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Meeting: North Northamptonshire Planning Committee (North)
Date: Wednesday 7th June 2023
Time: 7:00 pm
Venue: Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

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To members of the North Northamptonshire Planning Committee (North)

Councillors Mark Rowley (Chair), Kevin Watt (Vice Chair), Charlie Best, Cedwien Brown, Robin Carter, Mark Dearing, Alison Dalziel, Dez Dell, Simon Rielly, David Sims, Geoff Shacklock, Joseph Smyth, and Keli Watts

Substitute Members: Councillors Jean Addison, Ross Armour, Wendy Brackenbury, Lyn Buckingham, Jim Hakewill, Larry Henson, Paul Marks, Macaulay Nichol, Jan O'Hara, Anup Pandey, Mike Tebbutt, Sarah Tubb

Agenda			
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02	Members' Declarations of Interests		-
Items requiring a decision			
03	Applications for planning permission, listed building consent and appeal information* i) NC/21/00072/OUT Land Off Centrix Business Park Napier Road Corby Northamptonshire Application for land off Phoenix Parkway to provide an engineered development platform, and Outline application for the development of an employment park comprising up to 43,000 sqm B2 use, with all matters reserved apart from access	Development Services	5 – 96

	<p>ii) NC/22/00464/DPA Land South of Kettering Road, Weldon Full Planning Application for the Erection of an Entry Level Exception Site of 22 Dwellings, Associated Infrastructure and Landscaping</p> <p>iii) NC/23/00057/DPA 4 Appleton Gardens, Gretton, NN17 3EF Insertion of a window to first-floor side elevation of existing garage (Retrospective)</p> <p>iv) NE/22/01271/FUL Olive Grove Nurseries, Oundle Road, Polebrook, Peterborough Redevelopment of the site comprising the relocation and consolidation of the existing Olive Grove Garden Centre including associated polytunnels (to the south) and development of an elderly care home (Class C2) (to the north) with ancillary cafe and associated landscaping and car parking.</p>	<p>Development Services</p> <p>Development Services</p> <p>Development Services</p>	<p>97 – 132</p> <p>133 – 142</p> <p>143 - 178</p>
Items to note			
04	<u>Delegated Officers Report</u>		
	None		
Exempt Items			
05	None Notified		
06	Close of Meeting		
	<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer 30th May 2023</p>		

*The reports on this agenda include summaries of representations that have been received in response to consultation under the Planning Acts and in accordance with the provisions in the Town and Country Planning (Development Management Procedure) Order 2015.

This agenda has been published by Democratic Services.

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ITEM	NARRATIVE	DEADLINE
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Member Agenda Statements	Other Members may make statements at meetings in relation to reports on the agenda. A request to address the committee must be received 2 clear working days prior to the meeting. The Member has a maximum of 3 minutes to address the committee. A period of 30 minutes (Chair's Discretion) is allocated for Member Statements.	12 Noon Tuesday 6 th June 2023

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North Northamptonshire Planning Committee (North) 7th June 2023

Application Reference	NC/21/00072/OUT
Case Officer	Farjana Mazumder
Location	Land Off Centrix Business Park Napier Road Corby Northamptonshire
Development	Application for land off Phoenix Parkway to provide an engineered development platform, and Outline application for the development of an employment park comprising up to 43,000 sqm B2 use, with all matters reserved apart from access
Applicant	Storefield Group Limited
Agent	Wardell Armstrong LLP
Ward	Weldon and Gretton
Overall Expiry Date	9th June 2021
Agreed Extension of Time	31st May 2023

List of Appendices

- **Appendix A-** Committee Report for item 4.1 NC/21/00072/OUT presented to the Strategic Planning Committee on 2nd August 2021.
- **Appendix B-** Addendum Report for item 4.1 to 2nd August 2021 Strategic Planning Committee.
- **Appendix C-** Committee Report for item 4.3 NC/21/00072/OUT presented to the Strategic Planning Committee on 7th March 2022.
- **Appendix D-** Addendum Report 2 for item 4.3 to 7th March 2022 Strategic Planning Committee.
- **Appendix E-** Committee Minutes for 7th March 2022 .

Scheme of Delegation

This application is brought to this Committee because the Officers at the previous Strategic Planning Committee meeting in March 2022 agreed that this application be deferred to allow for consideration of Biodiversity Net gain matters. This outstanding matter have since been addressed by the applicant and this addendum report together with the previous committee reports is for consideration by North Area Planning Committee.

1. Recommendation

1.1 That Planning Permission be GRANTED, subject to the following:

- Planning conditions specified below
- Completion of a Section 106 Agreement relating to the highways, local benefits and environmental contribution and mitigation.

2. The Proposal

- 2.1 The proposal is for a hybrid planning application in two parts. The applicant for the present application Storefield Group Limited, seeks permission for proposed engineering and enabling works to level the site within the first part. The second part is seeking permission for proposed B2 (general industrial) employment uses with all matters reserved except access. It is acknowledged that the proposal straddles the administrative boundary with the former East Northamptonshire District Council. The applicant proposes the development of up to 43,000m² of B2 use.
- 2.2 The applicant has submitted a series of illustrative drawings to demonstrate how the proposed scheme might be accommodated on the site.
- 2.3 The engineering and enabling works will comprise cut and fill operations to establish a level platform. The northern area of the site will require the maximum fill depth of between approximately 7m to 10m. In the southwest area of the site, a cut depth of between approximately 1m to 3m will be required. The platform will provide a suitably engineered base with appropriate load bearing to accommodate employment development, and a layer within which to install necessary services.
- 2.4 The applicant has confirmed that the maximum building height would be 12m measured externally.
- 2.5 Access into the site is to be taken from the Napier Road, west of the site.
- 2.6 It should be noted that the submitted plans are treated as illustrative only where the plans relate to layout, scale, appearance and landscaping.

3. Background

- 3.1 This application is brought back to Committee following a resolution to defer at the meeting on the 7th March 2022 for the following reason:
- That further information at that time (A letter from JMW Solicitors, has been also received on 16th February 2022) had been received from the applicant and agent which needed to be considered by officers.
- 3.2 Although the recommendation in the report was for refusal, officers asked the committee to consider deferring the planning application.

- 3.3 Following deferral of the application on 7th March 2022, the Council Officers have clarified to the applicant that UPDATED ECOLOGICAL MITIGATION STRATEGY REPORT, Version 4, February 2022 and Letter ref: AJM/GM10604 /004 R 5 received on 4th February 2022 have been considered by the Development Management Team. A letter from JMW Solicitors, has been also received on 16th February 2022 and considered accordingly by the relevant Officers. However, after careful assessment of the above submitted information, it is considered that the amendments still failed to overcome the concerns raised by Council's Ecologist, therefore, officer's recommendation was for refusal. For the avoidance of doubt, it should be noted that all the above information has been considered within the *Addendum Report 2* (Appendix 4).

4. Consultation Responses

Key consultee comments for the deferred application are as follows:

- 4.1 **Ecologist:** (06.01.2023) Council's Ecologist was consulted in regard to the following information received on 14th December 2022-

- Habitat Survey 2022, Version-Final
- BSG Corby Metric 3.1 BNG (a baseline biodiversity net gain assessment)

After careful consideration Council's Ecological Officer has confirmed that the updated habitat survey has been completed to a very good standard and the findings with regard to habitat types, extent and condition are accepted.

The Officer also indicated that the submitted report and Defra metric reflecting a baseline value of **195.98** biodiversity units is based on a combination of habitat 'distinctiveness' and condition. However, the metric calculations have not accounted for 'strategic significance'. The officer goes on stating that the metric user guide describes strategic significance as 'relating to the spatial location of a habitat parcel and works at a landscape scale. It gives additional biodiversity unit value to habitats that have been identified as habitats of strategic importance to that local area'.

The Officer highlighted that strategic significance ratings are currently being formalised and digitised for habitats across North Northamptonshire; this is taking place through the council's Biodiversity Net Gain officers' working group. It is identified that two elements of the system are relevant to the application site:

- Strategic significance is increased by one level for habitats of 'medium', 'high' or 'very high' distinctiveness which are located within the Nene Valley Nature Improvement Area (NIA)
- Strategic significance is 'high' for priority/Biodiversity Action Plan habitats located within a BAP target zone (and 'medium' for priority/Biodiversity Action Plan habitats located outside a target zone).

The site is located within the NIA, giving it increased strategic value. It is also located within the Rockingham Forest target area in the local biodiversity action plan. According to the survey, the application site has two priority habitats:

lowland mixed deciduous woodland and open mosaic habitat on previously developed land (OMH).

The submitted metric assigned the default 'low' strategic significance rating to all habitats found on site. However:

- 'Other neutral grassland' and 'other woodland; broadleaved' (medium distinctiveness) should be assigned a 'medium' strategic significance ('location ecologically desirable but not in local strategy'), due to the location within the NIA, and
- 'Lowland mixed deciduous woodland' and 'Open Mosaic Habitats on Previously Developed Land' should be assigned a 'high' strategic significance ('formally identified in local strategy') due to their location within a BAP target area.

The Officer has then made necessary amendments to the metric including the justification, for the applicant to review and recommended updating the baseline value of **221.38** biodiversity units. It would then be considered as a realistic and robustly evidenced figure for the site and any proposals for on-site mitigation and/or off-site compensation.

5. Evaluation

The key issues for consideration are:

- Ecology and Nature Conservation

5.1 Ecology and Nature Conservation

- 5.1.1 Following the deferral, an in-person meeting was held with applicant's team in order to agree a common ground to move this application forward. Due to Council Ecologist's significant concerns over the previous habitat surveys and the establishment of a baseline biodiversity value of the site, it was agreed that an independent, suitably qualified third party, jointly appointed by the Applicant and the Council, would undertake a habitat survey and Biodiversity Metric evaluation of the site. The proposed third party, survey and assessment methodology would then be agreed jointly by the Applicant and the Council.
- 5.1.2 It has been also agreed that following agreement of the baseline biodiversity value, applicant will provide a framework for biodiversity off-setting strategy within appropriately agreed compliance criteria, detailing the location, outline habitat creation/enhancement methodologies and long-term monitoring and management strategy for achieving 1% biodiversity net gain.
- 5.1.3 The applicant has notified LPA that the Principal Ecologist at BSG Ecology, will be undertaking a habitat survey at Phoenix Parkway, Corby, on 27th and 28th July 2022 and once the survey and assessment has been completed, agreement on the baseline ecological value of the site will be sought. Subsequently, an updated habitat survey and biodiversity net gain assessment of the application site has been submitted on 14th December 2022. The results of the survey and assessment established a baseline biodiversity score of 195.98 units for the whole site.

5.1.4 Applicant has also provided the summery of the proposed biodiversity mitigation as follows:

Table 1. Proposed biodiversity mitigation	
On site measures	
<i>0.5ha SuDS features created</i>	
<i>2.03ha of open mosaic habitat enhanced in south of site</i>	
<i>3.29ha of open mosaic habitat created between plots</i>	
<i>0.33ha of broadleaved woodland enhanced from moderate to good condition</i>	
Off-site measures*	
<i>In excess of 10.7ha of OMH created on off-site land</i>	
<i>0.96ha of wet woodland to east of site enhanced from fairly poor to good condition</i>	
<i>4.48ha of broadleaved woodland adjacent to the east of site enhanced from poor to good condition</i>	
Total	22.29 ha

5.1.5 Council’s Ecological Officer has assessed the submission and confirmed that the updated habitat survey has been done to a very good standard, and the findings regarding habitat types, extent and condition are accepted. However, highlighted that the metric calculations have not accounted for ‘strategic significance’. The Officer suggested that necessary amendments to the metric needs to be done to reflect the baseline value of 221.38 biodiversity units. It would then be considered as a realistic and robustly evidenced figure for the site and any proposals for on-site mitigation and/or off-site compensation.

5.1.6 Applicant has further updated the baseline habitat survey report- *Habitat Survey 2022 (Report Updated March 2023)* which was submitted to LPA on 5th April 2023 for consideration. The updated report shows that baseline units for whole Site is 221.38. Based on the updated information, it is considered that the imposition of planning conditions requiring the production of mitigation strategy, Biodiversity Monitoring Scheme (BMS), Construction Environment Management Plan (CEMP: Biodiversity) and a Landscape and Ecological Management Plan (LEMP) would be sufficient at this stage of the application.

5.1.7 It is considered that the present proposal is acceptable at this stage of the process. Subject to the contribution against mitigation measures; and the overall package should be able to yield a net ecological benefit for both the on-site situation and the wider area. Increasing the ecological contribution should be able to deliver a planned and agreed package of mitigation measures for biodiversity of an appropriate scale and content. The above mitigation measures would be dealt with via combination of appropriate conditions and mitigation towards a Legal Obligation (s106).

5.1.8 It is considered that the present proposal is acceptable and complies with Policy 4 of the Joint Core Strategy and National Planning Policy Framework (2021).

6. Conclusion

- 6.1 Overall, there is a strong emphasis in overall sustainability objectives including placing development in the right places. It is acknowledged that the scheme would deliver benefit by contributing towards economic development both in the short and long term to the local economy.
- 6.2 Through the development, the application site would deliver significant job creation, apprenticeships and increase in economic output. The details submitted do not cause any significant harm to the amenity of the nearby occupiers or result in overdevelopment of the site and will not give rise to any undue highway safety concerns.
- 6.3 Following lengthy negotiations the applicant has now updated the net biodiversity gain levels which includes a realistic and robustly evidenced baseline value. This was a reason for the previous deferral of the application at the March 2022 Strategic Planning Committee.
- 6.4 The amended proposal is therefore considered in accordance with Policies 1, 3, 4, 5, 8, 9, 10, 11, 15, 18, 19, 22, 23, 24 and 27 of the North Northamptonshire joint Core Strategy, National Planning Policy Framework. No other material considerations indicate that the policies of the development plan should not prevail. Furthermore the decision has been reached taking into account the National Planning Policy Framework.

