



## Town and Country Planning Act 1990

### PLANNING PERMISSION

Name and address of applicant	Name and address of agent (if any)
Northamptonshire County Council and English Partnerships	Halcrow Group Limited Lyndon House 56-62 Hagley Road Edgbaston Birmingham B16 8PE

### Part I - Particulars of application

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Date of Application	Application No.
14 August 2006	WNDC/NO/06/1134

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### Particulars and location of development

Construction of the Cross Valley Link Road (CVLR) and Associated Landscaping and Infrastructure Works on Land between the A45 Weedon Road and Pineham Employment Area, Northampton.

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### Documentation reference and drawing numbers

'Cross Valley Link Road' Planning Statement, Environmental Statement and associated technical documents, dated June 2006; prepared by Halcrow Group Limited.

#### Drawings:

'Cross Valley Link Road: Planning Application Boundary', drawing number Figure 3.1; dated June 2006.

'Northampton South West District Cross Valley Link Road (CVLR): Drawing List CBB/ADL/485/PA. Revision B; dated 17 August 2006.

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**Part II - Particulars of decision:**

**West Northamptonshire Development Corporation**

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 hereby permitted shall be begun no later than the expiration of 3 YEARS from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

**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; Environmental Statement; Geotechnical Report; Transport Assessment and Appendices; Flood Risk Assessment (dated June 2006), and Drawing List CBB/ADL/485/PA.

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

3. The construction of the Cross Valley Link Road shall be carried out strictly in accordance with the details of the approved Ecological Management Plan (EMP) and Construction Environmental Management Plan (CEMP) required by Conditions 4 and 8 of this planning permission.

Reason: To ensure the visual and environmental amenity of the surrounding area is protected during the construction of the proposed development (Northampton Local Plan Policies Chapter 2 'Environment')

**Construction Environmental Management Plan**

4. Prior to the commencement of any works, a Construction Environmental Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The plan shall include provision for mitigation of the effects of the development in accordance with those measures identified in the Environmental Statement and shall in particular shall include mitigation measures in respect of the following:

Cultural heritage (see conditions 6 and 7).

Water quality and pollution control (see conditions 11,12,13 and14)

Noise and vibration (see conditions 5, 19, 20, 21 and 22)

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Air Quality (see conditions 16, 17 and 18)

Pedestrians, cyclists and equestrian and community effects (see condition 24)

A Dust Management Plan

The plan as approved shall be implemented throughout the development works.

Reason: To ensure the visual and environmental amenity of the surrounding area is protected during the construction of the proposed development (Northampton Local Plan Policies Chapter 2 'Environment' and Northamptonshire County Structure Plan Policy T5)

### **Hours of Working**

5. Prior to the commencement of the development a scheme for the hours of construction works on site shall be submitted as part of the CEMP to the Local Planning Authority for approval in writing. Such hours of working in any event shall not permit the carrying out of works between the hours of 1800 hours and 0800 hours Monday to Friday [Saturday] or at no time on a Sunday or Bank Holidays, and thereafter works shall be undertaken in accordance with the approved scheme unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that working on site is carried out within reasonable hours so as to avoid disturbance to nearby residential properties (Northampton Local Plan Policy E21)

### **Archaeology**

6. Prior to commencing any works north of the River Nene to carry out and submit a report detailing the results of the proposed field survey. This report should include specific mitigation measures relating to any archaeological remains found as a result of the field survey. The mitigation measures proposed should be approved by the Local Planning Authority prior to construction commencing north of the River Nene and shall be implemented as approved upon commencement of such works

Reason: To ensure completion of field investigations to enable the safeguarding of archaeological interests located within the site area (Northamptonshire County Structure Plan Policy AR6)

7. The construction of the proposed new road and associated works shall be continually monitored for the uncovering of archaeological remains. The CEMP required by Condition 3 shall include details of this monitoring and actions to be taken as a result of any find.

