Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Peter Bennie
Oxwich Close
Brackmills Industrial Estate
Northampton
NN4 7BH

Name and address of agent
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GPP Planning
Mill House
East Haddon
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NN6 8DU

Part I - Particulars of application

Date of Application
Received – 26th April 2009
Valid – 29th April 2009

Application No.:
NCC – 09/00028/WAS
DA – 2009/0356

Particulars and location of development

Parking of 5 rigid body HGV’s and 2 road sweepers at Boughton Quarry, Brampton 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:-

Commencement
1. The development must be begun not later than the expiration of THREE years beginning with 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 Planning Permission

2. The development hereby permitted is restricted to the temporary parking of 5 rigid body HGV's and 2 road sweepers.

3. Parking shall be located in the existing recycling building on site, or be limited to the existing hard standing adjacent to the recycling building as indicated on the attached plan, drawing reference GPP/PBL/BQ/09/04 entitled 'Temporary Lorry Parking, Parking Plan', unless otherwise agreed in writing by the Waste Planning Authority.

Access and Highway Safety

4. The sole vehicular access for the development hereby permitted shall be by way of the existing access to Brampton Lane. The site entrance and internal haul road shall be maintained in a condition free from potholes while in use and shall be removed when no longer required or during the course of site restoration, whichever is the sooner. A wheel washing facility shall be maintained on site and the wheels of all vehicles leaving the site shall be cleansed of mud and other debris and no such materials shall be deposited on the public highway.

Lorry Routing

5. All heavy goods vehicles visiting and leaving the site shall be directed via Brampton Lane onto the A508 Harborough Road or A5199 Welford Road and no such vehicles shall enter Boughton or Church Brampton villages or travel on other minor roads in the area except for making deliveries or collections to/from nearby villages.

Hours of Working

6. Except as may otherwise be agreed by the Waste Planning Authority, all inward and outward vehicle movements relating to the development hereby permitted, shall be restricted to between the hours of 0700 to 1800 Monday to Friday and 0700 to 1300 on Saturday with no working on Sundays and Bank Holidays.

Dust

7. In addition to existing wheel wash services on site, provision shall be made for suppression of dust, including the use of water spray facilities, as necessary to control adverse impact of fugitive dust emissions from vehicles entering, leaving or maneuvering within, the site.

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Visual Amenities

8. No additional external lighting shall be installed until a scheme for such lighting has been submitted to the Waste Planning Authority and agreed in writing. The external lighting shall be implemented in accordance with the approved details.

End Date

9. The development hereby permitted shall cease not later than 30th November 2013 (two thousand and thirteen).

The reasons for the conditions and the relevant Development Plan policies are:

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. To define this permission.
3. In the interests of highway safety (Waste Local Plan Policy 8)
4. In the interest of local amenity and to ensure that all heavy goods vehicles visiting and leaving the site are routed via the principal road network and do not enter nearby villages. (Waste Local Plan Policies 8 and 15)
5-8. To safeguard the amenities of the area as a whole and Boughton village in particular (Waste Local Plan Policy 15)
9. To specify the date when the development hereby authorized shall cease in accordance with existing quarry restoration requirements (Waste Local Plan Policy 17 and Minerals Local Plan 31)

Summary of Reasons for Approval

The development is considered acceptable having regard to the Daventry District Local Plan saved Policies in particular saved Policy GN1 that provides for the use of disused or underutilised land and buildings and thus supports the principle for the development.

It is considered that this development, located in and adjacent to a building at the base of a former quarry, would not significantly detract from local amenity in respect of noise and dust or visual amenity. It provides an adequate access and parking, would involve insignificant traffic movements, and is would not result in adverse highway safety impact on the road network, and therefore is considered acceptable having regard to the Daventry District Local Plan saved Policy GN2.

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The proposed development is not considered to be in conflict with existing waste
development at the site including the restoration of the former quarry. The proposed
end date (controlled by condition 9) corresponds to the existing scheduled permitted
timeframe of 30th November 2013, which is the date for the removal of the recycling
building, and therefore it is considered acceptable having regard to Waste Local

It is therefore considered for the reasons outlined above that the proposal accords
with the approved development plan and that there are no environmental or amenity
impacts that could reasonably justify a refusal of planning permission and therefore,
subject to the conditions listed earlier, it is recommended that planning permission
be granted in accordance with the advice above.

In conclusion, subject to the imposition of planning conditions to control and mitigate
the development, it is considered that the application should be approved.

Date: 30th June 2009    Signed .............................................

For Chief Planning Officer

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under the Building Regulations for which separate permission may be required. The
requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability
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.

(e) 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.


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