7. Planning Obligations

- 7.1 In accordance with the guidance for the use and application of planning obligations Corby Planning Obligations SPD 2017, the following contributions will be sought by way of s106. The heads of terms for the s106 agreed by the applicant are as follows: -
- A contribution of **£30000** for upgrading the footway on the eastern side of Phoenix Parkway to a 3m wide footway / cycleway from Heritage Way, 160m north of Napier Road, to the Steel Road roundabout, 650m south of Napier Road to create a safe off-road cycle link to the centre of Corby
 - A contribution of **£11000** towards enhancing the current Steel Road improvement scheme
 - Travel Plan monitoring fee
 - Employment skills and training
 - Air Quality mitigation measures and financial contribution of **£120,708.10**
 - Biodiversity mitigation measures for **221.38** baseline unit and associated monitoring fee

8. Recommendation

- 8.1 It is the Officer recommendation that the application is approved subject to the following:
- Planning conditions specified below

- Completion of a Section 106 Agreement relating to the highways, local benefits and environmental contribution and bio-diversity mitigation.

9. CONDITION

1. Application for approval of the reserved matters shall be made to the council before the expiration of 3 years from the date of this permission. The development hereby permitted shall begin no later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

- Site Location Plan, Dwg. No.- GM10604-004, Rev-B
- Phasing Plan - Built Development, Dwg. No.- GM10604-008, Rev-C
- Planning, Design and Access Statement, ref: 0005, January 2021
- Environmental Statement, ref: REP-0003 , V- V0.1A, January 2021
- Supplementary Environmental Information- Appendix 11.4 Dust Management Plan May 2021
- Supplementary Environmental Information- Chapter 10: Noise
- Non-Technical Summary, ref: REP-0003, V0.1, January 2021
- Preliminary Investigation Report (Desk study and site reconnaissance), ref: STP3966D-P01, Revision 2, March 2019
- Ground Investigation Report, ref: STP3996D- G01, September 2020
- Habitat Survey 2022 (Updated on March 2023)
- A43 Steel Road Junction Mitigation letter 121021, dated 12th October 2021
- Technical Note 2 - Second Response to North Northamptonshire Council-V1, June 2021
- Technical Note Response to North Northamptonshire Council-V2, May 2021
- Preliminary Construction Management Plan, January 2021
- Flood Risk Assessment, ref: 0006, September 2020

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. Details of all the reserved matters for relevant phase shall be submitted to the Local Planning Authority before any development is commenced:
 - a. Scale
 - b. Appearance
 - c. Landscaping, and
 - d. Layout

Reason: This is an outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

4. Approval of all reserved matters shall be submitted within 5 years of this permission. The development shall thereafter be completed in accordance with the approved details.

Reason: To secure all design and construction details for each phase of development prior to construction start to enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

5. Development shall not be undertaken other than in accordance with the approved phasing plan- **Phasing Plan - Built Development, Dwg. No.- GM10604-008, Rev-C**. The Phasing Plan, with any updates and amendments, will be submitted for approval in writing by the Local Planning Authority prior to or alongside the submission of reserved matters in respect of each Phase. The development shall be implemented in accordance with the latest approved Phasing Plan.

Reason: To ensure the timely development of the works and coordination with the associated highway works.

6. Each reserved matters application shall comply with the approved Planning, Design and Access Statement, ref: 0005, January 2021.

Reason: In the interests of clarity, to secure design that meets the principles expressed in the Planning, Design and Access Statement, to ensure a high standard of development, and to ensure that the development will meet the objectives of Policy 8 of the North Northamptonshire Core Spatial Strategy.

ENVIRONMENTAL ISSUES

7. Any phase of the development hereby permitted shall not be commenced until details of an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11' or any subsequent guidance replacing this.

Reason: To ensure site remediation is carried out to the agreed protocol.

8. Remediation of the development hereby permitted shall be carried out in accordance with the approved remedial scheme. There shall be no deviation from the approved remedial scheme without the written approval of the LPA.

Reason: To ensure site remediation is carried out to the agreed protocol.

9. On completion of remediation a verification report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved remedial scheme. Post remediation sampling and monitoring results shall be included in the verification report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

10. If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.

Reason: To ensure all contamination within the site is dealt with.

***Informative:** Please note section 178 of the NPPF is quite clear in that planning decisions should ensure the site is suitable for its proposed use taking into account ground conditions and any risks from contamination. Also that the site after remediation should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. Any environmental report submitted to the Local Planning Authority should be mindful of Section 178c) of the NPPF which seeks to ensure that site investigation information is prepared by a competent person. Section 179 of the NPPF states that where a site affected by contamination or land stability issues, responsibility for securing safe development rests with the developer and/or landowner.*

11. The proposed air quality mitigation measures and associated financial contribution contained within chapter 11 of the Environmental Statement reference GM10604 dated January 2021 by Wardell Armstrong submitted with this application shall be reviewed and updated to reflect any change in air quality legislation, statutory guidance or supplementary planning guidance every three years from the date of this permission, and shall be submitted to and approved by the LPA, until all reserved matters have been agreed. The most recently approved air quality mitigation measures and associated financial contribution shall be implemented and maintained on finalisation of the development.

Reason: In the interests of highway safety and residential amenity.

12. The dust mitigation and management measures contained within the Dust Management Plan reference GM10604 dated 29th June 2021 by Wardell Armstrong shall be implemented in full throughout the earthworks and construction period.

Reason: In the interests of highway safety and residential amenity.

13. No development shall take place until a noise impact assessment that details the likely impact on any noise sensitive property in the context of the local noise environment, has been submitted to and been approved in writing by the Local Planning Authority. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS 4142:2014+A1:2019. If the assessment indicates that noise from the development is likely to negatively affect neighbouring affecting residential or commercial properties then prior to the commencement of earthworks, a scheme of noise mitigation measures for this stage of works, shall be submitted to and approved in writing by the Local Planning Authority. The scheme and any

required works shall be implemented in accordance with the approved details until the earthworks are complete.

Each reserved matters application including a building, shall be accompanied by a noise impact assessment that details the likely impact on any noise sensitive property in the context of the local noise environment, and shall be accompanied by a scheme detailing the measures necessary to ensure that the noise does not detrimentally affect the amenity of local residents. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS 4142:2014+A1:2019. The assessment and scheme shall be approved in writing by the Local Planning Authority prior to the commencement of the relevant development. The approved scheme shall be implemented prior to the commencement of the use of the relevant building and be permanently maintained thereafter.

Informative:

The applicant should be aware that the local planning authority requires the noise from any external plant or any operational noise in a noise sensitive location to be a minimum of 5dB(A) below the existing background level of noise, with no significant tonal characteristics. This is to ensure that there is no impact on residential amenity and reduces the likelihood of a cumulative increase in background noise from all developments in the area.

The applicant should ensure they have demonstrated compliance with sections e(i) and e(ii) of Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 namely to 'Ensure quality of life and safer and healthier communities by:

- i. Protecting amenity by not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area, by reason of noise, vibration, (smell, light or other pollution, loss of light or overlooking);*
- ii. Preventing both new and existing development from contributing to or being adversely affected by unacceptable levels of (soil, air, light, water or) noise pollution (or land instability);*

and that they have considered the 'agent of change' principle in accordance with paragraph 187 of the National Planning Policy Framework 2021. Applicants should also have regard to the ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.

The scheme can be informed by measurement and/or prediction using noise modelling provided that the model used has been verified. Only an appropriately qualified acoustic consultant will be able to carry out an assessment of the noise. The Institute of Acoustics website gives contact details of acoustic consultants - www.ioa.org.uk.

Reason: In order that noise levels may be agreed prior to the commencement of works on site which may require changes to the design and to safeguard the amenities of nearby occupiers. This will ensure the development is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

14. During Earthworks and Construction, the developer should provide advance notice and details of any night working; and approved by the LPA two weeks before commencement of the proposed work. This should include details of the proposed communication with nearby receptors that may be adversely affected.

Reason: In order that noise levels may be agreed prior to the commencement of works on site which may require changes to the design and to safeguard the amenities of nearby occupiers. This will ensure the development is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

HIGHWAYS

15. Prior to first occupation details of how the footway extension on the northern side of Napier Road extends through the site to link to the Corby Northern Orbital Road access junction and layout shall be submitted, have technical approval and be constructed in full.

Reasons: To ensure accesses serving the development are completed and maintained to the approved standard and are available for use by pedestrians and cyclists of the development, in the interest of highway safety.

16. No part of the development shall be occupied prior to implementation of the Approved Travel Plan (or implementation of those parts identified in the approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

17. Prior to commencement of earthworks and construction related to the development a Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority for agreement in writing, after which any demolition, site clearance and construction shall be carried out in accordance with the agreed Construction Management Plan. The CTMP should include (but not be limited to):

- Construction traffic routing information to include size of vehicle and tracking drawings. Any proposed abnormal loads will require separate approval. Abnormal due to weight of load, please contact northantsabload@kierwsp.co.uk Abnormal due to width or height of load, please contact mail@northants.police.uk
- Tracking required to demonstrate access into / out of the site and sufficient set back of the gates.
- This is to be conducted with the largest construction vehicle that will be accessing the site.
- Details of wheel washing facilities,
- Details of mud and dust mitigation,
- Details of hours of operation and construction parking facilities,

Reason: In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

18. A 4-week or one-month Megarider ticket for the local area, one per new employee for a period of 3 months should be provided at occupation.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

BIODIVERSITY AND NATURE CONSERVATION

19. Prior to the commencement of any development a biodiversity net gain scheme (to achieve 1% net gain from the agreed baseline of 221.38 biodiversity units), to compensate for any identified biodiversity loss, either through onsite mitigation and/or by offsite offsetting, which scheme shall include the timing of the mitigation/offsetting measures, as well as proposals for ongoing management and maintenance for a minimum 30 year period (the minimum period) and how such management and maintenance shall be secured and funded for the minimum period shall be submitted to and approved in writing by the Local Planning Authority. The recommendations of the biodiversity net gain scheme shall be implemented as approved and shall inform the Biodiversity Monitoring Strategy to be approved under condition 20, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development makes a contribution towards net gain biodiversity across the plan period in accordance with Policy 4 of NNC JCS (2016) and to comply with the requirements of Paragraph 180 of the NPPF.

20. Prior to the commencement of any development a Biodiversity Monitoring Strategy (BMS) shall be submitted to and approved in writing by the Local Planning Authority. The BMS shall include the following:

- a. Identification of the baseline condition prior to the start of the development;
- b. Aims and objectives of monitoring to match the findings of the approved biodiversity net gain scheme and the stated purpose of the BMS;
- c. Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various biodiversity net gain measures being monitored can be judged;
- d. Methods for data gathering and analysis;
- e. Location of monitoring;
- f. A timetable for the submission of monitoring reports;
- g. Identification of responsible persons and lines of communication; and
- h. A timetable for review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the Local Planning Authority at intervals identified in the strategy. The report shall also

set out (where the results from monitoring show that biodiversity net gain aims and objectives are not being met in accordance with the approved biodiversity net gain scheme) how contingencies and/or remedial action will be identified, agreed with the Local Planning Authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved biodiversity net gain scheme and BMS.

The BMS shall be implemented as approved.

Reason: To ensure that the development makes a contribution towards a net gain in biodiversity across the plan period, in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

21. Prior to occupation, a “lighting design strategy for biodiversity” for the proposal shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and badgers and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that the development is in accordance with Policy 4 of NNC JCS (2016) and to comply with the requirements of the NPPF.

22. No development shall take place within a phase or sub-phase (including demolition, groundworks, vegetation clearance) until a Construction Environmental Management Plan (CEMP: (Biodiversity)) for that phase, sub-phase or the development as a whole, has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) for that phase or sub-phase or the development as a whole shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development makes a contribution towards a net gain in biodiversity across the plan period, in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

23. A Landscape and Ecological Management Plan (LEMP) for each phase or sub-phase shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development within each phase or sub-phase of the development (excluding the Site Preparation Phase). The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the development makes a contribution towards a net gain in biodiversity across the plan period, in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

24. The approved details for soft landscaping, and other landscaping details approved under Condition 3 above (reserved matters) shall be carried out in the first planting and seeding season following the completion of development on the relevant phase and any trees or plants which, within a period of five years from occupation die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The approved details shall be thereafter retained.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policies 3 and 8 of the North Northamptonshire Joint Core Strategy.

SURFACE WATER DRAINAGE AND FLOOD RISK

25. No development within any phase or sub-phase, other than the Site Preparation Phase shall take place until full details of the surface water drainage scheme for the site or phase/sub-phase, based on the Flood Risk Assessment ref GM10604 rev 0006 dated September 2020 prepared by Wardell Armstrong will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include;
- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures.
 - ii) Details of the drainage system are to be accompanied by full and appropriately crossreferenced supporting calculations.
 - iii) The site will discharge at a maximum 2 l/s/ha of impermeable area. Attenuation basins will have 300mm residual uncertainty allowance above top water level to top of bank for the extreme 1 in 100 +40% climate change storm event. 24hrs after reaching capacity attenuation facilities should be able to accommodate 80% of the 1 in 10 year storm
 - iv) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.

