

BOROUGH COUNCIL OF WELLINGBOROUGH
Council Offices, Swanspool House, Doddington Road, Wellingborough NN8 1BP

Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004
Town and Country Planning (Development Management Procedure) (England)
Order 2015

VARIATION OF PLANNING PERMISSION

Name and address of agent:

Mr Mark Rose
Define Planning & Design Ltd
Unit 6
133-137 Newhall Street
Birmingham
West Midlands (Met County)
B3 1SF

Name and address of applicant:

Refer To Schedule Of Applicants
C/o Agent

Part I – Particulars of application

Date valid

25 September 2015

Application Number

WP/15/00605/VAR

Location

Land Between Finedon Road & The Railway, Neilson's Sidings &, Land North Of Finedon Road (Bovis), Finedon Road, Wellingborough, Northamptonshire

Description

Section 73 application for the variation/removal of conditions 5 (reserved matters link to masterplan), 7 (development in accordance with stated plans), 8 (development in accordance with ES), 9 (max development parameters), 10 (phasing), 15 (highways works and phasing), 16 (travel plan phasing), 25, 26, 28, 31, 32 and 34 (ecology mitigation), 27 (compensation areas), 35 (structure landscape strategy), 38 (landscape mitigation), 42 and 44 (noise mitigation), 45 (kennels) and 49 (construction management plan) of planning permission ref: WP/2004/0600 - Mixed use development including 87ha of residential development; B1, B2 and B8 development, new public transport links (buses), new and enhanced walking and cycling routes and facilities, Country Park, Neighbourhood Centre, 2 Secondary local centres, construction of access roads, bridges and highway structures, footways, footpaths, bridleways; and associated works and facilities

PART II – Particulars of decision

Under the provisions of the Town and Country Planning Act 1990 The Borough Council of Wellingborough hereby **GRANT PERMISSION TO VARY A CONDITIONAL PLANNING PERMISSION** 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 condition/s and reason/s:

WP/15/00605/VAR

1. The application(s) for reserved matters shall be made no later than the expiration of 3 years from the date of permission. The development to which this permission relates shall be commenced by the later of: (a) The expiration of a period of 7 years commencing on the date of this permission; and (b) The expiration of a period of 2 years commencing on the date upon which the final approval of the details of the last reserved matter for the final phase is given by the planning authority.

Reason: In accordance with the Planning and Compulsory Purchase Act 2004.

2. Applications for details of the following matters (hereby referred to as the reserved matters) shall be submitted to and approved in writing by the local planning authority before the commencement of development in each sub-area: a) the siting, design and external appearance of buildings; b) vehicle, cycle and foot access routes and parking; c) landscaping including boundary treatments and details of street furniture and lighting; d) layout and design of public open space; e) layout, design and specification of drainage infrastructure the development shall thereafter be implemented in accordance with the approved details.

Reason: In accordance with the Planning and Compulsory Purchase Act 2004.

3. Unless otherwise agreed by the local planning authority, no reserved matters application shall be submitted for development on any sub-area until and unless a design code and/or design brief for that sub-area has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the development achieves the objectives set out in the Masterplan.

4. Each residential sub-area design code submitted to the local planning authority for approval shall consist of guidance and coding relating to the following matters for that sub-area unless otherwise agreed by the local planning authority: - character area overview; - public realm strategy; - movement network including route hierarchy, block typologies ;building typologies; - open spaces and landscape; - environmental standards; - implementation.

Reason: To ensure that the development achieves the objectives set out in the 2015 Masterplan.

5. Each reserved matters application shall accord with the Planning Application Masterplan and Design Codes and/or Design Brief, unless otherwise agreed by the local planning authority, and shall be accompanied by a written statement which demonstrates how this is the case.

Reason: To ensure reserved matter applications are in accordance with the Masterplan and relevant sub-area detailed design code/design brief.

6. Development of Routes 2 and 7 (as shown on the following drawings: Route 2 611071/R2/01M, 02L and 12H and 47069875/3036/006; and Route 7: 611071/R7/01M, 02L, 03L, 06H, 25G) will not commence until the applicable floodplain and ecology compensation areas proposed within the Nene Valley and detailed in the Environmental Statement dated August 2004/2005 and

2015 Environmental Statement Supplement are provided (the subject of planning application ref WP/2005/0720/F and WP/14/00801/TX).