Reason: To safeguard the archaeological interests of the site and enable adequate opportunities for archaeological investigations (Northamptonshire County Structure Plan Policy AR6)

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## **Ecological Management Plan**

8. Prior to commencing works onsite, the Applicant shall submit an Ecological Management Plan (EMP) to the Local Planning Authority for approval. Such EMP shall contain the detail identified in condition 9 and thereafter shall be implemented as approved upon commencement of works.

Reason: To ensure the ecology of the site and surrounding area is protected during the construction of the proposed development (Northampton Local Plan Policies E17 and E18 and Northamptonshire County Structure Plan AR3 and AR5)

9. The Ecological Management Plan should include the following:
- i) A comprehensive summary of mitigation measures to be implemented as part of the development:
    - Summary of the measure to be implemented
    - Effect(s) which will be mitigated by this measure
    - Stage at which the measures will be implemented
    - The person responsible for implementing the measures
    - Measures identified subsequent to the original design of the road scheme.
  - ii) Be in accordance with the proposed mitigation strategy for bats, breeding birds and reptiles as outlined in the Mitigation measures section of the respective survey reports.
  - iii) A working design, methods statement and timetable of works to mitigate any undue adverse effects to badgers.
  - iv) Post environmental construction management plan to be implemented and permanently retained thereafter.

Reason: To ensure the protection of existing biodiversity within the site and surrounding area throughout the construction and implementation of the proposed development (Northampton Local Plan Policies E2, E6, E8, E11, E12, E17 and E18 and Northampton County Structure Plan Policies AR3, AR5, AR7, AR8 and AR9)

## **Works within the Riverine Environment of the River Nene**

10. Prior to carrying out any works for the re-alignment of the River Nene a separate Environmental Management Plan shall be submitted for approval by the Local Planning Authority detailing the following:
- Ecological compensation measures to the riverbank
  - Working method statement
  - Timetable of activities for works within the riverine environment and to the river channel itself
  - Scheme for a mammalian crossing.

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Reason: To ensure the protection of the riverine habitat within the River Nene (Northampton Local Plan Policies E2 and Northamptonshire County Structure Plan AR3, AR5 and AR9)

### **Water Quality and Drainage**

11. Unless otherwise agreed in writing, by the Local Planning Authority there shall be no development until details of a phasing plan for the Cross Valley Link Road development in relation to the Upton Flood Alleviation Areas (Phases 2 and 3) has been submitted to and approved in writing by the Planning Authority. The development shall be carried out and brought into use in accordance with the details so approved.

Reason: To protect the River Nene floodplain and surrounding area from increased flood risks during the construction and implementation of the proposed development (Northamptonshire County Structure Plan Policies AR8)

12. The Sustainable Drainage System as detailed in the Environmental Statement shall be implemented as part of the proposed Cross Valley Link Road development.

Reason: To ensure that stormwater drainage flows are controlled and to protect the receiving water body from pollution (Northamptonshire County Structure Plan Policies AR8 and AR9 and Northampton Local Plan Policies E2)

13. The construction methods of the proposed development shall comply with the Environment Agency's Pollution Prevention Guidelines.

Reason: To ensure that stormwater drainage flows are controlled and to protect the receiving water body from pollution (Northamptonshire County Structure Plan Policies AR8 and AR9 and Northampton Local Plan Policies E2)

14. The CEMP shall include mitigation measures to ensure that potential adverse effects on water quality during construction are prevented and/or minimised.

Reason: To safeguard the water resources of the surrounding area (Northamptonshire County Structure Plan Policies AR8 and AR9 and Northampton Local Plan Policies E2)

### **Geology and Soils**

15. If during development, contamination not previously identified, is found to be present at the site no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the CEMP. This addendum to the CEMP must detail how this unsuspected contamination shall be dealt with and thereafter implemented as approved.

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Reason: To prevent soil and water contamination (Northampton Local Plan Policy E21)

### **Air Quality**

16. 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 (Northampton Local Plan Policy E21)

17. 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 (Northamptonshire County Structure Plan Policies T3 and T5)

### **Noise and Vibration**

18. Except as may otherwise be agreed in writing by the Local 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 local residents (Northampton Local Plan Policy E21)

### **Materials**

19. 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.