Reason: In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site.

26. All subsequent reserved matters applications for the development shall make reference to the original approved Flood Risk Assessment ref GM10604 rev 0006 dated September 2020 prepared by Wardell Armstrong and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

Reason: In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site.

27. No development within any phase or sub-phase, other than the Site Preparation Phase shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site for that phase or sub-phase has been submitted to and approved in

writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls.

Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Details of expected design life of all assets with a schedule of when replacement assets may be required

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

28. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority The report shall include:
- a) Any departure from the agreed design is keeping with the approved principles
 - b) Any As-Built Drawings and accompanying photos
 - c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
 - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
 - e) CCTV confirmation that the system is free from defects, damage and foreign objects

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

FOUL DRAINAGE

29. No building works which comprise the erection of a building required to be served by water services shall be undertaken until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

SUSTAINABILITY

30. Within 6 months of occupation of the development the following information shall be provided to the Local Planning Authority in respect of that building,

unless otherwise agreed in writing: a BREEAM post construction report to confirm that BREEAM very good (2018), (or the equivalent standard which replaces the British Research Establishment Environmental Assessment Method which is to be the assessment when the buildings concerned are to be assessed) and that the recommended Low and Zero Carbon technologies have been installed.

Reason: In accordance with the expectations of Policy 9 of the North Northamptonshire Core Spatial Strategy 2016 that aspire to BREEAM performance of at least 'very good' and require demand for energy to be met onsite and/or renewably and/or from a decentralised supply.

BOUNDARY TREATMENT

31. Prior to the commencement of the relevant part of the development, the details of the boundary treatments (including details of the fences, gates, bollards and turnstiles) shall be submitted to and approved in writing by the Local Planning Authority. This should include a copy of the supplier's technical instructions, showing the type of fence panels and posts being proposed, and the style and locking mechanisms for the gates and turnstiles. The approved details shall be implemented and retained thereafter.

Reason: To ensure that the site is satisfactorily secured in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

FIRE

32. No development other than groundworks and the erection of the steel frame shall take place until a scheme and timetable detailing the provision of the fire hydrants, sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Informative: With reference to Condition above, the developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure.

PD RIGHTS

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification) or provisions of the Use Classes Order (England) 1987 (as amended), no other uses other than those hereby approved (B8 with ancillary office use) shall be carried out at the application premises. No extensions, new buildings or structures or additional hard surfaced areas shall be constructed or erected without further planning permission.

Reason: In the interest of amenities and retaining employment floor space in accordance with Policy 22 of the North Northamptonshire Joint Core Strategy 2016.

10. Informatives

10.1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Joint Core Strategy Adopted July 2016, Part 2 Local Plan for Corby, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

10.2 According to the Flood Risk Assessment, a watercourse and main river is located within quite close proximity of the site. Therefore the developer will need to consult the Bedford Group of Internal Drainage Boards for consent for all works within 9m of an ordinary watercourse and the Environment Agency. Further information can be found at: <https://www.idbs.org.uk/consents/> Also a 9m buffer (8m for main river) should be maintained between the edge of the watercourses for the maintenance access of relevant building and structures. All the building and structures should be located outside of the area of flood risk.

11. Schedule of Plans

- Site Location Plan, Dwg. No.- GM10604-004, Rev-B
- Phasing Plan - Built Development, Dwg. No.- GM10604-008, Rev-C
- Planning, Design and Access Statement, ref: 0005, January 2021
- Environmental Statement, ref: REP-0003 , V- V0.1A, January 2021
- Supplementary Environmental Information- Appendix 11.4 Dust Management Plan May 2021
- Supplementary Environmental Information- Chapter 10: Noise
- Non-Technical Summary, ref: REP-0003, V0.1, January 2021
- Preliminary Investigation Report (Desk study and site reconnaissance), ref: STP3966D-P01, Revision 2, March 2019
- Ground Investigation Report, ref: STP3996D- G01, September 2020
- Habitat Survey 2022 (Updated on March 2023)
- A43 Steel Road Junction Mitigation letter 121021, dated 12th October 2021
- Technical Note 2 - Second Response to North Northamptonshire Council-V1, June 2021
- Technical Note Response to North Northamptonshire Council-V2, May 2021
- Preliminary Construction Management Plan, January 2021
- Flood Risk Assessment, ref: 0006, September 2020

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**North Northamptonshire Strategic Planning Committee
02/08/2021**

Application Reference	NC/21/00072/OUT
Case Officer	Farjana Mazumder
Location	Land Off Centrix Business Park Napier Road Corby Northamptonshire
Development	Application for land off Phoenix Parkway to provide an engineered development platform, and Outline application for the development of an employment park comprising up to 43,000 sqm B2 use, with all matters reserved apart from access
Applicant	Storefield Group Limited
Agent	Wardell Armstrong LLP
Ward	Weldon and Gretton
Overall Expiry Date	9th June 2021
Agreed Extension of Time	6th August 2021

List of Appendices

None.

Scheme of Delegation

The Principal Planning Manager had requested that this application is considered by the NN Strategic Planning Committee.

1. Recommendation

1.1 That planning permission be REFUSED.

2. The Proposal

2.1 The proposal is for a hybrid planning application in two parts. The applicant for the present application Storefield Group Limited, seeks full planning permission for proposed engineering and enabling works to level the site within the first part. The second part is seeking outline planning permission for proposed B2 (general industrial) employment uses with all matters reserved except access. It is acknowledged that the proposal straddles the administrative boundary with

former East Northamptonshire District Council. The applicant proposes the development of up to 43,000m² of B2 use.

- 2.2 The applicant has submitted a series of illustrative drawings to demonstrate how the proposed scheme might be accommodated on the site.
- 2.3 The engineering and enabling works will comprise cut and fill operations to establish a level platform. The northern area of the site will require the maximum fill depth of between approximately 7m to 10m. In the southwest area of the site, a cut depth of between approximately 1m to 3m will be required. The platform will provide a suitably engineered base with appropriate load bearing to accommodate employment development, and a layer within which to install necessary services
- 2.4 The applicant has confirmed that the maximum building height would be 12m measured externally.
- 2.5 Access into the site is to be taken from the Napier Road, west of the site.
- 2.6 It should be noted that the submitted plans are treated as illustrative only where the plans relate to layout, scale, appearance and landscaping.

3. Site Description

- 3.1 The site lies to the East of the Phoenix Parkway. The Site and the immediate surrounding land currently comprises scrubland with informal tracks running through the site. The application site is bounded by the Willowbrook North Stream to the south; an overgrown area owned by Tata Steel and formerly used for dewatering of blast furnace slurry to the east; and the Rockingham Speedway site lies to the north.
- 3.2 The land, owned by Tata Steel UK Ltd., incorporates a closed landfill site that has an existing Waste Management Licence (WML). There is also a remediated former liquid waste treatment facility, which is closed.
- 3.3 The application site extends to approximately 20.5 hectares. The Application Site forms part of the proposed Rockingham Enterprise Area (REA), which lies to the north-eastern edge of Corby, adjacent to the Priors Hall Development, which is part of the Corby North Eastern Sustainable Urban Extension.
- 3.4 The nearest SSSI is over 3.5km to the south-east. There are no Public Rights of Way crossing the site.

4. Relevant Planning History

- 4.1 19/00374/SCOP: Request for Scoping Opinion in respect of application for land off Phoenix Parkway to provide an engineered development platform, and Outline application for the development of an employment park comprising up to 43,000 sqm B2 use, with all matters reserved apart from access. Completed on 19.03.2020.

5. Consultation Responses

Internal

- 5.1 **Environmental Health:** (16.03.2021) No objection. Council's Environmental Health Officer (EHO) was consulted in regards to Contamination and Air quality. For Ground Quality the officer reviewed the report reference STP3966D -G01 dated September 2020 by Soiltechnics. She has confirmed the acceptance of the suggested measures within the report that the site will continue to be monitored during development and post development, in addition to contingency plans being developed and the formation of an earthworks method statement. The officer is satisfied that these can be dealt with by an appropriately worded condition requiring submission and approval before development commences.

The officer has reviewed chapter 11 of the Environmental Statement reference GM10604 dated January 2021 by Wardell Armstrong and advised that it is acceptable. It is also recommended that the proposed mitigation measures and financial contribution may need reviewing in the future and this review could be secured by way of a suitably worded planning condition. EHO has also reviewed the Dust Management Plan reference GM10604 dated 29th June 2021 by Wardell Armstrong and advised that it is acceptable.

In terms of Noise impact, the officer has reviewed chapter 10 of the Environmental Statement reference GM10604 dated January 2021 by Wardell Armstrong and advised that it is not acceptable. Concerns have been raised as there are businesses in close proximity that could be adversely affected by noise from the development works over a prolonged period.

(08.06.2021) – Environmental Services was re-consulted on the amended information and the officer has offered the following comments:

I have reviewed the comments below and the wording proposed by the Senior Environmental Protection Officer with regard to ground conditions on 15th April 2021. I concur they are more suitable and I do not have any objection to that wording being used, should consent be given.

I have reviewed the revised chapter 10 with regard to noise and am somewhat disappointed at the lack of detail. I would expect then, that a suitable assessment with predicted noise levels and detailed mitigation measures to be submitted for approval by the LPA, by way of a suitably worded condition, to ensure that noise emissions will be controlled during the works such that it does not result in an adverse impact on nearby receptors. This includes existing and permitted industrial/commercial receptors.

I do agree with the proposal in paragraph 10.6.1 of the revised chapter 10, namely the inclusion of a suitably worded planning condition that requests advance notice and details of any night working to be provided and approved by the LPA at least two weeks before it is proposed to take place. This should include details of the proposed communication with nearby receptors that may be adversely affected.

5.2 Environmental Protection Officer: (14.04.2021) No objection. Environmental Protection Officer were consulted in relation to this application and provided the following observation:

The site has a chequered history of previous use as a quarry, waste disposal, landfill site, sludge lagoons, etc all associated with the former Corby steel works. The site is currently derelict, open to the public and used for dog walking. We have been in discussions with colleagues at Corby and the environmental consultant about the contamination investigation. Further to this a comprehensive report has been submitted in this respect. I gather the application has been referred to the Environment Agency for their comments on risks to controlled waters.

Having reviewed the report no significant concentrations of contaminants were reported at near surface that are considered to pose a significant risk or harm to human health. When assessed against the current land use, assumed public open space, and for future commercial development. The installation of the development platform by raising the level of the land using inert material will further minimise any residual risk.

I trust the Environment Agency will comment on risks to controlled waters. Concentrations of some contaminants have been detected above environmental quality standard thresholds for controlled waters. This is based on one sampling round. Further sampling, for example three rounds, would refine the risk assessment. However, it has been commented the reported concentrations are comparable with water quality in the wider area.

An assessment of ground gas has been carried out referring to data collected by others over many years and from this site investigation. The environmental consultant has determined the ground gas situation to be CS1 with reference to BS8485:2015+A1:2019 - Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings. As such no specific gas protection measures are required. However, the importation of inert fill may have the potential to generate ground gas or alter the current situation. Therefore, monitoring will be required for any future development either when a phase becomes available for development or site wide if earthworks are completed in one go (unlikely).

The existing monitoring infrastructure (boreholes) shall be maintained and protected during any works if at all possible. If any are to be decommissioned this should be done with the agreement of the Environment Agency and in line with best practise and guidance. There may be a requirement for any lost monitoring points to be replaced. However, as they are mainly along the southern boundary within the retained ecological area they should remain unaffected by the works.

Large scale remediation of the site does not appear to be necessary. However, further assessment of risks to controlled waters will be required prior to the commenced of works. Monitoring of controlled waters shall be carried out throughout the life of the works and possibly on completion to confirm that water quality has not been compromised. Also the production of a contingency plan should water quality be adversely affected at any time during the works.

Monitoring of controlled waters and ground gas, protection of monitoring structure, etc can be dealt with through the submission and agreement of a remediation strategy by way of planning conditions.

(20.04.2021) Environmental Protection Officer were re-consulted in relation to engineered development platform at the site. The officer acknowledges that –

the importation of materials will be covered by either an environmental permit or materials management plan overseen by the Environment Agency. The construction management plan (CMP) covers the importation of fill, treatment, placement and compaction to build the development platform. Where these are covered by a separate pollution control regime, in this case an environmental permit or other waste control regime planning issues should not be revisited through the permitting regime. As such there should not be any duplication or conflict between the two regimes.

In terms of noise impact and dust management, the officer requested additional information to fully assess the proposal.

- 5.3 Local Plan Section:** (08.03.2021) No objection. Corby Local Plan Section were consulted on this application. In conclusion the Local Plan Officer provided the following comments:

The proposed development of the site for employment use is supported in principle, subject to the policy considerations outlined above. The Design and Access Statement refers to a number of recent planning permissions for the adjacent Rockingham Hub and Speedway parts of the site, which are currently within East Northamptonshire district; however, it is recommended that proposals for this site and other sites within the Rockingham Enterprise Area should be developed as part of a wider comprehensive masterplan, as referred to within JCS paragraph 8.48, rather than as piecemeal development, particularly as any future proposals will be considered by the new North Northamptonshire Council from April 2021 onwards.

- 5.4 Tree Officer:** (16.04.2021) No objection. Tree Officer has reviewed the submission and requested additional information in relation to protection of trees within the southern boundary during development, enhancement of the site proposed within 'New Structural Landscape Planting' and protection of vegetation near the eastern boundary.

