and implemented in full.

Reason: To safeguard protected species and to prevent a net loss of biodiversity having regard to Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy (June 2008)

7. Security or Safety Fencing

Prior to the erection of security or safety fencing details of the location, type, size, materials and colour of all fencing shall be submitted to the County Planning Authority for agreement in writing. The submitted details shall incorporate and be co-ordinated with the location of fences to be erected for protected species (Great Crested Newts and Badgers) and the proposed landscaping and tree and shrub planting. The fences shall be erected in full conformity with the details as agreed in writing by the county Planning Authority.

Reason: To safeguard protected species and to prevent a net loss of biodiversity having regard to Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy (June 2008)

8. Kerbs and Paving

Within two months of the date of this permission, or any extended period as may be agreed in writing by the County Planning Authority, final details of kerbs and paving shall be submitted to the County Planning Authority for agreement in writing taking into account the requirements for protected species mitigation in the Ecological Management Plan and the Great Crested Newt Licence. The kerbs and paving shall be constructed in accordance with the details as agreed and any remedial works shall be undertaken within 2 months of the date of approval of the details.

Reason: To safeguard protected species and to prevent a net loss of biodiversity having regard to Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

9. Landscaping

Within two months of the date of this permission a comprehensive landscaping scheme incorporating both Phase 1 and 2 of the Corby Northern

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.

Orbital Road amending Drawings B0522600/L/3000/0001 to 00007 Revision H, shall be submitted for approval in writing by the County Planning Authority. The submitted scheme shall be in accordance with the details in the Ecological Management Plan required under condition '5' of this permission. 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 roundabout 4. 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.

Reason: In the interest of visual amenity, and the conservation and enhancement of the landscape character of the County and to ensure ecological mitigation having regard to Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

10. Lighting

Street lighting should be restricted to Roundabout 4 in accordance with the details on submitted Drawing no. 8400-0205. Planning Authority, the approved scheme shall be implemented and maintained.

Reason: In the interest of visual amenity in accordance having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

11. Hours of Working

All construction works shall be confined to the hours of 07.00 to 19.30 Mondays to Fridays and 07.00 to 13.00 on Saturdays, with no works on Sundays or Public Holidays

Reason: To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to neighbouring properties having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

12. Construction Traffic

Construction traffic shall be controlled in accordance with the scheme submitted by Costain Ltd attached to a letter dated 29 May 2007 in connection with planning permission CO/06/419COC. The approved scheme shall be implemented and thereafter maintained during the construction of the Corby Northern Orbital Road.

Reason: In the interest of amenity and highway safety having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

- 13.** All temporary accesses to be used by construction traffic, temporary accommodating works to be provided outside of the existing public highway, shall be controlled in accordance with the scheme submitted by Costain Ltd attached to a letter dated 29 May 2007 in connection with planning 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.

CO/06/419/COC.

Reason: In the interest of amenity and highway safety having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

14. Machinery Noise Suppression

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.

Reason: To minimise noise disturbance to neighbouring properties having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

15. Wheel Cleaning

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: In the interest of amenity and highway safety having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

16. Dust

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 having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

17. Vehicle Sheeting

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 having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

18. Surface Water Management and Maintenance Strategy and Flood Risk

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.

Within 2 months of the date of this permission a consolidated final surface water drainage strategy for the design, provision, implementation and long term maintenance of surface water drainage shall be submitted to, and approved in writing by the County Planning Authority.

19. The surface water drainage system shall be constructed and maintained fully in accordance with the approved surface water drainage strategy. The applicant shall confirm completion of the approved scheme in writing to the County Planning authority within one month thereafter.
20. The development shall be undertaken and maintained in accordance with the Flood Risk Assessment dated 31 August 2007 and submitted by Clarkebond as Volume 5 to the Planning Application (September 2007).

Reason: To prevent an increase in flood risk having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

21. **Groundwater and Contamination**

Within two months of the date of this permission a consolidated final scheme to deal with risks associated with contamination of the site shall be submitted to, and approved in writing by the County Planning Authority. The scheme shall incorporate relevant information in previously submitted schemes and reports by Costain Ltd and D2E Design. The scheme as approved shall be implemented in full including any works or monitoring requirement.

Reason: To prevent pollution of surface or groundwater having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the County Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: To prevent pollution of surface or groundwater having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

23. **Floodplain Compensatory Storage**

The development of Phase 1 and Phase 2 of CNOR shall be controlled to ensure that the floodplain compensatory storage shall be in accordance with the letters dated 4 March 2008 and 14 April 2008 by Clarkebond in connection with 07/00051/CCD.

Reason: To prevent an increase in flood risk having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

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.

INFORMATIVES

1. Several conditions refer to the submission of further information within two months of the date of the permission. The two month period ends on the 21 January 2015.
2. This permission supersedes planning permission 07/00052/CCD.

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

Date 21st November 2014 Signed 

For Assistant Director of Environment and
Planning

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.

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*

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.

