



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Northamptonshire County Council
County Hall
Northampton
NN1 1DN

Name and address of agent (if any)

S. Flack
Head of Sustainable Transport
Sustainability
Riverside House
Riverside Way
Northampton
NN1 5NX

Part I - Particulars of application

Date of Application

12TH December 2006

Application No.

CO/06/0427 and KE/06/1127

Particulars and location of development

Construction of the A43 Corby Link Road; Land to the east of Corby and west of Newton, Little Oakley and Stanion

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, plans and Environmental Statement submitted subject to the following conditions:-

Time Limit

1. The development hereby permitted shall be begun no later than the expiration of FIVE YEARS from the date of this permission.

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 i.e. Planning Support Statement (dated December 2006, Environmental Statement, Volumes 1, 2 and 3 (dated December 2006) including Flood Risk Assessment, Drawing Nos. 5033318.010.010 Rev.B (Site Plan – 2 sheets), 118 Rev.B (Site Plan 1:5000), 120 Rev.B (Site Plan – not to scale), 121 Rev.B (Scheme Plan – 2 sheets), 61 Rev.G (Land Ownership), 15 (Landscape Proposals),

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5033318.010.128 Rev.A (Various Sections), 107 Rev.D (View of New Long Section from Little Oakley), 124 Rev.A (Balancing Pond 1 - Stanion Lane End), 125 Rev.A (Balancing Ponds 2A and 2B - Harper's Brook), 126 Rev.A (Balancing Ponds 3 and 4 - Barford Bridge End)

Landscaping

3. The bypass shall be landscaped and planted with hedgerows, trees (including some semi-mature trees in the vicinity of Little Oakley and Stanion) and shrubs in accordance with a comprehensive scheme which shall, prior to the commencement of construction works, be submitted to the County Planning Authority for approval in writing. 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 the development, or as may otherwise be agreed. 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.

Materials

4. The road shall be constructed utilising a low road noise surface material as proposed in the submitted application and all maintenance thereafter shall utilise the same type of low road noise construction materials.

Lighting

5. Prior to the commencement of construction works a scheme of all lighting provision related to the development hereby permitted is required to be submitted to, and approved in writing by the County Planning Authority. The scheme as approved shall include details of the types and height of lights and/or light columns, their location, technical specification, means of preventing or minimizing light spillage and the proposed hours of use.

Hours of Working

6. Prior to the commencement of the development a scheme for the hours of construction works on site shall be submitted to the County Planning Authority for approval in writing, and thereafter implemented in accordance with the approved scheme. The scheme shall specifically include provision for the restriction of working during morning and evening peak hours and during bank holidays and any during any major traffic generating events such as Rockingham Speedway.

Geotechnical Survey

7. Prior to the commencement of the development a full geotechnical survey must be carried out to identify the appropriate engineering works to ensure stability of all cuttings and embankments, and ground stability for adjacent land uses. Details of these works shall be submitted to the County Planning Authority for approval in writing.

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Construction Traffic

8. Prior to the commencement of the development a scheme for the routing and control of construction traffic shall be submitted to and approved in writing by the County Planning Authority. The approved scheme shall be implemented and thereafter maintained during the construction of the bypass.
9. Prior to the commencement of development all temporary access, construction and accommodating works shall be submitted to the County Planning Authority for approval in writing and thereafter maintained.

Machinery Noise Suppression

10. 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.

Wheel Cleaning

11. Prior to the commencement of any major earthworks locations for the installation of wheel washes shall be agreed in writing with the County Planning Authority and installed prior to earthworks commencing. In any event no vehicle used in connection with the road construction works shall enter the public highway unless it's wheels and chassis are clean, to prevent the deposit of mud, slurry or other debris.

Dust

12. During the road construction works suitable measure, 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.

Vehicle Sheeting

13. 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.

Archaeology

14. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the County Planning Authority.