(21.05.2021) Applicant has responded by way of an email that a landscape plan illustrating structural planting in more detail would be provided as part of a reserved matters application for the proposed employment development. They have also confirmed that development would not encroach upon the southern or eastern site boundaries and existing trees and vegetation retained in these areas will be protected during construction through the implementation of best-practice methods and in accordance with BS5837 (Trees in Relation to Construction). Appropriate long-term management and maintenance operations in respect of the retained trees and vegetation will be applied. It is recommended that Council's Tree Officer should be informed during the site clearance and

siting of protective fencing is correctly in place to BS, 5837, specification is to standard.

5.5 Crime Prevention Officer: (01.03.2021)- Northamptonshire Police has been consulted on this application and no formal objection has been raised to the development in principle.

The Officer highlighted some general principles which will help ensure that national and local policy are met and Secured by Design principles are followed. The key aims of SBD guidance, to reduce crime, the fear of crime and antisocial behaviour, this is addressed through establishing of principles for the design, layout and landscaping of the built and natural environment which, creates a safer and more secure environment, increases the risk of detection of criminal and antisocial activity and makes crime more difficult to commit.

- *It is important to consider the crime risks that a number of commercial buildings might inadvertently create, such as numerous paths behind buildings for emergency exit and large areas set aside for car parking. Legitimate activity on industrial estates for example can be very low at weekends, and at night, and this inactivity can attract criminals.*
- *Access and movement: places with well-defined and well used routes with spaces and entrances that provide for convenient movement without compromising security.*
- *Surveillance: places where all publicly accessible spaces are overlooked. CCTV should be considered for onsite measures and vulnerable locations.*
- *Physical protection: places that include necessary, well-designed appropriate security features and access control for building shell, site boundaries and vehicle parking.*
- *Lighting: All street lighting for both adopted highways and footpaths, private estate roads and footpaths and car parks must comply with agreed standards. The evenness of light distribution is almost always more important than the levels of illumination being achieved by the system. The Overall Uniformity of light is expected to achieve a rating of 0.4Uo and should never fall below 0.25Uo*

5.6 Northamptonshire Fire and Rescue, and Broadband Services: (09.03.2021) - Northamptonshire Fire and Rescue, and Broadband Services were consulted on this application. The response follows the principle guidance in the County Council's adopted Planning Obligations Framework and Guidance Document (2015).

In terms of Fire Hydrants and Sprinklers, the officer demonstrates that new development and associated infrastructure equates to an increase in visitors as well as traffic movements. This will inevitably lead to an increase in the spread of fire risk, which places additional demands on Fire and Rescue Service resources to ensure safe places are maintained, consistent with national Government expectations and guidance.

The officer goes on saying that Northamptonshire Fire and Rescue Service sets out its criteria for responding to incidents within its Standards of Operational Response (SOR). The standards outline how the Service will respond to

different incident types which fall within its statutory responsibilities under the Fire and Rescue Services Act 2004. In addition, new developments generate a requirement for additional fire hydrants and sprinkler systems in order for fires, should they occur, to be managed.

The officer confirmed that an assessment of the site will need to be undertaken by the Water Officer of Northamptonshire Fire and Rescue Service in order to establish the precise requirement. It is expected however that this development will require a minimum of 9 x fire hydrants to be provided and installed, on a basis of one hydrant per 5000sqm non-residential floor-space created. The capital cost of each hydrant (including installation) is currently £892 per hydrant, totalling £8,028. It is expected that the developer will meet the full cost of providing and installing hydrants for the development.

In regard to broadband services, the officer demonstrated that to ensure Northamptonshire's vision for the county new developments (both housing and commercial) should be directly served by high quality fibre networks. Moreover, access to a next generation network (speeds of > 30mbs) will bring a multitude of opportunities, savings and benefits to the county. It also adds value to the development and attract occupiers.

The Officer recommends that early registration of development sites is key to making sure the people moving into the proposed developments get a fibre based broadband service. In addition, it is advised that ducting works are carried out in co-operation with the installations of standard utility works.

5.7 Anglian Water: (16.04.2021)- No objection/comments.

5.8 NCC Lead Local Flood Authority: (24.02.2021) County Flood Authority was consulted in relation to drainage issue. The Drainage Engineer has reviewed the submitted surface water drainage information located within; Flood Risk Assessment ref GM10604 rev 0006 prepared by Wardell Armstrong dated September 2020. The officer confirmed the acceptability of the surface water drainage scheme for the proposed development subject to planning conditions.

5.9 The Environment Agency: (10.03.2021) Environment Agency was consulted on this application. Initially the Agency did not provide any site-specific comments in relation to this development. This is due to limited resources due to the national situation in respect of the coronavirus (COVID-19) pandemic.

(26.05.2021)- The Agency was re-consulted and no objection has been raised to the proposed development, subject to the imposition of pre-commencement condition related to scheme to dispose of foul drainage.

5.10 Natural England: (22.02.2021) No Objection. It is considered that the proposed development will not damage or destroy the interest features for which the site has been notified.

5.11 Ecologist: (10.03.2021) Objection. The County Ecologist was consulted in regard to this application and provided the following comments-

I am unable to recommend this application be approved due to the degree of biodiversity loss, in particular of such high value habitat. I believe the Biodiversity Offsetting Report submitted presents a fair representation of both the discussions which have taken place about this site and the extent to which the biodiversity loss can be mitigated. In my view the applicant's ecologists have made every reasonable attempt to find a solution, however in this case it has simply proven to be impossible.

The 86% net biodiversity loss associated with this proposal is not acceptable. To say the proposal fails to meet paragraphs 170 and 175 of the NPPF and Policy 4 of the Joint Core Strategy would be a huge understatement. If the council were to approve this application I'm afraid they would be doing so against ecological advice.

(21.05.2021)- The County Ecologist was re-consulted on this application in regard to this application and referred to the previous comments they have made on 10th March 2021.

5.12 North Northamptonshire Joint Planning Unit: No comments received.

5.13 Wildlife Trust: (11.03.2021)- Objection. The County Ecologist was consulted in regard to this application and provided the following comments-

'Thank you for the opportunity to comment on the above proposal. Whilst we appreciate the measures which have been built into the proposal so far, we are concerned that it would still result in a large net loss in biodiversity. Of particular concern is the loss of Open Mosaic Habitat on Previously Developed Ground which is a Priority Habitat under the Natural Environment and Rural Communities (NERC) Act, 2006 and meets the criteria for selection as a Local Wildlife Site (LWS). We therefore object to this application.

Whilst we recognise the efforts which have been included to reduce the loss of biodiversity as a result of this application, the proposal is not in line with national or local policy regarding the need to demonstrate that a net gain in biodiversity could be achieved. We welcome the inclusion of the Biodiversity Offsetting Report with the use of the DEFRA biodiversity metric and Good Practice Principles. Two hectares of Open Mosaic Habitat would be retained within the site along with the habitats within the Willow Brook corridor. The application would also include the management of 5ha of compensatory habitat to the east of the red line boundary. There is still, however, an 86% net loss in biodiversity predicted due to the removal of most of the Priority Habitat. This is a significant and unacceptable loss. The employment park element of the application is in outline only and so no measures to enhance biodiversity, such as brown roofs, are included within the calculations. Even if they were, it is likely that a substantial loss in biodiversity, particularly Priority Habitat, would still result.

5.14 Northamptonshire Badger Group: (09.03.2021) Northamptonshire Badger Group was consulted on this application. They have provided the following comments:

Thank you for consulting Northamptonshire Badger Group on the above planning application. We are aware of a large main badger sett which has been

present for decades adjacent to the site and within XXXm of the proposed site boundary. Our records also show multiple badgers killed on the adjacent roads surrounding the site, thus confirming badger activity in the area.

The site is ideal habitat for badgers to live and forage and this can be seen by the mammal paths on site as well as the sett in the bank on site (highlighted in the report as disused). It is also part of the last green open spaces in this area (aside from having to cross busy roads). The site is clearly used by badgers and is an important green corridors for badgers, as well as ideal locations for potential setts given the dense industrial development & road surrounding the main badger sett nearby.

Therefore a comprehensive badger survey is necessary along with proposed outlines for mitigation, assessment of impact and cumulative impacts. Attention is brought to relevant GOV UK advice in addition to other recognised baseline survey methodologies. Legislative references should include reference to The Protection of Badgers Act 1992 along with other biodiversity and ecological legislation relating to protected species and habitats.

We request the following to be included and mitigation put in place once a badger survey has been completed and if planning permission is approved:

- *Pre-commencement survey, by a suitable qualified ecologist, with badger experience, to ascertain whether any new badger activity has occurred on site. Badgers utilise multiple setts at different times of the year and given the proximity to a main sett, it is likely additional setts could be dug on site before work begins. Should a badger sett be found within the site, work should stop until a suitable qualified ecologist can assess the situation. An exclusion, protection zone around the sett of 30 metres should be put in place as soon as possible. All appropriate ecological assessment and mitigation plans revisited.*
- *Tool box talks for all construction staff regarding badgers should be given for the site, to include:*
 - o *Covering open trenches/pipes and using ramps to prevent a badger getting stuck at night.*
 - o *Checking of any soil heaps for fresh digging each day.*
 - o *Checking for any new badger activity on site each day etc.*
- *Sensitive lighting, particularly at night, during construction*
- *Sensitive lighting plan after completion, particularly at night, which needs to not adversely affect the badger's natural behaviours.*
- *No night working on site, so as to not disturb the badgers' natural behaviour.*
- *Enhanced planting: We suggest providing enhanced planting to make safe, private, dark corridors for badgers to move around the site at night, given it is a site they utilise currently as a route. This should include natural fruit, nut and broad leaved trees & shrubs including damson, hazel, elder, plum, crab apple, cherry, hawthorn & holly for cover plants, to improve food sources for the badgers nearby and provide safe spaces for them, given that this is one of the last open green spaces in the area. The development of this site is reducing the potential foraging & sett creation areas for them.*

5.15 Local Highways Authority: (15.04.2021)- Highways Authority was consulted on this application. The Officer provided the following recommendations and observation:

Recommendations:

A Presently the LHA cannot support the application and require further information to fully assess the proposals.

Observations:

The site depicts access onto the CNOR, it must be noted that the nearest public highway is CNOR roundabout 2 at the junction of Birchington Road and Steel Road. The road north of this to CNOR roundabout 3 is in third party ownership (Urban & Civic) and beyond this to CNOR roundabout 4 is in ownership of a fourth party.

The applicant is required to evidence that they have the rights to access the public highway, this should be reflected in the plan that details the red line extending from the site to the adopted highway.

In terms of parking, the officer considers that although this is an outline application, the site must supply the required levels, and dimensions, of car, cycle, PTW, disabled car and HGV parking and sufficient turning areas for all elements, to the LHAs standards.

Highways Authority have assessed the TA. In terms of Non-Motorised User (NMU) Access and requested the following;

- *A public, adoptable, lit and drained extension of the existing 3m wide CFC on the northern side of Napier Road through the site to link to CNOR.*
- *The CFC along the site access from Steel Road will not be public highway and will need to be maintained by the site's maintenance company for the life of the development. It will need to be lit and drained.*
- *ii An upgrade of the 2m wide footway on the eastern side of Phoenix Parkway to a 3m CFC to link from Heritage Way to the existing CFC provision on Steel Road.*
- *Bus stop infrastructure is required within the site and the service should link to the railway station and George Street, Corby, as a minimum. Where existing bus services are to be diverted, it should be ensured that sufficient capacity is available with additional vehicles provided if necessary.*
- *Each employee should also be provided with a 28-day KC MegaRider ticket (or equivalent if Stagecoach are not the operator of the service) on commencement of employment within the first 3 months of full site occupation (not including fitting out processes).*
- *Bus stop infrastructure is to be secured by condition and should be operational prior to occupation of the site.*
- *Northamptonshire Highways will work with the LPA and developers to ensure that effective, adequately funded, resourced and monitored Travel Plans are created and implemented.*

(01.06.2021)- Further re-consultation was carried out on the amended Transport Assessment submitted by the applicant. NCC highways maintains their view by stating that –

'Presently the applicant has failed to demonstrate a proposal that would not be detrimental to the Highway and that meets the LHA standards and Policies. The LHA recommends that either the applicant supplies all of the information required to the LHA standards and policies or the application be refused.'

(15.06.2021) Assessment of the Technical Note has been provided by the Northamptonshire Highways (NH) in relation to the proposed development. The key concerns raised by the officer are as follows:

- *Personal Injury Collision data was obtained from Northamptonshire County Council for the five year period from 01 January 2013 to 31 December 2017. This need to be updated with the latest five year accident data. All PICS should be provided.*
- *The financial contribution for the upgrade of footway and cycle way appears reasonable.*
- *Car and cycle parking provision with respect to Northamptonshire Parking Standards to be clarified.*
- *The trip generation for B2 should be revisited considering the comments in this note.*
- *The terminology in the Table 6 does not correlate with the calculations in the Appendix 1 A6116 North should be read as West, A6086 Corby should be trips towards south and A6116 to south should be refereed as trips travelling towards North. This should be clarified.*
- *All information as detailed in the note, including junction geometries, should be provided for traffic impact assessment in order to validate the 2018 base year model.*
- *2031 future year assessments may need to be updated once the trip generations have been clarified.*

(24.06.2021) Applicant has submitted a revised Technical Note for highways consideration. At the time of writing this report no further response has been received from Northamptonshire Highways.

