Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Raybell and Sons
Unit 3, The Old Brickworks
Harborough Road
Pitsford
Northampton
NN6 9AA

Name and address of agent
GP Planning Ltd
The Stables
Long Lane
East Haddon
Northampton
NN6 8DU

Part I - Particulars of application

Date of Application
4 March 2011

Application No.:
NCC – 11/00016/WAS
DDC – DA/2011/0169

Particulars and location of development

Provision of a parking area and waste storage bays (retrospective application) at The Old Brickworks, Harborough Road, Pitsford, Northampton, NN6 9AA

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 to which this 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 7 days of such commencement.

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

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:


REASON: To define the scope of the permission and in the interest of clarity and in the interests of amenity and in accordance with Policy CS14 of the Northamptonshire MWDF Core Strategy (2010) and Policy 15 of the Northamptonshire Waste Local Plan (2006).

Amenity Protection

3. Dust generation from the waste storage bays shall be controlled by appropriate suppression systems including the use of a water bowser, to ensure that fugitive dust does not blow away from the development site.

REASON: To safeguard the amenities of the area in accordance with Policy CS14 of the MWDF Core Strategy (2010) and Policy 15 of the Northamptonshire Waste Local Plan (2006).

Storage of Materials

4. External storage and/or stockpiling of materials shall be no more than 4 metres in height. Areas of external storage shall be controlled and managed to prevent spillage and litter accumulation.

REASON: In the interests of visual amenity and in accordance with Policy 15 of the Northamptonshire Waste Local Plan (2006).

Landscape

5. Within 3 months of the date of this permission, a scheme of landscaping incorporating native species shall be submitted to the Waste Planning Authority. The scheme shall include details of the additional planting on the south-east bund and eastern boundary and shall be designed to provide

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screening of the car park and storage bunds. Once approved, the scheme shall be fully implemented during the first available planting season following the completion of development. Any trees, shrubs or hedges planted in accordance with the approved scheme shall be maintained and any plants which within five years of planting either die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Waste Planning Authority.

REASON: To provide visual screening of the development and in the interest of amenity with regard to Policy CS14 of the MWDF Core Strategy (2010) and Policy 15 of the Northamptonshire Waste Local Plan (2006).

REASONS FOR APPROVAL

The principle of the proposed development is considered to be acceptable in accordance with Policy CS14 of the MWDF Core Strategy (2010) and Policies 8 and 15 of the Northamptonshire Waste Local Plan (2006). There are no outstanding objections to the application by the statutory consultees and it is considered that there are no significant highway safety, traffic amenity or noise, odour, dust and pollution issues which would justify refusal of the application. Therefore, the proposed development is considered to be acceptable having regard to Policy CS14 of the Minerals and Waste Development Framework Core Strategy Development Plan Document (2010) and Policies 8 and 15 of the Northamptonshire Waste Local Plan (2006).

Date: 27 Mar 2011

Signed ..........M.B. Chancellor

For Chief Planning Officer

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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 of 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.


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