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Protected Species

15. Prior to the commencement of any construction work, further surveys shall be undertaken in respect of any bat activity, the presence of great crested newts, otters and water voles and the location of badger setts. The results of the surveys, together with appropriate mitigation works, including a working design, methods statement and timetable of works, shall be submitted to the County Planning Authority for approval in writing and thereafter implemented and maintained in accordance with the approved details.

Biodiversity

16. Unless otherwise agreed in writing, no development as hereby permitted shall commence until an Ecological Management Plan has been submitted to, and approved by, the County Planning Authority in consultation with Natural England. The Plan shall include mitigation and other appropriate nature conservation enhancement measures which will result in a net gain in biodiversity. Implementation of the Plan shall be overseen by a suitably experienced ecological clerk of works.

Drainage

17. The actions and mitigation measures identified in the Flood Risk Assessment scheme submitted with the application (i.e. Appendix G, Volume 3 of the Environmental Statement) shall be implemented in full for the lifetime of the development.
18. No development as hereby permitted shall commence until:
 - (a) A desktop study has been undertaken which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. The information shall be used to produce a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors.
 - (b) A Site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model) and shall be comprehensive enough to enable a risk assessment to be undertaken relating to the receptors associated with the proposed new use, those uses that will be retained (if any) and other receptors on or off site that may be affected.
 - (c) The Site Investigation and risk assessment shall be undertaken in accordance with the details as approved.
 - (d) A Method Statement detailing the remediation requirements using the information obtained from the Site Investigation shall be submitted to the County Planning Authority for approval in writing and thereafter implemented in accordance with the approved details.

Public Rights of Way

19. Details of the design, construction and materials of all public rights of way overbridges and underpasses for the bypass shall be submitted to the County Planning Authority for approval in writing prior to their construction. The approved

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details shall then be implemented.

Breeding Birds

20. Operations that involve the destruction and removal of vegetation shall not be undertaken during the months of March to July inclusive, unless approved in writing by the County Planning Authority, once it is satisfied that breeding birds will not be adversely affected.

Noise Survey and Monitoring

21. Prior to the commencement of the development hereby permitted a noise survey of existing background noise levels shall be undertaken at those properties identified in Table 12.2 of Volume 1 – Text of the submitted Environmental Statement (dated December 2006) as being anticipated to experience a net deterioration from existing noise levels upon opening of the A43 Corby Link Road. The results of the survey shall be sufficient to enable an assessment to be made in accordance with the Noise Insulation Regulations 1998 and shall be submitted to the County Planning Authority prior to the opening of the new road. Within 3 months of the new road coming into full use an additional survey of background noise levels at the same locations shall be undertaken and the results used to undertake an assessment of the noise insulation criteria as defined in the Noise Insulation Regulations 1998 and 2 copies of both the survey results and noise assessment shall be submitted to the County Planning Authority within one month of the survey being undertaken.

Programme of Works

22. No development as hereby permitted shall take place until a Programme of Works has been submitted to and approved in writing by the County Planning Authority and shall then only be undertaken in accordance with the approved programme.

Temporary Construction Accesses

23. No development as hereby permitted shall take place until details of the location of temporary construction accesses have been submitted to and approved in writing by the County Planning Authority and all construction works/activities shall only be undertaken in accordance with the approved details.

Tip Locations and Haul Routes

24. No development as hereby permitted shall take place until details of the location of temporary tip locations and haul routes have been submitted to and approved in writing by the County Planning Authority and all construction works/activities associated with the movement or temporary storage of excess excavated materials shall only be undertaken in accordance with the approved details.

Construction Compound

25. No development as hereby permitted shall take place until details of the location of the construction compound has been submitted to and approved in writing by the County Planning Authority and all works shall only be undertaken in accordance with the approved details.

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Extraordinary Loads

26. No development as hereby permitted shall take place until details of any extraordinary loads have been submitted to and approved in writing by the County Planning Authority and the movement and management of such loads shall only be undertaken in accordance with the approved details.