Reason: To ensure a satisfactory treatment of the site and that the works are not prejudicial to the existing ecological and nature conservation value of the area.

7. No development authorised by this permission shall take place unless in accordance with the Masterplan Report update, 2015 Masterplan (drawing ref DE026_001 G), (except in respect of the street layout), the parameters set out in the Environmental Statement (August 2004/05 and the ES Statement update 2015), Transport Assessment (2015) (including the Travel Plan) approved highway access drawings and/or any subsequent amendments approved by the local planning authority.

Reason: In order that the development is carried out in accordance with any necessary mitigation for the purposes of the Environmental Impact Assessment and in order that the development complies with the Approved Plans.

8. The development hereby permitted shall be carried out in substantial compliance with the plans contained in the Planning Application and save as is necessary to secure compliance with the conditions on this permission no variation shall be made without the prior written approval of the local planning authority which approval will not be given if in the reasonable opinion of the Council the proposed variation creates new environmental impacts which exceed the range or scale of those assessed and measured in the Environmental Statement (October 2005) and the ES Supplement 2015 and which the Council considers may require further or additional mitigation measures.

Reason: In order that the development is carried out in accordance with any necessary mitigation for the purposes of the Environmental Impact Assessment and in order that the development complies with the approved plans.

9. The total development hereby approved shall not exceed (in combination with that approved in WP/15/00481/OUT) the following parameters as set out in detail in 2015 Masterplan (DE026_001 G), 2015 Masterplan Report and 2015 Environmental Statement Supplement: 3,650 dwellings; 9ha of B8 development providing 40,500m²; 12.81ha of B1/B2 development providing 51,240m²; 19.05ha of B1 development providing 90,432m²; In the Neighbourhood centre A1 Supermarket unit of 1000m², other A1 units of 1000m², and A3 food and drink units of 500m²; In the Ise and Nene Local Centres 250m² of A1 retail units and A3 food and drink units each. (The Use Classes are those set out in The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The development of the site is the subject of an Environmental Impact Assessment, and any alteration to the layout or land use which is not substantially in accordance with the Planning Application 2015 Masterplan

(DE026_001 G), may have an impact which has not been assessed by that process.

10. No more than 300 dwellings within Phase 1 shall be occupied until the proposed works associated with Route 4 as identified in the approved plans have been fully implemented and is open to use by public traffic.

Reason: To ensure that the safety and free flow of traffic on the trunk road network is not prejudiced by this development.

11. Car parking serving the development shall not exceed the limits set out in the Northamptonshire County Council Parking: Supplementary Planning Guidance.

Reason: To ensure an appropriate level of car parking.

12. Cycle Parking shall be provided at the Station Interchange, Neighbourhood and Local Centres and employment areas in accordance with the Northamptonshire County Council Parking: Supplementary Planning Guidance in accordance with a timetable to be agreed with the local planning authority prior to the commencement of development.

Reason: In the interest of sustainability.

13. Prior to the commencement of the development of any sub area or infrastructure element, all public footpath routes through the site shall be protected and/or diverted in accordance with statutory procedures and a scheme which shall previously have been submitted to and approved in writing by the local planning authority. Such measures shall remain in place for the duration of the construction and thereafter, any such route shall be returned to its original state or such state as shall be agreed in writing in advance by the local planning authority, and made available for public use once the works which immediately affect them have been completed.

Reason: In the interest of sustainability.