Reason: To minimise noise disturbance to local residents and safeguard the interests of residential amenity (Northampton Local Plan E21 and Northamptonshire County Structure Plan Policy T5)

### **Construction Traffic**

20. 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 Local Planning Authority. The approved scheme shall be implemented and thereafter maintained during the construction of the development.

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Reason: In the interest of amenity and highway safety (Northamptonshire County Structure Plan Policies T3 and T5)

21. Prior to the commencement of development details of all temporary access, construction and accommodating works shall be submitted to the Local Planning Authority for approval in writing and thereafter maintained.

Reason: In the interest of amenity and highway safety (Northamptonshire County Structure Plan Policies T3 and T5)

### **Lighting**

22. All lighting provision related to the development hereby permitted shall be in accordance with a detailed scheme to be submitted to, and approved in writing by the Local Planning Authority, prior to its installation unless otherwise agreed by the Local 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.

Reason: In the interest of residential and landscape amenity (Northampton Local Plan Policies E21 and Northamptonshire County Structure Plan T5)

### **Signage along Public Rights-of-Way**

23. The CEMP required by Condition 3 above shall include mitigation measures identified in the Environmental Statement for the provision of signage to be implemented during construction. These measures shall be implemented prior to the closing or re-routing of public rights of way and farm access routes.

Reason: In the interests of public amenity and safety (Northampton Local Plan Policies T20, T21, T22 and T23 and Northamptonshire County Structure Plan Policies T3, T5 and T8)

### **Wheel Cleaning**

24. 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: To ensure that the M1 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimizing disruption on the trunk road resulting from traffic entering and emerging from the applications site and in the interests of road Safety.

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25. No development shall commence until a transport Assessment has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highways Agency, which examines the impact that the opening of the CVLR is likely to have on traffic flows at J15A (this includes the extents of the merge and diverges from the M1, the roundabouts with the A43 and the Swan Valley Development) of the M1 motorway and describes what works, if any, need to be carried out to mitigate this impact.

Reason: To ensure that the M1 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the applications site and in the interests of road Safety.

26. No development shall commence unless and until a detailed scheme for the modification of J15A of the M1 motorway, consistent with the mitigation measures specified in the transportation assessment submitted pursuant to Conditions 25 above, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency. The scheme approved by the Local Planning Authority shall be implemented and completed to the satisfaction of the Local Planning Authority, in consultation with the Highways Agency, within 2 years (unless otherwise agreed in with the Highways Agency) of the CVLR being opened to traffic.

Reason: To ensure that the M1 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the applications site and in the interests of road Safety.

### **River Channel**

27. Prior to the commencement of works to the watercourse channel, plans detailing the alterations to the river channel, together with an accompanying statement detailing the impact of the changes to the channel on the performance of the water course and flood risk shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out only in accordance with the approved plans.

Reason: To ensure that the proposed alterations to the river channel are properly considered in the context of the impact on the river environment.

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**REASONS FOR APPROVAL**

The proposed development would support the delivery of sustainable regeneration and growth for Northampton. Having regard to the impacts identified in the application submission, including the Environmental Statement, the development would contribute to the management of flood waters and does not, subject to the conditions imposed, result in significant harm to Upton Country Park, the landscape of this part of the river valley, nature conservation, the historic environment or any other interest of acknowledged importance. The proposal is therefore considered to be in accordance with National Planning Policy Guidance and Statements and Policies GS1, GS2, GS3, GS5, GS6, RT2, RT3, T3, T5, T8, AR2, AR3, AR5, AR6, AR7, AR8, AR9, RN1 and RN2 of the Northamptonshire County Structure Plan 2001; policies E1, E2, E3, E4, E6, E8, E11, E12, E14, E16, E17, E18, E21, E23, E37, E38, T3, T20, T21, L16, L17, L19, L20, L22, L23, L26 and L29 of the Northampton Local Plan, 1997 and RSS8.

Date.....

Signed .....

Mr Stephen Kelly

Director of Planning and Development  
West Northamptonshire Development Corporation

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