



Northamptonshire County Council

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

W and G Childs and Sons
Manor Farm
Twywell
Kettering
NN14 3AH

Name and address of agent

Gill Pawson Planning
Mill House
East Haddon
Northampton
NN6 8DU

Part I - Particulars of application

Date of Application

17th May 2006

Application No.:

KE/06/560C

Particulars and location of development

(1) Use of previously imported waste materials to raise the levels of land for agricultural improvement and (2) Use of previously imported waste materials for completion of the construction of of the farm access track, both on land at Duck End Farm, Cranford. KE/06/560C

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. The development hereby permitted shall be begun not later than the expiration of 12 MONTHS from 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.

2. The development hereby permitted shall not be carried out other than wholly in accordance with the submitted planning application i.e. (i) Application Forms, Supporting Statement dated 15th May 2006 and Drawings Nos. C104/3 (Site Application Area), C104/4 (Existing Contours), C104/5 (Proposed Contours) all dated 27th April 2004 in respect of the agricultural improvement and (ii) Application Forms, Supporting Statement dated May 2006 and Drawing Nos. C104/4 (Site Application Area) undated and ASC.06.161 (Level Survey, Cranford) and ASC.06.162 (Proposed Track Widening, Cranford) both dated 4th April 2006 in respect of the completion of the construction of the farm track.
3. The development hereby permitted shall not commence until details of the design and maintenance of the culvert(s) to be constructed have been submitted to the Waste Planning Authority for approval and shall then only be constructed and maintained in accordance with the details as approved.

Reason for conditions

1. 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.
2. To define the scope of the permission and in the interest of clarity.
3. To reduce the risk of flooding.

Summary of Reasons for Approval

It is considered that the proposal will not result in any detriment to amenity, will enable the agricultural improvement of the site in accordance with current County Council waste management controls and is in accordance with the provisions of the Development Plan (in particular Northamptonshire Structure Plan Policy W3 and Northamptonshire Waste Local Plan Policy 23) and therefore recommend that, subject to conditions, permission should be granted.

Date: 8th August 2006

Signed 

Authorised to sign on behalf of the
Head of Sustainable Development

Informative: The applicant's attention is drawn to the contents of the letter dated 6th July 2006 from Environment Agency which is attached to 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.

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.*