14. The following highway works shall be implemented in accordance with the approved details prior to the identified triggers that relate to the approved development individually or in combination with the additional residential development subject to WP/15/00481/OUT

<u>Location</u>	<u>Drg Ref</u>	<u>Rev</u>	<u>Trigger</u>
B571/Ditchford Road	A090278-004 A45/A5001 A090278-003		Prior to 300 occupations Prior to 1200 occupations
Finedon Road/ Rixon Lodge	A090278-002		Prior to 300 occupations
Sanders Lodge, Rushden	4808/J32/001	C	Prior to 1462 occupations
The Embankment/ Access Road 2	6117071/R2/J3	J	Prior to 724 occupations

Elsden Road/ Midland Road/ Senwick Road	6117071/R4/J1	N	Prior to 300 occupations
London Road/A509/ Turnells Mill Road/ The Embankment	6117071/R2/J2	M	Prior to 724 occupations
A45/Turnell Mill Road	6117071/R2/J1	M	Prior to 724 occupations
London Road/ Gypsy Lane	4808/J25/001	A	Prior to 397 occupations

Reason: To ensure the development does not increase flood risk.

- 15. A detailed Travel Plan will be submitted to and agreed by the local planning authority in consultation with the Highways Authority and Highways Agency, and the mitigation measures identified in the Travel Plan implemented prior to the occupation of the residential development.**

Reason: To ensure that the safety and free flow of traffic on the trunk road network is not prejudiced by this development.

- 16. A phasing plan detailing how floodwater will pass through flood zones 2 and 3 during provision of the flood mitigation works and/or construction of any of the access routes within the River Ise and River Nene floodplain (identified within the Flood Risk Assessment August 2005) shall be submitted to and approved in writing by the local authority before each phase of development flood zones 2 and 3 commences and the development shall thereafter be carried out only in accordance with it.**

Reason: To ensure the development does not increase flood risk.

- 17. The flood mitigation works and floodplain compensation area(s) for each access route crossing the River Ise and/or River Nene floodplains will be provided and made available for flood storage in accordance with the details contained in the Flood Risk Assessment August 2005 prior to works relating to each relevant access route construction commencing.**

Reason: To ensure the development does not increase flood risk.

- 18. A long-term management programme for each of the flood storage areas and proposed flood defences detailed in the Flood Risk Assessment dated August 2005, including means of controlling invasive species and means of delivery, shall be submitted to and approved in writing by the local planning authority, prior to works relating to each phase commencing and the programme shall thereafter be complied with.**

Reason: To ensure the development does not increase flood risk and to inform the terms of the Section 106 agreement.

- 19. A long-term management programme for each of the sustainable drainage systems detailed in the Flood Risk Assessment dated August 2005, including**

means of controlling invasive species and means of delivery, shall be submitted to and approved in writing by the local planning authority, prior to works relating to each phase commencing and the programme shall thereafter be complied with.

Reason: To ensure the development does not increase flood risk and to inform the terms of the Section 106 agreement.

20. Unless otherwise agreed in writing with the local planning authority or to satisfy the requirements of the conditions of this planning permission, the development shall proceed in accordance with the details, phasing and maintenance responsibilities set out in the Flood Risk Assessment dated August 2005.

Reason: To reduce flood risk and for the avoidance of doubt.

21. Development of any sub-area hereby approved by this planning permission shall not commence until: a) Where identified as necessary by the Environmental Statement (dated August 2004 and August 2005) a site investigation has been proposed for the sub-area using the findings of the Environmental Statement and submitted to, and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must 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 and off the site that may be affected, refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements. b) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment undertaken. c) Where it is identified that remediation is required, that a Method Statement detailing the requirements using the information obtained from the Site Investigation and the measure outlined in the Environmental Statement August 2004/2005 has been submitted to and approved in writing by the local planning authority prior to that remediation being carried out. The approved remediation shall be fully completed in accordance with the approved method statement prior to the occupation of any building to which this approval applies.

Reason: To ensure that the development, site investigations and remediation will not cause any risk to human health or pollution of surface and ground waters.

22. Prior to the commencement of development of any sub-area a 'soil reuse strategy' reflecting the Environmental Statement August 2005 shall be submitted to and approved in writing by the local planning authority. Development shall take place only in accordance with the approved details.

Reason: To ensure the sustainable use of soils including contaminated soils on the site.

23. Soft landscaped areas shall be provided in accordance with the mitigation strategy set out in the ecology assessment within the Environmental Statement August 2004/05 and the 2015 Environmental Statement Supplement in accordance with a timetable to be agreed with the local planning authority.