5.16 Gretton Parish Council: (10.03.2021)- No comments/objection.

(27.04.2021)- Objection. Gretton Parish Council was re-consulted on this scheme. The Parish provides the following comments:

This application was considered and it was agreed to object to the application on the following grounds:

This road and surrounding area are used by the residents of Gretton daily and the Parish Council remains concerned that the roads in this area are often flooded and feels that adequate drainage must be put in place to prevent any risk of flooding on roads in the vicinity.

Traffic and Highways The documents state that a 10.9% increase in traffic would have a negligible effect on transport on these roads. However, the Parish Council feels this would generate a very significant amount of traffic overloading the highway infrastructure of the area and have a marked impact on the existing traffic network that is already very busy, particularly during peak travel periods.

5.17 Neighbours- Letters were sent to 38 neighbouring units on 18.02.2021. No representations received from the neighbouring units.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Section 54A of the Town and Country Planning (1990) (as amended) states “Where in, making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the Plan unless material consideration indicate otherwise.”

6.2 National Policy

National Planning Policy Framework 2019:

- 2 Achieving sustainable development
- 6 Building a strong competitive economy
- 7 Ensuring the vitality of town centres
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 15 Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy (NNJCS) (2016)

Policy 1 (Presumption in favour of Sustainable Development)

Policy 3 (Landscape Character)

Policy 4 (Biodiversity and Geodiversity)

Policy 5 (Water Environment, Resources and Flood Risk Management)

Policy 6 (Development on Brownfield Land and Land affected by contamination)

Policy 8 (North Northamptonshire Place Shaping Principles)

Policy 9 (Sustainable Buildings)

Policy 10 (Provision of Infrastructure)

Policy 11 (The Network of Urban and Rural Areas)

Policy 15 (Well-connected Towns, Villages and Neighbourhoods)

Policy 18 (HGV Parking)

Policy 19 (The Delivery of Green Infrastructure)

Policy 22 (Delivering Economic Prosperity)

Policy 23 (Distribution of New Jobs)

Policy 24 (Logistics)

Policy 27 (Rockingham MRC Enterprise Area)

6.4 Emerging Part II Local Plan

Part 2 Local Plan, when adopted (envisaged late summer 2021), will form part of the North Northamptonshire Development Plan.

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Environmental Statement
- Landscape and Visual Impact
- Ecology and Nature Conservation
- Employment
- Highways
- Flood Risk and Drainage
- Air Quality, Noise and Vibration

7.1 Principle of Development

- 7.1.1 Section 38(6) of the Planning and Compulsory Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan unless material planning considerations are considered to outweigh it.
- 7.1.2 The Part 2 Local Plan (P2LP) for Corby was submitted to the Secretary of State in December 2019 and is currently undergoing independent examination. It should be noted that given the stage the Local Plan Part 2 has reached in its preparation; it is allocated more than moderate weight in the determination of the application.
- 7.1.3 Policy 1 of the North Northamptonshire Joint Core Strategy (NNJCS) 2016 outlines the presumption in favour of sustainable development that is contained within National Planning Policy Framework (NPPF) 2019, and that the Local Planning Authorities should be taking a positive and proactive approach to applications as a result.
- 7.1.4 JCS Policy 3 sets out the importance of existing landscape character, to retain distinctive qualities where possible. Criteria b) states development should make provision for the retention and where possible enhancement of features of landscape importance.
- 7.1.5 Part of the site is identified as a UK Biodiversity Action Plan Priority Habitat and a Potential Wildlife Site, and the entire site is within the Nene Valley Nature Improvement Area. JCS Policy 4 seeks a net gain in biodiversity to protect and enhance features of biodiversity and geological interest. Criteria b(i) seeks to enhance ecological networks by managing development and investment to reverse the decline in biodiversity and restore the ecological network at a landscape scale in the Nene Valley Nature Improvement Area.
- 7.1.6 JCS Policy 6 requires proposals for sites with known or high likelihood of contamination to provide remediation strategies to manage the contamination. Proposals will be supported where it can be demonstrated that the site can be safely and viably developed with no significant impact on either future users or on ground and surface waters.
- 7.1.7 The site is within an identified sub-regional green infrastructure corridor. JCS Policy 19 and P2LP Policy 6 seek to protect and enhance the identified green

infrastructure corridors by ensuring new development does not compromise their integrity, and where possible new development should aim to provide connections to existing corridors.

- 7.1.8 The proposed development site is within the Rockingham Enterprise Area as designated within the adopted North Northamptonshire Joint Core Strategy (NNJCS, 2016). JCS Policy 27 states that the Enterprise Area will be a focus for employment development within and beyond the plan period and proposals will be supported where they will deliver a mix of high quality employment, particularly in priority employment sectors. The policy includes a number of place shaping principles to guide the development of the site for employment use.
- 7.1.9 Paragraph 8.47 of the JCS explains that Policy 27 allows flexibility for a range of employment uses to come forward in response to market demands, but that significant opportunities exist to deliver high performance technologies along with other priority economic sectors including logistics and food and drink.
- 7.1.10 In addition, paragraph 8.48 of the JCS states that the local planning authorities will encourage the preparation of a comprehensive masterplan for the Enterprise Area, incorporating the place-shaping principles outlined in JCS Policy 27. Proposals for development of individual parcels of land should demonstrate how they relate or connect to the wider area, contributing to the delivery of the place-shaping principles and ensuring they do not prejudice the delivery of other development within the Enterprise Area.
- 7.1.11 Overall, the development of this employment site is welcomed in principle; however, compliance with other relevant policies of the Development Plan will be assessed to determine the acceptability of the scheme. Policy 1 of the JCS states that - development should contribute to delivering the Plan Vision and Outcomes through compliance with the relevant policies of this Plan. Development that conflicts with policies of the Plan will be refused unless material considerations indicate otherwise.

7.2 Environmental Statement

- 7.2.1 The proposed development falls under schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and exceeds the relevant thresholds or criteria set out in the second column. The submitted application is accompanied by an Environmental Statement (ES) for the purpose of the 2017 Regulations and the application is classified as an Environmental Impact Assessment Application. The submitted Environmental Statement considers a range of issues relevant to the site and its constraints.
- 7.2.2 With reference to the issues contained within the ES and the constraints of the site as well as the issues raised by the key consultees, the report will be structured around the following themes:

Landscape and Visual Impact
Ecology and Nature Conservation
Employment
Socio-Economic Impact

Highways and Traffic Issues
Flood Risk and Drainage
Air Quality
Noise and Vibration

7.3 Landscape and Visual Impact

- 7.3.1 The application site is located within the Rockingham Enterprise Area (REA) as designated within the Development Plan. Policy 27 of the JCS relates to the REA and aims to provide flexibility for a range of employment uses to come forward in response to market demands. The JCS advises that proposals for development of individual parcels of land should demonstrate how they relate/connect to the wider area, contributing to the delivery of the place-shaping principles and ensuring that they do not prejudice the delivery of other development within the Enterprise Area.
- 7.3.2 Policy 8 stresses the need for creating distinctive local character by responding to the site's immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of that local character without stifling innovation.
- 7.3.3 JCS Policy 3 sets out the importance of existing landscape character, to retain distinctive qualities where possible. Criteria b) states development should make provision for the retention and where possible enhancement of features of landscape importance.
- 7.3.4 The above policies seek to minimise the environmental impacts through sensitive design to reduce the impact on the landscape, townscape and wider setting and by achieving the highest possible standards of design and environmental performance.
- 7.3.5 Whilst this is an outline application it has already been recognised that significant weight should be given to conserve the landscape and visual impact in order to conform with NPPF requirements. The Framework suggests that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.
- 7.3.6 In support of the Environmental Statement, the applicant submitted a Landscape and Visual Impact Appraisal (LVIA) which considers key view points; the degree of likely impact and who would be affected by that impact; and the suitability of the mitigation to reduce or mitigate the harm. It is considered that the above document provides a detailed account of the proposed GI framework and its onsite applicability to minimise landscape and visual effects identified in the LVIA.
- 7.3.7 It is important to note that the application is in outline with landscaping reserved. The critical matter in this respect is whether it is possible to accommodate sufficient and appropriate levels of tree planting within the development. The LPA considers that this is possible and therefore it would be difficult to substantiate a landscaping reason for refusal at this stage. At this stage the key objectives in terms of the landscape strategy are considered acceptable.

- 7.3.8 In terms of visual impacts of the development on wider views, potential visibility of the proposed development across the subject site is mainly shielded by commercial / industrial development which surrounds the majority of the site. This would be further controlled by the Rockingham Plantation to the north and a block of woodland and scrub to the east. Views are therefore typically limited to the immediate or short distance to the south, west and north, with some potential marginal medium to long distance views from limited locations unconstrained by built form and vegetation to the east.
- 7.3.9 It is generally accepted that the proposed planting would deliver sufficient effects to mitigate the impact, only after 15 years, and this would need to be subject to further details showing how the strategy would be delivered, phasing and further details of tree planting. The introduction of a new industrial / commercial development will result in permanent albeit localised changes in the landscape. The character of the landscape of the site will change from a previously developed one to a built one. The scheme also includes some perimeter structural landscaping to enhance existing vegetation within and along the southern and eastern boundaries.
- 7.3.10 In the light of the above, officers consider that the proposal, subject to adhering to Landscape and Visual Impact Assessment (LVIA) would adequately deal with this matter at the future stage.

7.4 Ecology and Nature Conservation

- 7.4.1 Policy 4 of the North Northamptonshire Joint Core Strategy protects existing biodiversity and geodiversity assets, including refusing development proposals where significant harm to an asset cannot be avoided, mitigated or, as a last resort, compensated. This includes sites of Special Scientific Interest.
- 7.4.2 Paragraph 170 of NPPF also suggests the need for minimising the impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are most resilient to current and future pressures. This approach is further supported by Policy 3 in the adopted plan which requires significant weight to be given to the conservation and enhancement of natural beauty. It also states that minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 7.4.3 Paragraph 175 of NPPF also advocates that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 7.4.4 Applicant has undertaken an Extended Phase 1 Habitat Survey along with Phase 2 ecological surveys for great crested newt and reptiles. Subsequently, an updated Extended Phase 1 Habitat Survey including invertebrate surveys was also carried out in August and September 2019. The Extended Phase 1 Habitat Survey (2018; prepared by REC Ltd) states that there are no Statutory Designated Sites within 5km of the site boundary. The Site is within a SSSI Impact Risk Zone. There are seven non-statutory designated sites located

within 2 km of the Site. All are Local Wildlife Sites (LWS) with the closest being Corby Tunnel Quarries LWS approximately 580m north west of the site. LWS are recognised for their importance to wildlife when assessed against a set of criteria. There are 11 Potential Wildlife Sites (PWS) within 2km of the Site, seven of which are within the Nene Valley Nature Improvement Area (NVNIA). The Site itself lies within a Potential Wildlife Site. The assessment of ecological impacts associated with the proposed development identified potential impacts to the open mosaic habitats on previously developed land, great crested newt and invertebrate assemblage.

- 7.4.5 Measures to mitigate effects during construction are necessary for legal compliance. These would include moving grass snakes prior to the site clearance, removing vegetation outside the bird nesting season, and moving dormice and great-crested newts under licence. This is in addition to proposed measures such as the planting of additional native hedgerows and trees, installation of bird and bat boxes and careful consideration of lighting scheme.
- 7.4.6 Submitted Design and Access Statement (DAS) states that the Willow Brook corridor has been fully considered within the schemes for the proposed platform. This includes due regard to the creation of engineered slopes and surface water drainage. The master planned areas will also be softened along the boundaries, by suitable indigenous landscaping to assist in promoting biodiversity. The DAS also confirms that a significant area of Open Mosaic Habitat will be retained within the Application boundary and enhanced (to the north of the Willow Brook corridor). Moreover, proposed surface water detention ponds will offer potential benefits for wildlife. An area of land to the east of the proposed development is set aside for biodiversity offsetting, including woodland management.
- 7.4.7 The submission incorporates the *Biodiversity Offsetting Report* with the use of the DEFRA biodiversity metric and Good Practice Principles. The Environmental Statement also identifies measures to mitigate the impacts on biodiversity which have been included to reduce the loss of biodiversity as a result of this application. It is demonstrated that two hectares of Open Mosaic Habitat would be retained within the site along with the habitats within the Willow Brook corridor. The proposal would also include the management of 5ha of compensatory habitat to the east of the red line boundary. There is still, however, an 86% net loss in biodiversity predicted due to the removal of most of the Priority Habitat. This is a significant and unacceptable loss. Therefore, the proposal is not in line with national or local policy regarding the need to demonstrate that a net gain in biodiversity could be achieved.
- 7.4.8 The Wildlife Trust and County Ecologist have assessed the application and objected to the proposed scheme due to the loss of Open Mosaic Habitat on Previously Developed Ground which is a Priority Habitat under the Natural Environment and Rural Communities (NERC) Act, 2006 and meets the criteria for selection as a Local Wildlife Site (LWS).
- 7.4.9 It is considered that the present proposal is unacceptable and conflicts with Policy 4 of the Joint Core Strategy and National Planning Policy Framework (2019).