Reasons for conditions and relevant Development Plan Policies

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. To define the scope of the permission and in the interest of clarity.
3. In the interest of visual and residential amenity (Borough of Wellingborough Local Plan Policy G22 and Kettering Borough Local Plan Policy 6).
4. In the interest of residential amenity (Kettering Borough Local Plan Policy 12).
5. In the interest of residential amenity (Kettering Borough Local Plan Policy 12).
6. To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to nearby residential properties (Kettering Borough Local Plan Policy 12).
7. In the interest of residential amenity (Kettering Borough Local Plan Policy 12).
8. In the interest of amenity and highway safety (County Structure Plan Policies T3 and T5)
9. In the interest of amenity and highway safety (County Structure Plan Policies T3 and T5)
10. To minimise noise disturbance to local residents (Kettering Borough Local Plan Policy 12).
11. In the interest of highway safety and to prevent mud and dust getting onto the highway (County Structure Plan Policies T3 and T5).
12. To safeguard the local environment and protect the amenities of local residents from unreasonable dust levels (Kettering Borough Local Plan Policy 12).
13. To safeguard the interest of users of the public highway (County Structure Plan Policies T3 and T5).
14. To safeguard the archaeological interests of the site and enable adequate opportunities for archaeological investigations (County Structure Plan Policy AR6 and Kettering Borough Local Plan Policy 25).
15. To safeguard Protected Species (County Structure Plan Policy AR3).
16. To ensure the effective delivery of measures to increase biodiversity (County Structure Plan, Policy AR4 and AR5).
17. To reduce the risk of flooding (County Structure Plan, Policy AR8).
18. To ensure that the proposed site investigations and remediation will not cause pollution of the environment or harm to human health. (Kettering Borough Local Plan Policy 12).
19. In the interest of vehicular and pedestrian safety and visual amenity (County Structure Plan Policies T3 and T5).
20. To protect breeding birds (County Structure Plan Policies AR3 and AR5).
21. To minimise noise disturbance to local residents (and Kettering Borough Local Plan Policy 12).
22. To ensure that disturbance to local communities is minimised. (County Structure Plan Policy T5 and Kettering Borough Local Plan Policy 12)
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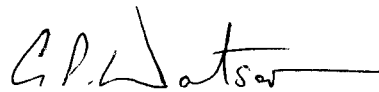
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- 24. To ensure that disturbance to local communities is minimised. (County Structure Plan Policy T5 and Kettering Borough Local Plan Policy 12)
- 25. To ensure that disturbance to local communities is minimised. (County Structure Plan Policy T5 and Kettering Borough Local Plan Policy 12)
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REASONS FOR APPROVAL

The Regional Spatial Strategy for the East Midlands (RSS8) published in March 2005 and incorporating the Milton Keynes and South Midlands Sub Regional Strategy (MKSM Sub Regional Strategy) is the most up to date Development Plan document relevant to the determination of the application. This document lists "Key Transport Requirements and Phasing Delivery" in MKSM Figure 7, and identifies the A43 Corby Link Road as a "Committed" scheme (i.e. included in the Northamptonshire Local Transport Plan) for delivery between 2007- 11. RSS8 therefore clearly identifies the need for the Corby Link Road and establishes this in a policy context. It is considered that the proposal generally accords with the aim and objectives and policies of the County Structure Plan, Policies T1, T4 and T5, Policy 78 of the Kettering Borough Local Plan and Policy T19 of the Corby Local Plan. It accords with Regional Transport policy and will help deliver the regeneration and growth of Corby planned in the Regional Spatial Strategy, and provide environmental relief to the residents of Geddington through the removal of through traffic. On balance the benefits of the proposal, together with the mitigation measures proposed outweighs the adverse environmental and other impacts and therefore the development should be approved.

Date... 22nd June 2007

Signed 

On behalf of the
Chief Planning Officer

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