Reason: To ensure that the development achieves the objectives set out in the environmental statement.

- 24. An ecology management plan detailing the habitat creation and management for the Ise Valley Park and Green Links in accordance with the principles set out in the Environmental Statement dated August 2005 and the 2015 Environmental Statement Supplement shall be submitted to and approved in writing by the local planning authority prior to the creation of the public park (but not limiting the required flood remediation works). The ecology management plan and development shall thereafter be implemented in accordance with the approved details.**

Reason: To optimise the opportunities for appropriate habitat creation and species migration from affected site areas.

- 25. An ecology management plan detailing the habitat creation and management for the existing County Wildlife Sites and related compensatory habitat in accordance with the principles set out in the Environmental Statement dated August 2004/05 and the 2015 Environmental Statement Supplement shall be submitted to and approved in writing by the local planning authority prior to the construction of Access Route 2. This should cover the enhancement of the flood compensation areas related to Route 2 as well as the ecology compensation areas related to Route 2 as identified in the 2015 Masterplan (drawing ref DE026_001G). The ecology management plan and development shall thereafter be implemented in accordance with the approved details.**

Reason: To optimise the opportunities for appropriate habitat creation and species migration from affected site areas.

- 26. An ecology management plan detailing the habitat creation and management (including a detailed zoning scheme to control access to people visiting the SSSI/SPA) for the Special Protection Area (SPA)/SSSI and related compensatory habitat in accordance with the principles set out in the Environmental Statement dated August 2004/05 and the 2015 Environmental Statement Supplement will be submitted to and approved in writing by the local planning authority prior to the construction of Access Routes 2 and 7. The ecology management plan and development shall thereafter be implemented in accordance with the approved details.**

Reason: To optimise the opportunities for appropriate habitat creation and species migration from affected site areas.

- 27. Prior to the occupation of the 500th dwelling within the permitted development alone or in combination with the additional residential development (subject to WP/15/00481/OUT), a habitat and access management plan for the area of Nene Valley SPA site within and adjacent to the application site shall be submitted to and approved in writing by the local planning authority, and implemented in accordance with the approved details.**

Reason: To ensure a satisfactory treatment of the site and that the works are not prejudicial to the existing ecological and nature conservation value of the area.

- 28. Construction on routes 2 and 7 within the SPA shall not take place between the months of November to February inclusive unless otherwise agreed in writing with the local planning authority.**

Reason: To ensure a satisfactory treatment of the site and that the works are not prejudicial to the existing ecological and nature conservation value of the area.

- 29. Development of each access route shall not commence until precise details of a scheme to allow the safe access through the bridges and/or embankments by otters and badgers (including tunnels and fencing if required and as outlined in the Environmental Statement dated August 2004/05 and the 2015 Environmental Statement Supplement) has been submitted to and approved in writing by the local planning authority. The bridges shall not be used by vehicular traffic until the scheme has been installed in accordance with the details so approved.**

Reason: To ensure the safe egress of otters and badgers during high flow periods and to avoid their contact with vehicular traffic.

- 30. Development that would affect badger sett, movement corridors and foraging areas identified in the Environmental Statement dated August 2004/05 and 2015 Environmental Statement Supplement shall not commence until details of an appropriate mitigation scheme according with the Environmental Statement has been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.**

Reason: To protect wildlife.

- 31. Existing vegetation with the potential to accommodate birds will only be removed outside of the bird breeding season (March to August), unless otherwise agreed in writing by the local planning authority. Where such an agreement is made an ecologist nominated by the local planning authority will first check that no nests are present. Where they are present the vegetation will be retained with a 5m buffer until all birds are fledged and the nest is no longer in use.**

Reason: To protect wildlife.

- 32. No trees which have the potential to accommodate bat roosts will be removed until a detailed method statement according with the Environmental Statement dated August 2004/2005 and the 2015 Environmental Statement Supplement has been submitted to and approved in writing by the local planning authority. Removal shall thereafter be in accordance with the approved scheme.**

Reason: To protect wildlife.