7.5 Employment

- 7.5.1 Policy 22- Delivering Economic Prosperity stresses the need for safeguarding the existing and committed employment sites which are of the right quality and suitably located in relation to infrastructure and neighbouring uses. The Plan also aims to ensure that, as a minimum, North Northamptonshire delivers enough new jobs for the labour force arising from planned population growth, plus additional jobs in the southern area to help reduce levels of out commuting.
- 7.5.2 The significant potential of this area has been recognised in a number of technical studies including the Rockingham Development Framework (RDF) endorsed by Corby and East Northamptonshire Councils in 2011, and in the Northamptonshire Enterprise Partnership's 2015 bid for the designation of an Enterprise Zone. The partners (including the two local planning authorities) are continuing to promote the economic potential of the area. Policy 27 provides a positive planning framework to help achieve this.
- 7.5.3 The Application Site forms part of the proposed Rockingham Enterprise Area (REA). Policy 27 provides flexibility for a range of employment uses to come forward in response to market demands. The above policy also identifies significant opportunities to deliver high performance technologies and future vehicle technologies by attracting motorsport/automotive sector businesses. The Enterprise Area is also well placed to support other priority economic sectors including logistics and food and drink. The development of the Enterprise Area to its full potential is a long term opportunity that will be delivered during and beyond the plan period and consequently the Plan is not reliant on the delivery of the site to meet its minimum jobs targets.
- 7.5.4 However, the policy stresses the need for demonstrating how the development of individual parcels of land relate or connect to the wider area, contributing to the delivery of the place-shaping principles and ensuring they do not prejudice the delivery of other development within the Enterprise Area.
- 7.5.5 The net developable area within the development framework area extends to some 228 hectares of land (i.e. 75% of the gross land area), which constitutes a significant employment area. The development framework assumes the following for the B-class employment uses: B1 offices – 20% site coverage, B1c light industrial/B2 – 40% site coverage and B8 warehousing – 40% site coverage. The proposed development falls within the parameters of the RDF and in accordance with the Masterplan.
- 7.5.6 The proposed development will be phased which is suggested within the Policy 27 by stating that-

It will be important that development is phased and focused in certain areas of the Enterprise Area, together with provision of appropriate temporary and other employment uses to build and maintain development momentum and contribute towards infrastructure delivery. Whilst the site has significant potential in the short, medium and long term it is important that development is phased in relation to the provision of on and off site infrastructure and mitigation of contaminated land constraints.

- 7.5.7 A permission sought here may result in 100% (43,000m²) B2 use (general industrial). The site is allocated within an up-to-date development plan for

employment use. The proposed enabling works to facilitate the site for the employment development are therefore entirely in accordance with the NPPF. The direction of emerging local planning policy also supports deliverable employment sites and encourages employment diversity.

7.5.8 Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The Framework goes on stating that planning decisions should recognise and address the specific locational requirements of different sectors (paragraph 82).

7.5.9 In the light of the above, it is considered that the proposed development would support the economic growth and productivity by taking into account both local needs and wider opportunities for development. The proposed development would help meet the significant employment needs of the wider area. Therefore, the proposed scheme conforms with NPPF in building a strong, competitive economy.

7.5 Highways

7.5.1 There are currently two accesses to the site, via Napier Road to the west and via a link road from the A6116 Steel Road to the south. Napier Road is a two way single carriageway road that meets Phoenix Parkway at a ghost island priority junction and provides access to a small number of commercial units. There is a footway, separated by a grass verge, on the northern side of the A6116 Steel Road and on the eastern side of Phoenix Parkway, providing a pedestrian route to the various industrial and commercial premises. An alternative cycle link from the site to the town centre is via a cycle route through Heritage Way to the west of the site, linking with Pen Green Lane and routes along Rockingham Road to Corby railway station.

7.5.2 Submitted plans evidence that access into the B2 employment development will be via Napier Road which will be extended into the site. A potential second access will be available from the Corby Northern Orbital Road roundabout, after the completion of the road. The submitted documents also suggests that the Steel Road site access will be blocked off for vehicles when the site becomes operational.

7.5.3 Extensive consultation has been carried out with Highways department in relation to highway issues and the highway officer confirmed their acceptability of the proposed layout. However, Northamptonshire Highways considers that there are outstanding comments in regards to the Technical Note which needs to be addressed.

7.5.4 These includes Personal Injury Collision (PIC) data need to be updated with the latest five year accident data, clarification of car and cycle parking provision, trip generation, clarification of trip distribution; all information as detailed in the note, including junction geometries, should be provided for traffic impact assessment in order to validate the 2018 base year model and 2031 future year assessments.

7.5.5 Applicant has provided additional information to address previously raised concerns by highways. They have submitted a revised Technical Note for highways consideration and at the time of writing this report no further response has been received from Northamptonshire Highways.

7.6 Flood Risk and Drainage

7.6.1 Policy 5 (Water Environment, Resources and flood risk management) of Joint Core Strategy reflects how development should contribute to reducing the risk of flooding and also protecting the quality of the water environment. The above policy also states that 'development should be designed from the outset to incorporate Sustainable Drainage Systems wherever practicable, to reduce flood risk, improve water quality and promote environmental benefits'. This consideration is reiterated in the NPPF, which states that development should ensure that flood risk is not increased elsewhere.

7.6.2 The subject site is located within Flood Zone 1 and therefore has a low probability of flooding. Surface water runoff will be discharged from the surface water drainage network to the Willow Brook North via two outfall points at a restricted 'greenfield' rate. Excess flows will be attenuated within the site area within detention basins and plot-level geocellular storage tanks.

7.6.3 The applicant has submitted Chapter 9 (Drainage and Flood Risk Management) as part of the Environmental Statement to assess the potential effects of the Proposed Development on drainage and flood risk, both on site and to the immediate surrounding area. Due to the size of the application site, a Flood Risk Assessment (FRA) has also been undertaken to consider the impact of the development upon flood risk and vice versa, in line with national policy guidance. The FRA is included in Appendix 9.1 of the Environmental Statement.

7.6.4 The drainage strategy suggests that the proposed development will incorporate a surface water drainage network that will be designed and constructed in-line with industry best practice, which includes measures to manage site drainage and prevent pollution. The drainage strategy incorporates Sustainable Drainage features to provide water quality treatment, primarily within vegetated detention basins, which will slow the rate of flow through the basin providing filtration and settlement for suspended solids. Additional 'pre-treatment' will be provided by oil separators within individual plot and grass filter strips adjacent to access roads.

7.6.5 Information submitted by the applicant has taken full account of likely significant impact of the Proposed Development with regards to drainage and flood risk. The potential impact of the development has been considered and it is recommended that the drainage system is designed to reduce any flood risk due to the increased impermeable area both onsite and offsite. All the relevant factors associated with construction, operational activities and decommissioning have been taken into account to identify likely impacts.

7.6.6 The mitigation and enhancement measures have been identified and all the significant affects have been considered which are related to various stages of the design life. The Environment Agency and Surface Drainage Water team

were consulted on this proposal. They have not raised any objections, subject to conditions regarding the surface water management strategy and foul water infrastructure details. At this stage based on all the information provided by the applicant, it is considered that the drainage strategy, hydrology and flood risk mitigation is aligned with the policy requirements.

7.7 Air Quality, Noise and Vibration

- 7.7.1 The proposals have the potential to cause air quality impacts as a result of fugitive dust emissions during construction and road traffic exhaust emissions associated with vehicles travelling to and from the site during operation. As such, an Air Quality Assessment is vital in order to determine baseline conditions and assess potential effects as a result of the scheme.
- 7.7.2 During the construction phase of the development, potential air quality impacts as a result of fugitive dust emissions from the site has been identified. These were assessed in accordance with the IAQM methodology. It is also considered that good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities would not be significant.
- 7.7.3 Potential impacts during the operational phase of the proposals may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site.
- 7.7.4 The NPPF requires the LPA (Local Planning Authority) should conduct site analysis to 'ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.'
- 7.7.5 Policy 8 'Northamptonshire Place Shaping Principles' which prevents any development that would result in adverse impacts due to unacceptable levels of air pollution and noise.
- 7.7.6 An Environmental statement has been submitted for the air quality and mitigation measures required to prevent or reduce the likely residual effects, and all the measures have been specified. Council's Environmental Health Officer have reviewed chapter 11 of the Environmental Statement reference GM10604 dated January 2021 by Wardell Armstrong and advised it is accepted. However, states that the proposed mitigation measures and financial contribution may need reviewing in the future and this review could be secured by way of a suitably worded planning condition. The officer also reviewed the *Dust Management Plan* reference GM10604 dated 29th June 2021 by Wardell Armstrong and confirmed the acceptability.
- 7.7.7 In relation to noise impact the applicant has provided information within the Environmental Statement including Appendix 10.1 which includes noise survey, construction noise assessment and operational noise assessment.

- 7.7.8 An assessment has been made regarding the impact of noise and vibration at both the construction and operational phases of development. The above assessment is necessary to comply with Policy 8-Place Shaping Services of the JCS, which states that permission will not be granted for development resulting in unacceptable levels of noise. The Senior Environmental Health Officer was consulted in regards to noise and vibration and initially raised concerns in relation to the information provided at that stage.
- 7.7.9 Re-consultation has been carried out with EHO on the supplementary information provided within chapter 10 with regard to noise. The officer confirms that a suitable assessment with predicted noise levels and detailed mitigation measures needs to be submitted for approval by the LPA, by way of a suitably worded condition, to ensure that noise emissions will be controlled during the works such that it does not result in an adverse impact on nearby receptors. This includes existing and permitted industrial/commercial receptors. Additionally, suggested inclusion of a suitably worded planning condition that requests advance notice and details of any night working at least two weeks before it is proposed to take place.

8. Conclusion/Planning Balance

- 8.1 Turning to the planning balance, following the assessments made through section 8 of this report, this section weighs the harm to the significant biodiversity loss resulting from the proposal, against other material considerations in support of the development. This planning balance will then determine whether the benefits outweigh the identified harm.
- 8.2 It is recognised that the application has been accompanied by Ecological Surveys, it is already building on a site allocation where the principle for the use has been established. The Ecological Adviser and Wildlife Trust have raised objections in respect of impact on the Open Mosaic Habitat and 86% biodiversity loss. Council's Ecological Adviser also pointed that once the Environment Bill is passed applicants will have the last-resort option of buying credits from the Secretary of State however, that facility does not exist at present.
- 8.3 Overall and despite the benefits that would arise from supporting the delivery of an important component of the economic plan for Corby, the policy test for any application requires that development proposals where significant harm to an asset cannot be avoided, mitigated or, as a last resort, compensated should be refused.
- 8.4 There is a strong emphasis in the Framework in overall sustainability objectives including getting development in the right places. It is acknowledged that the scheme would provide benefit by contributing towards economic development both in the short and long term to the local economy. Nonetheless, It is considered that the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole.
- 8.5 Through the development, the application site would deliver significant job creation, apprenticeships and increase in economic output. The proposal does not align with environmental objectives within the NPPF, where it stresses the

need for minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 8.6 The officers have assessed the acceptability of the development applied substantial weight to the significant impact on the Priority Habitats. Alongside this they have considered any other harm from the development and consider that the benefits of the proposed development are not sufficient to outweigh the harm.

9. Recommendation

- 9.1 For the reasons set out below the proposal is recommended for refusal.

10. Reasons for Refusal

- 10.1 In conclusion the proposed development is unacceptable in principle because the proposed scheme fails to comply with Policy 4 of the Joint Core Strategy in relation to net biodiversity loss. Accordingly, the proposal fails to accord with paragraph 170 of National Planning Policy Framework and North Northamptonshire Joint Core Strategy.

11. Informatives

- 11.1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved', Local Plan Policies 1997, Joint Core Strategy Adopted July 2016, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.





We have however been unable to seek solutions to problems arising from the application as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

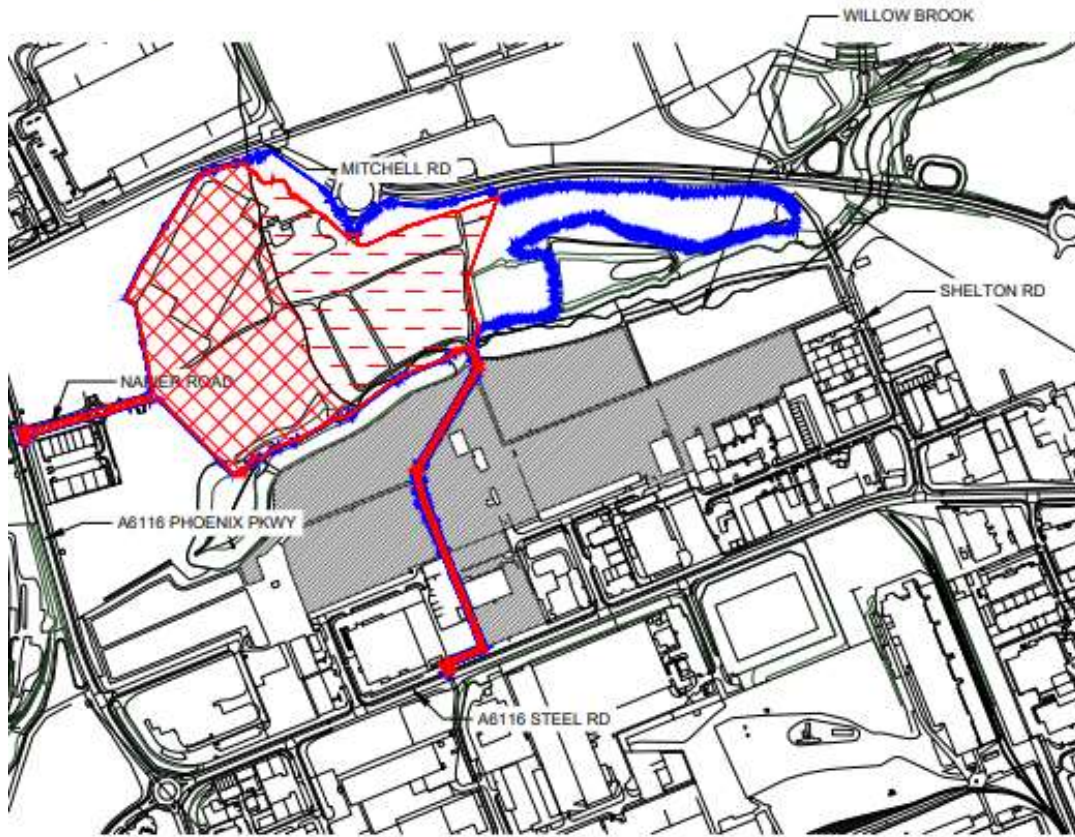
12. Schedule of Plans/ Documents

- Site Location Plan, Dwg No.- GM10604-004 Rev- B
- Planning, Design and Access Statement, January 2021
- Environmental Statement, January 2021
- Non-Technical Summary, January 2021
- Technical Note Response to North Northamptonshire CouncilV2, May 2021
- Technical Note 2 - Second Response to North Northamptonshire CouncilV1, June 2021
- Preliminary Construction Management Plan For Phoenix Parkway Enabling Works, January 2021
- Preliminary Investigation Report (Desk study and site reconnaissance), Report: STP3966D--P01 Revision 2, March 2019
- Ground Investigation Report, ref: STP3996D- G01, September 2020
- Supplementary Environmental Information for Chapter 10: Noise, received on

