

# **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**

## **APPROVAL OF RESERVED MATTERS**

**Name and address of agent:**

**Mr Paul Boatman  
Bovis Homes Limited  
Bromwich Court  
Gorsey Lane  
Coleshill  
B46 1JU**

**Name and address of applicant:**

**British Steel Pension Fund and Others -  
See Schedule  
17th Floor  
125 Old Broad Street  
London  
EC2N 1AR**

### **Part I – Particulars of application**

**Date Valid**

**10 July 2014**

**Application Number**

**WP/14/00475/REM**

**Location:**

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

**Description:**

**Amendment of part of the approved route 2 for the scheme and landscaping to that part**

**Outline Planning No: WP/2004/0600**

### **PART II – Particulars of decision**

**The Borough Council of Wellingborough hereby give notice that approval has been granted in respect of the details referred to in Part I hereof for the purpose of the conditions imposed on the grant of planning permission referred to above:**

- 1. The site shall be landscaped and planted with trees and shrubs in accordance with a comprehensive scheme which shall be submitted to and approved by the local planning authority before the development is commenced. The scheme shall be implemented concurrently with the development and shall be completed not later than the first planting season following the substantial completion of the development. Any trees and shrubs removed, dying, being severely 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 other species as may be agreed.**

**Reason: In the interests of visual amenity.**

WP/14/00475/REM

2. This consent is based on drawings 47069875/3036: 001 Realignment of Irthlingborough Road; 003 Route 2 Realignment Long Sections; 004 Route 2 Realignment Cross and Long Sections; 006 Route 2 Realignment Sheet 1 of 2; and 007 Route 2 Realignment Sheet 2 of 2.

Reason: To define the consent.

**INFORMATIVE/S:**

1. Pursuant to Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development complies with the applicable development plan policies and there are no other material considerations that would constitute sustainable grounds for refusal. These include specifically the following policies:

Weast Masterplan and National Planning Policy Framework.

2. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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.

Decision Date:

17 September 2014

Signed:

Mr M Kilpin

Principal Planning and Building Control Manager

Officer Ref:



## 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.