- 33. The structure landscape scheme will be provided in accordance with the Structure Landscape Implementation Strategy (August 2005) submitted with the Environmental Statement dated August 2004/5 and the 2015 Environmental Statement Supplement. The schemes will be implemented in**

the first planting season following the beginning of the relevant development phase or provision of the infrastructure element.

Reason: To enhance the appearance of the proposed development.

34. Prior to the commencement of development of any sub-area or infrastructure element, a detailed a plan shall be submitted to and approved in writing by the local planning authority indicating the position of existing landscape features including trees, large shrubs and hedges both within the site and overhanging the site boundary. The extent of the canopy must be plotted accurately and the plan must specify protective measures to existing trees and hedges to be retained on that part of the site in accordance with British Standard 5837. The plan must also indicate the proposed route of all underground services and measures to be taken to ensure that root damage is avoided. The approved measures shall be implemented prior to development of the sub area or infrastructure element to which it relates and retained until the completion of the development. Any land so enclosed shall be kept clear of all materials, machinery and temporary buildings at all times.

Reason: To protect existing landscape features.

35. No development shall take place within any development sub-area until a detailed hard and soft landscape scheme reflecting the Masterplan and Structure Landscape Implementation Strategy and design code for that sub area has been submitted to and approved in writing by the local authority. The scheme shall be implemented before the end of the first planting season following completion of that sub area of development. For the purpose of this condition a planting season shall be the period from the end of October to the end of February.

Reason: To enhance the appearance of the proposed development.

36. Before work commences on any development sub area or infrastructure element, a detailed scheme for the future maintenance and management of the proposed amenity and landscape area(s) shown on the approved plan in accordance with the Environmental Statement dated August 2004/05 and the 2015 Environmental Statement Supplement shall be submitted to and approved in writing to the local authority. The details shall thereafter be implemented in accordance with the approved scheme. The scheme should include a plan indicating any amenity areas(s) or landscape works that are to be proposed for adoption by the local authority or other agency.

Reason: To ensure the proper future maintenance of the open spaces.

37. Trees or shrubs seeded areas and herbaceous plants to be planted as part of the approved landscape scheme or to otherwise satisfy the conditions of this planning permission which are removed, die, become severely damaged or diseased within 5 years of the completion of development shall be replaced with trees, shrubs seeded areas or plants of appropriate size and species in the next planting season. For the purpose of this condition a planting season shall be the period from the end of October to the end of February.

Reason: To ensure that failing plants are replaced within the establishment period.

- 38. Development of each sub-area or infrastructure element hereby permitted shall not commence until a programme of archaeological work in accordance with a written scheme of investigation (including site-based archaeological survey, trial fieldworks to evaluate the archaeological potential of the sub-area and any work necessary to preserve remains in situ and/or by record), or watching brief, as appropriate, has been submitted to and approved in writing by the local planning authority for that sub-area. The relevant works shall only take place in accordance with the detailed scheme or brief pursuant to this condition.**

Reason: To ensure that potential archaeological remains are recorded.

- 39. Access shall be afforded at all reasonable times to any archaeologist nominated by the local planning authority and such person shall be allowed to observe the excavation and record items of interest and finds.**

Reason: To enable archaeological investigation of the site.

- 40. Where appropriate development of sub-areas hereby permitted shall not commence until a scheme for noise mitigation measures, in accordance with the Environmental Statement August 2004/2005 and 2015 Environmental Statement supplement to protect occupiers of the proposed dwellings from the access roads and/or rail noise has been submitted and approved in writing by the local planning authority. The approved mitigation measures shall be implemented in full prior to the first occupation of any building in that sub-area.**

Reason: In the interest of residential amenity.

- 41. A scheme for noise mitigation shall be submitted to and approved in writing by the local planning authority prior to the occupation of any A1, A3, B2 or B8 site/building. The approved scheme shall be completed to the satisfaction of the local planning authority prior to the occupation of those buildings.**

Reason: In the interests of amenity.