- 17.05.2021
- Supplementary Environmental Information for Appendix 11.4: Dust Management Plan, received on 17.05.2021

REFERENCE

-  APPLICATION BOUNDARY
-  LAND WITHIN THE CONTROL OF THE APPLICANT
-  AREA OF SITE LYING WITHIN CORBY BOROUGH COUNCIL
-  AREA OF SITE LYING WITHIN EAST NORTHAMPTONSHIRE COUNCIL



**Storefield Group Limited, Land Off, Centrix Business Park, Napier Road,
Corby, Northamptonshire,
Planning Application Reference: NC/21/00072/OUT
Planning Committee Date: 05.07.2021**

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ADDENDUM REPORT

Application Reference: NC/21/00072/OUT

Application for land off Phoenix Parkway to provide an engineered development platform, and Outline application for the development of an employment park comprising up to 43,000 sqm B2 use, with all matters reserved apart from access

Page 11- The following paragraph to be added:

Highways Authority

(16.07.2021) – Northamptonshire Highways (NH) has requested additional information to fully assess the application. Applicant have provided further supporting information to address NH's raised concern.

NH was re-consulted on additional information provided by the applicant. Revised response was provided by NH, which confirms that they cannot currently support this application as the applicant has failed to demonstrate a suitable nil detriment scheme to mitigate their development traffic at the A43 / A6116 Steel Road roundabout. The officer also states that there is an improvement scheme to be delivered by the Council which does not take into account the impacts of this application and therefore cannot not be relied upon to deliver the required additional capacity. The highways officer considers that the proposed financial contribution for the upgrade of footway and cycle way is reasonable.

In terms of car and cycle parking provision, the officer requested further clarification with respect to Northamptonshire Parking Standards including motorcycle parking spaces. Additional information is also requested in regards to parking spaces within the proposed development. NH also expect electric vehicle charging points to be provided for the development.

(26.07.2021) Applicant has responded by way of an email to address highways concern and provide further clarification. Applicant considered that the impact on the A43 / Steel Road junction is not severe and therefore acceptable for the proposed development. Referring to A43 Study, the applicant also considers that additional modelling and design work which would provide the basis for financial contribution calculations cannot be undertaken at this stage. They have confirmed that 860 vehicle parking spaces will be provided along with 35 motorcycle spaces. Electric vehicle charging points will also be provided throughout the development.

(28.07.2021) Highways officer provided the following observation in response to applicant's response:

In response to the applicant I would point them towards the Steel Road improvements scheme previously promoted by Corby Borough Council and now North Northants Council. The scheme does not take into account the above application proposals or traffic impacts and therefore cannot be relied upon. The LHA seek a modest scheme to be identified mitigating the impacts of this scheme whereby a contribution towards the wider scheme can be provided to improve capacity in line with our requirement for nil detriment

Approval has been given from North Northamptonshire Council to release the CAD file covering the project at Steel Road which I attach for completeness.

This drawing is issued on the clear understanding that design work is ongoing and the design may therefore change. Any reliance on any aspect of the design, including kerb lines and levels is at the developers own risk. The use of this design does not imply or guarantee

that the developers own design proposals will be considered acceptable to the Planning or Highway Authorities.

I can confirm the elements relating to the motorcycle and electrical charging point parking spaces are now satisfied

Page 20- Paragraph 7.5.5 to be deleted and replaced by:

Applicant has provided additional information to address previously raised concerns by highways. A revised Technical Note (TN) has been submitted for highways consideration. Northamptonshire Highways have assessed the TN and concluded that they are unable to support the scheme due to insufficient information provided by the applicant. The applicant has failed to demonstrate that the development is acceptable in regards to highway safety in relation to mitigate their development traffic at the A43 / A6116 Steel Road roundabout. There is a lack of evidence to persuade that the site can be made suitably safe in relation to highways issues. The proposal would therefore conflict with JCS Policies and the NPPF which seek to ensure new development meets the need of the area without compromising the safe and satisfactory operation of the highway network.

Page 23- Paragraph 10.1 to be deleted and replaced by:

In conclusion, the proposed development is unacceptable because the proposed scheme fails to comply with Policy 4 of the Joint Core Strategy in relation to net biodiversity loss. The scheme also fails to comply with Policy 8 of the Joint Core Strategy in relation to highway safety. Accordingly, the proposal fails to accord with National Planning Policy Framework (NPPF) and North Northamptonshire Joint Core Strategy (NNJCS).



North Northamptonshire Strategic Planning Committee 02/08/2021

Application Reference	NC/21/00072/OUT
Case Officer	Farjana Mazumder
Location	Land Off Centrix Business Park Napier Road Corby Northamptonshire
Development	Application for land off Phoenix Parkway to provide an engineered development platform, and Outline application for the development of an employment park comprising up to 43,000 sqm B2 use, with all matters reserved apart from access
Applicant	Storefield Group Limited
Agent	Wardell Armstrong LLP
Ward	Weldon and Gretton
Overall Expiry Date	9th June 2021
Agreed Extension of Time	6th August 2021

List of Appendices

- Appendix A – Highway Authority Comments
- Appendix B – Tata Steel Support Letter
- Appendix C – Addendum Report

Scheme of Delegation

The Principal Planning Manager had requested that this application is considered by the NN Strategic Planning Committee.

1. Recommendation

- 1.1 That planning permission be REFUSED.

2. The Proposal

- 2.1 The proposal is for a hybrid planning application in two parts. The applicant for the present application Storefield Group Limited, seeks full planning permission for proposed engineering and enabling works to level the site within the first part. The second part is seeking outline planning permission for proposed B2

(general industrial) employment uses with all matters reserved except access. It is acknowledged that the proposal straddles the administrative boundary with former East Northamptonshire District Council. The applicant proposes the development of up to 43,000m² of B2 use.

- 2.2 The applicant has submitted a series of illustrative drawings to demonstrate how the proposed scheme might be accommodated on the site.
- 2.3 The engineering and enabling works will comprise cut and fill operations to establish a level platform. The northern area of the site will require the maximum fill depth of between approximately 7m to 10m. In the southwest area of the site, a cut depth of between approximately 1m to 3m will be required. The platform will provide a suitably engineered base with appropriate load bearing to accommodate employment development, and a layer within which to install necessary services
- 2.4 The applicant has confirmed that the maximum building height would be 12m measured externally.
- 2.5 Access into the site is to be taken from the Napier Road, west of the site.
- 2.6 It should be noted that the submitted plans are treated as illustrative only where the plans relate to layout, scale, appearance and landscaping.

3. Site Description

- 3.1 The site lies to the East of the Phoenix Parkway. The Site and the immediate surrounding land currently comprises scrubland with informal tracks running through the site. The application site is bounded by the Willowbrook North Stream to the south; an overgrown area owned by Tata Steel and formerly used for dewatering of blast furnace slurry to the east; and the Rockingham Speedway site lies to the north.
- 3.2 The land, owned by Tata Steel UK Ltd., incorporates a closed landfill site that has an existing Waste Management Licence (WML). There is also a remediated former liquid waste treatment facility, which is closed.
- 3.3 The application site extends to approximately 20.5 hectares. The Application Site forms part of the proposed Rockingham Enterprise Area (REA), which lies to the north-eastern edge of Corby, adjacent to the Priors Hall Development, which is part of the Corby North Eastern Sustainable Urban Extension.
- 3.4 The nearest SSSI is over 3.5km to the south-east. There are no Public Rights of Way crossing the site.

4. Relevant Planning History

- 4.1 19/00374/SCOP: Request for Scoping Opinion in respect of application for land off Phoenix Parkway to provide an engineered development platform, and Outline application for the development of an employment park comprising up

to 43,000 sqm B2 use, with all matters reserved apart from access. Completed on 19.03.2020.

5. Consultation Responses

Internal

- 5.1 **Environmental Health:** (16.03.2021) No objection. Council's Environmental Health Officer (EHO) was consulted in regards to Contamination and Air quality. For Ground Quality the officer reviewed the report reference STP3966D -G01 dated September 2020 by Soiltechnics. She has confirmed the acceptance of the suggested measures within the report that the site will continue to be monitored during development and post development, in addition to contingency plans being developed and the formation of an earthworks method statement. The officer is satisfied that these can be dealt with by an appropriately worded condition requiring submission and approval before development commences.

The officer has reviewed chapter 11 of the Environmental Statement reference GM10604 dated January 2021 by Wardell Armstrong and advised that it is acceptable. It is also recommended that the proposed mitigation measures and financial contribution may need reviewing in the future and this review could be secured by way of a suitably worded planning condition. EHO has also reviewed the Dust Management Plan reference GM10604 dated 29th June 2021 by Wardell Armstrong and advised that it is acceptable.

In terms of Noise impact, the officer has reviewed chapter 10 of the Environmental Statement reference GM10604 dated January 2021 by Wardell Armstrong and advised that it is not acceptable. Concerns have been raised as there are businesses in close proximity that could be adversely affected by noise from the development works over a prolonged period.

(08.06.2021) – Environmental Services was re-consulted on the amended information and the officer has offered the following comments:

I have reviewed the comments below and the wording proposed by the Senior Environmental Protection Officer with regard to ground conditions on 15th April 2021. I concur they are more suitable and I do not have any objection to that wording being used, should consent be given.

I have reviewed the revised chapter 10 with regard to noise and am somewhat disappointed at the lack of detail. I would expect then, that a suitable assessment with predicted noise levels and detailed mitigation measures to be submitted for approval by the LPA, by way of a suitably worded condition, to ensure that noise emissions will be controlled during the works such that it does not result in an adverse impact on nearby receptors. This includes existing and permitted industrial/commercial receptors.

I do agree with the proposal in paragraph 10.6.1 of the revised chapter 10, namely the inclusion of a suitably worded planning condition that requests advance notice and details of any night working to be provided and approved by the LPA at least two weeks before it is proposed to take place. This should

include details of the proposed communication with nearby receptors that may be adversely affected.

5.2 Environmental Protection Officer: (14.04.2021) No objection. Environmental Protection Officer were consulted in relation to this application and provided the following observation:

The site has a chequered history of previous use as a quarry, waste disposal, landfill site, sludge lagoons, etc all associated with the former Corby steel works. The site is currently derelict, open to the public and used for dog walking. We have been in discussions with colleagues at Corby and the environmental consultant about the contamination investigation. Further to this a comprehensive report has been submitted in this respect. I gather the application has been referred to the Environment Agency for their comments on risks to controlled waters.

Having reviewed the report no significant concentrations of contaminants were reported at near surface that are considered to pose a significant risk or harm to human health. When assessed against the current land use, assumed public open space, and for future commercial development. The installation of the development platform by raising the level of the land using inert material will further minimise any residual risk.

I trust the Environment Agency will comment on risks to controlled waters. Concentrations of some contaminants have been detected above environmental quality standard thresholds for controlled waters. This is based on one sampling round. Further sampling, for example three rounds, would refine the risk assessment. However, it has been commented the reported concentrations are comparable with water quality in the wider area.

An assessment of ground gas has been carried out referring to data collected by others over many years and from this site investigation. The environmental consultant has determined the ground gas situation to be CS1 with reference to BS8485:2015+A1:2019 - Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings. As such no specific gas protection measures are required. However, the importation of inert fill may have the potential to generate ground gas or alter the current situation. Therefore, monitoring will be required for any future development either when a phase becomes available for development or site wide if earthworks are completed in one go (unlikely).

The existing monitoring infrastructure (boreholes) shall be maintained and protected during any works if at all possible. If any are to be decommissioned this should be done with the agreement of the Environment Agency and in line with best practise and guidance. There may be a requirement for any lost monitoring points to be replaced. However, as they are mainly along the southern boundary within the retained ecological area they should remain unaffected by the works.

Large scale remediation of the site does not appear to be necessary. However, further assessment of risks to controlled waters will be required prior to the commenced of works. Monitoring of controlled waters shall be carried out throughout the life of the works and possibly on completion to confirm that water

quality has not been compromised. Also the production of a contingency plan should water quality be adversely affected at any time during the works.