- 42. Prior to the commencement of construction of the access routes identified in the Environmental Statement August 2004/2005 and the 2015 Environmental Statement Supplement that affect each of Greenacres Finedon Road Wellingborough and houses at Talbot Road Wellingborough a detailed scheme for the location, design, construction and maintenance of noise barriers shall be submitted to and approved by the local planning authority. The approved scheme shall be implemented prior to the access routes being opened to the public.**

Reason: In the interests of amenity.

- 43. Before the commencement of development on any sub area or infrastructure element, a lighting strategy according with the Environmental Statement dated August 2004/05 shall be submitted to and approved in writing by the**

local planning authority. The details shall thereafter be implemented in accordance with the approved strategy.

Reason: For the avoidance of unnecessary light pollution.

44. No built development hereby permitted within a specific sub-area shall be commenced until details of all external materials relating to that specific sub-area have been submitted to and approved in writing by the local authority and the development shall be carried out in accordance with the approved details to the satisfaction of the local planning authority.

Reason: To ensure a satisfactory appearance for each stage of the development.

45. No development of the access routes or internal road network within a sub-area hereby permitted shall be commenced until details of surface finishes for roads, footpaths, cycle-ways and car parking areas relating to that specific access route or sub-area part have been submitted to and approved in writing by the local authority. Unless otherwise agreed in writing with the local authority, the approved details shall be implemented prior to the first occupation of any building in that part of the development and thereafter shall be permanently maintained to the satisfaction of the local planning authority.

Reason: To ensure a satisfactory appearance for each stage of the development.

46. An Action Plan and Construction Management Plan for each sub-area, access route and flood remediation works, as detailed in the Environment Statement dated August 2004/5 and the 2015 Environmental Statement Supplement, shall be submitted to and approved in writing by the local planning authority prior to the construction of that sub-area commencing. This should include detailed information on: Proposed demolition and construction works including information on operating hours, construction lighting, storage, security, parking and construction traffic routes. Local environmental effects (including noise, dust and vibration) of those works Measures to protect existing trees and hedges in accordance with BS5837 Sensitive receptors within and in the vicinity of the sub-area (human and ecological features) Suitable mitigation measures to control or mitigate all of the identified impacts (as outlined in the Environmental Statement August 2004/05 Ecology, Noise, Air Quality, Soils, Geology and Land Use, Land Contamination, Water and Socio-Economic Chapters and Transport Assessment). An Environmental Risk Assessment A method statement code for construction and demolition waste reduction, recovery and re-use Details of the site management of environmental impacts, including control of subcontractors, contact details, public relations and information systems Water efficiency design code Construction waste management. The development shall thereafter be implemented in accordance with the approved details.

Reason: To limit the detrimental effect of demolition and construction works on adjoining residential occupiers by reason of nuisance.

47. A scheme detailing the foul drainage infrastructure in accordance with the Foul Drainage Strategy (August 2005) shall be submitted to and approved in writing by the local planning authority for each sub-area before development

of that sub area commences. The development shall thereafter be implemented in accordance with the approved details.

Reason: To reduce the risk of water pollution and to ensure a satisfactory means of foul water disposal.

48. **Surface water drainage works and source control measures within each specific sub-area shall be carried out in accordance with details submitted to and approved in writing by the local planning authority before the development within that specific sub-area commences. Details should accord with the recommendations set out in the Flood Risk Assessment August 2005 unless otherwise agreed in writing with the local planning authority.**

Reason: To prevent the increased risk of flooding.

49. **Vehicle loading or unloading bays involving hazardous chemicals or waste shall not be connected to the surface water drainage system, whether direct or via trapped gullies or oil interceptors.**

Reason: To reduce pollution to the water environment.

50. **Drainage from surfaces used by vehicular traffic shall be passed through trapped gullies prior to discharge to any watercourse and via oil interceptors from roundabouts and large parking areas (50 cars+) or in accordance with the Surface Water Strategy (August 2005) and Flood Risk Assessment (August 2005).**

Reason: To reduce pollution to the water environment.

51. **Development shall not be commenced on any sub area of the development hereby permitted until a utilities strategy to set out a programme for the provision of water, gas, and electricity supplies and telecommunications has been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details**

Reason: To ensure a coordinated approach to infrastructure provision and to protect the environment.

52. **Prior to the implementation of each sub area of development details of the strategy for the provision of underground utility services within the sub area of development shall be submitted to and approved by the local planning authority.**

Reason: To ensure a coordinated approach to infrastructure provision and to protect the environment in accordance with policy 6 of the North Northamptonshire Core Spatial Strategy and emerging policy 10 of the Joint Core Strategy.

53. **Prior to the occupation of the 1,973rd dwelling within the approved development individually or in combination with the additional residential development subject to WP/15/00481/OUT, temporary bus turning facilities at the Midland Road railway station and at the Neighbourhood Centre shall be**

provided in accordance with details (including the timescale for their removal) to be submitted to and approved by the local planning authority.

Reason: To ensure that adequate public transport facilities are provided for future residents of the site in accordance with policies 3 and 13 (e) of the North Northamptonshire Core Spatial Strategy and emerging policy 16 of the Joint Core Strategy.

54. Prior to the occupation of the development in each sub-area bus stops, shelters and associated facilities shall be provided in accordance with the approved Bus Strategy dated June 2005.

Reason: To ensure that adequate public transport facilities are provided for future residents of the site in accordance with policies 3 and 13 (e) of the North Northamptonshire Core Spatial Strategy and emerging policy 16 of the Joint Core Strategy.

55. A detailed Travel Plan will be submitted to and agreed by the local planning authority in consultation with the highways authority and highways agency, and the mitigation measures identified in the Travel Plan implemented prior to the occupation of the residential development.

Reason: In order to facilitate the use of sustainable modes of transport in accordance with policy 13 (e) of the North Northamptonshire Core Spatial Strategy and emerging policy 16 of the Joint Core Strategy.

56. Prior to the occupation of any employment sub area, a site specific Travel Plan will be submitted to and agreed by the local planning authority in consultation with the highways authority and highways agency. The mitigation measures identified in the Travel Plan shall be implemented in accordance with the approved details.

Reason: In order to facilitate the use of sustainable modes of transport in accordance with policy 13 (e) of the North Northamptonshire Core Spatial Strategy and emerging policy 16 of the Joint Core Strategy.

INFORMATIVE/S:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraphs 186 and 187 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.

2. The application site falls within a Special Protection Area as designated under the Habitats Regulations 2010. Therefore, consent under the Wildlife & Countryside Act 1981 may be required for the proposed works. Further details can be obtained from naturalengland.org.uk

3. The Public Health Act 1875 Town Improvement Clauses Act 1847 at S.64. Prior to occupation of the newly created premises(s), the street numbering for this development or conversion - residential and commercial, must be agreed with the

Street Naming and Numbering Officer. When issued, the number allocated must be clearly displayed on the outside of the property. Application forms for Street Naming and Numbering are available at www.wellingborough.gov.uk

4. Roads to be adopted as public highways shall be constructed to Highways Standards.

SUBJECT TO LEGAL AGREEMENT

**Decision Date:
6 February 2017**

Signed:

A handwritten signature in black ink that reads "Julie Thomas". The signature is written in a cursive style with a large initial 'J'.

**Julie Thomas
Head of Planning and Local Development**

Officer Ref: EB

NOTE: This notice relates only to planning permission and does not include or imply consent under the Building Regulations or any other legislation for which a separate application may be required.

RIGHT OF APPEAL:

Your attention is drawn to the following notes which explain how to submit an appeal should you be aggrieved by the above decision.

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 or Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990, within 6 months of the date of this notice. However, where an enforcement notice has been served on the same, or substantially the same, development as in the application within 2 years of the date the application was made, the period for receiving an appeal is within **28 days** of the date of the decision notice or of the date by which the Local Planning Authority should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the Local Planning Authority had to determine the application, the period for receiving the appeal is within **28 days** of the date the enforcement notice was served (unless this extends the normal 6 months or 12 week deadline) (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 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, 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 responsibly 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 or Chapter III of the Planning (Listed Buildings and Conservation Areas) Act
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 or Section 27 of the Planning (Listed Buildings and Conservation Areas) Act.