Monitoring of controlled waters and ground gas, protection of monitoring structure, etc can be dealt with through the submission and agreement of a remediation strategy by way of planning conditions.

(20.04.2021) Environmental Protection Officer were re-consulted in relation to engineered development platform at the site. The officer acknowledges that –

the importation of materials will be covered by either an environmental permit or materials management plan overseen by the Environment Agency. The construction management plan (CMP) covers the importation of fill, treatment, placement and compaction to build the development platform. Where these are covered by a separate pollution control regime, in this case an environmental permit or other waste control regime planning issues should not be revisited through the permitting regime. As such there should not be any duplication or conflict between the two regimes.

In terms of noise impact and dust management, the officer requested additional information to fully assess the proposal.

- 5.3 Local Plan Section:** (08.03.2021) No objection. Corby Local Plan Section were consulted on this application. In conclusion the Local Plan Officer provided the following comments:

The proposed development of the site for employment use is supported in principle, subject to the policy considerations outlined above. The Design and Access Statement refers to a number of recent planning permissions for the adjacent Rockingham Hub and Speedway parts of the site, which are currently within East Northamptonshire district; however, it is recommended that proposals for this site and other sites within the Rockingham Enterprise Area should be developed as part of a wider comprehensive masterplan, as referred to within JCS paragraph 8.48, rather than as piecemeal development, particularly as any future proposals will be considered by the new North Northamptonshire Council from April 2021 onwards.

- 5.4 Tree Officer:** (16.04.2021) No objection. Tree Officer has reviewed the submission and requested additional information in relation to protection of trees within the southern boundary during development, enhancement of the site proposed within 'New Structural Landscape Planting' and protection of vegetation near the eastern boundary.

(21.05.2021) Applicant has responded by way of an email that a landscape plan illustrating structural planting in more detail would be provided as part of a reserved matters application for the proposed employment development. They have also confirmed that development would not encroach upon the southern or eastern site boundaries and existing trees and vegetation retained in these areas will be protected during construction through the implementation of best-practice methods and in accordance with BS5837 (Trees in Relation to Construction). Appropriate long-term management and maintenance operations in respect of the retained trees and vegetation will be applied. It is recommended

that Council's Tree Officer should be informed during the site clearance and siting of protective fencing is correctly in place to BS, 5837, specification is to standard.

5.5 Crime Prevention Officer: (01.03.2021)- Northamptonshire Police has been consulted on this application and no formal objection has been raised to the development in principle.

The Officer highlighted some general principles which will help ensure that national and local policy are met and Secured by Design principles are followed. The key aims of SBD guidance, to reduce crime, the fear of crime and antisocial behaviour, this is addressed through establishing of principles for the design, layout and landscaping of the built and natural environment which, creates a safer and more secure environment, increases the risk of detection of criminal and antisocial activity and makes crime more difficult to commit.

- *It is important to consider the crime risks that a number of commercial buildings might inadvertently create, such as numerous paths behind buildings for emergency exit and large areas set aside for car parking. Legitimate activity on industrial estates for example can be very low at weekends, and at night, and this inactivity can attract criminals.*
- *Access and movement: places with well-defined and well used routes with spaces and entrances that provide for convenient movement without compromising security.*
- *Surveillance: places where all publicly accessible spaces are overlooked. CCTV should be considered for onsite measures and vulnerable locations.*
- *Physical protection: places that include necessary, well-designed appropriate security features and access control for building shell, site boundaries and vehicle parking.*
- *Lighting: All street lighting for both adopted highways and footpaths, private estate roads and footpaths and car parks must comply with agreed standards. The evenness of light distribution is almost always more important than the levels of illumination being achieved by the system. The Overall Uniformity of light is expected to achieve a rating of 0.4Uo and should never fall below 0.25Uo*

5.6 Northamptonshire Fire and Rescue, and Broadband Services: (09.03.2021) - Northamptonshire Fire and Rescue, and Broadband Services were consulted on this application. The response follows the principle guidance in the County Council's adopted Planning Obligations Framework and Guidance Document (2015).

In terms of Fire Hydrants and Sprinklers, the officer demonstrates that new development and associated infrastructure equates to an increase in visitors as well as traffic movements. This will inevitably lead to an increase in the spread of fire risk, which places additional demands on Fire and Rescue Service resources to ensure safe places are maintained, consistent with national Government expectations and guidance.

The officer goes on saying that Northamptonshire Fire and Rescue Service sets out its criteria for responding to incidents within its Standards of Operational

Response (SOR). The standards outline how the Service will respond to different incident types which fall within its statutory responsibilities under the Fire and Rescue Services Act 2004. In addition, new developments generate a requirement for additional fire hydrants and sprinkler systems in order for fires, should they occur, to be managed.

The officer confirmed that an assessment of the site will need to be undertaken by the Water Officer of Northamptonshire Fire and Rescue Service in order to establish the precise requirement. It is expected however that this development will require a minimum of 9 x fire hydrants to be provided and installed, on a basis of one hydrant per 5000sqm non-residential floor-space created. The capital cost of each hydrant (including installation) is currently £892 per hydrant, totalling £8,028. It is expected that the developer will meet the full cost of providing and installing hydrants for the development.

In regard to broadband services, the officer demonstrated that to ensure Northamptonshire's vision for the county new developments (both housing and commercial) should be directly served by high quality fibre networks. Moreover, access to a next generation network (speeds of > 30mbs) will bring a multitude of opportunities, savings and benefits to the county. It also adds value to the development and attract occupiers.

The Officer recommends that early registration of development sites is key to making sure the people moving into the proposed developments get a fibre based broadband service. In addition, it is advised that ducting works are carried out in co-operation with the installations of standard utility works.

5.7 Anglian Water: (16.04.2021)- No objection/comments.

5.8 NCC Lead Local Flood Authority: (24.02.2021) County Flood Authority was consulted in relation to drainage issue. The Drainage Engineer has reviewed the submitted surface water drainage information located within; Flood Risk Assessment ref GM10604 rev 0006 prepared by Wardell Armstrong dated September 2020. The officer confirmed the acceptability of the surface water drainage scheme for the proposed development subject to planning conditions.

5.9 The Environment Agency: (10.03.2021) Environment Agency was consulted on this application. Initially the Agency did not provide any site-specific comments in relation to this development. This is due to limited resources due to the national situation in respect of the coronavirus (COVID-19) pandemic.

(26.05.2021)- The Agency was re-consulted and no objection has been raised to the proposed development, subject to the imposition of pre-commencement condition related to scheme to dispose of foul drainage.

5.10 Natural England: (22.02.2021) No Objection. It is considered that the proposed development will not damage or destroy the interest features for which the site has been notified.

5.11 Ecologist: (10.03.2021) Objection. The County Ecologist was consulted in regard to this application and provided the following comments-

I am unable to recommend this application be approved due to the degree of biodiversity loss, in particular of such high value habitat. I believe the Biodiversity Offsetting Report submitted presents a fair representation of both the discussions which have taken place about this site and the extent to which the biodiversity loss can be mitigated. In my view the applicant's ecologists have made every reasonable attempt to find a solution, however in this case it has simply proven to be impossible.

The 86% net biodiversity loss associated with this proposal is not acceptable. To say the proposal fails to meet paragraphs 170 and 175 of the NPPF and Policy 4 of the Joint Core Strategy would be a huge understatement. If the council were to approve this application I'm afraid they would be doing so against ecological advice.

(21.05.2021)- The County Ecologist was re-consulted on this application in regard to this application and referred to the previous comments they have made on 10th March 2021.

5.12 North Northamptonshire Joint Planning Unit: No comments received.

5.13 Wildlife Trust: (11.03.2021)- Objection. The County Ecologist was consulted in regard to this application and provided the following comments-

'Thank you for the opportunity to comment on the above proposal. Whilst we appreciate the measures which have been built into the proposal so far, we are concerned that it would still result in a large net loss in biodiversity. Of particular concern is the loss of Open Mosaic Habitat on Previously Developed Ground which is a Priority Habitat under the Natural Environment and Rural Communities (NERC) Act, 2006 and meets the criteria for selection as a Local Wildlife Site (LWS). We therefore object to this application.

Whilst we recognise the efforts which have been included to reduce the loss of biodiversity as a result of this application, the proposal is not in line with national or local policy regarding the need to demonstrate that a net gain in biodiversity could be achieved. We welcome the inclusion of the Biodiversity Offsetting Report with the use of the DEFRA biodiversity metric and Good Practice Principles. Two hectares of Open Mosaic Habitat would be retained within the site along with the habitats within the Willow Brook corridor. The application would also include the management of 5ha of compensatory habitat to the east of the red line boundary. There is still, however, an 86% net loss in biodiversity predicted due to the removal of most of the Priority Habitat. This is a significant and unacceptable loss. The employment park element of the application is in outline only and so no measures to enhance biodiversity, such as brown roofs, are included within the calculations. Even if they were, it is likely that a substantial loss in biodiversity, particularly Priority Habitat, would still result.

5.14 Northamptonshire Badger Group: (09.03.2021) Northamptonshire Badger Group was consulted on this application. They have provided the following comments:

Thank you for consulting Northamptonshire Badger Group on the above planning application. We are aware of a large main badger sett which has been

present for decades adjacent to the site and within XXXm of the proposed site boundary. Our records also show multiple badgers killed on the adjacent roads surrounding the site, thus confirming badger activity in the area.

The site is ideal habitat for badgers to live and forage and this can be seen by the mammal paths on site as well as the sett in the bank on site (highlighted in the report as disused). It is also part of the last green open spaces in this area (aside from having to cross busy roads). The site is clearly used by badgers and is an important green corridors for badgers, as well as ideal locations for potential setts given the dense industrial development & road surrounding the main badger sett nearby.

Therefore a comprehensive badger survey is necessary along with proposed outlines for mitigation, assessment of impact and cumulative impacts. Attention is brought to relevant GOV UK advice in addition to other recognised baseline survey methodologies. Legislative references should include reference to The Protection of Badgers Act 1992 along with other biodiversity and ecological legislation relating to protected species and habitats.

We request the following to be included and mitigation put in place once a badger survey has been completed and if planning permission is approved:

- *Pre-commencement survey, by a suitable qualified ecologist, with badger experience, to ascertain whether any new badger activity has occurred on site. Badgers utilise multiple setts at different times of the year and given the proximity to a main sett, it is likely additional setts could be dug on site before work begins. Should a badger sett be found within the site, work should stop until a suitable qualified ecologist can assess the situation. An exclusion, protection zone around the sett of 30 metres should be put in place as soon as possible. All appropriate ecological assessment and mitigation plans revisited.*
- *Tool box talks for all construction staff regarding badgers should be given for the site, to include:*
 - o *Covering open trenches/pipes and using ramps to prevent a badger getting stuck at night.*
 - o *Checking of any soil heaps for fresh digging each day.*
 - o *Checking for any new badger activity on site each day etc.*
- *Sensitive lighting, particularly at night, during construction*
- *Sensitive lighting plan after completion, particularly at night, which needs to not adversely affect the badger's natural behaviours.*
- *No night working on site, so as to not disturb the badgers' natural behaviour.*
- *Enhanced planting: We suggest providing enhanced planting to make safe, private, dark corridors for badgers to move around the site at night, given it is a site they utilise currently as a route. This should include natural fruit, nut and broad leaved trees & shrubs including damson, hazel, elder, plum, crab apple, cherry, hawthorn & holly for cover plants, to improve food sources for the badgers nearby and provide safe spaces for them, given that this is one of the last open green spaces in the area. The development of this site is reducing the potential foraging & sett creation areas for them.*

5.15 Local Highways Authority: (15.04.2021)- Highways Authority was consulted on this application. The Officer provided the following recommendations and observation:

Recommendations:

A Presently the LHA cannot support the application and require further information to fully assess the proposals.

Observations:

The site depicts access onto the CNOR, it must be noted that the nearest public highway is CNOR roundabout 2 at the junction of Birchington Road and Steel Road. The road north of this to CNOR roundabout 3 is in third party ownership (Urban & Civic) and beyond this to CNOR roundabout 4 is in ownership of a fourth party.

The applicant is required to evidence that they have the rights to access the public highway, this should be reflected in the plan that details the red line extending from the site to the adopted highway.

In terms of parking, the officer considers that although this is an outline application, the site must supply the required levels, and dimensions, of car, cycle, PTW, disabled car and HGV parking and sufficient turning areas for all elements, to the LHAs standards.

Highways Authority have assessed the TA. In terms of Non-Motorised User (NMU) Access and requested the following;

- *A public, adoptable, lit and drained extension of the existing 3m wide CFC on the northern side of Napier Road through the site to link to CNOR.*
- *The CFC along the site access from Steel Road will not be public highway and will need to be maintained by the site's maintenance company for the life of the development. It will need to be lit and drained.*
- *ii An upgrade of the 2m wide footway on the eastern side of Phoenix Parkway to a 3m CFC to link from Heritage Way to the existing CFC provision on Steel Road.*
- *Bus stop infrastructure is required within the site and the service should link to the railway station and George Street, Corby, as a minimum. Where existing bus services are to be diverted, it should be ensured that sufficient capacity is available with additional vehicles provided if necessary.*
- *Each employee should also be provided with a 28-day KC MegaRider ticket (or equivalent if Stagecoach are not the operator of the service) on commencement of employment within the first 3 months of full site occupation (not including fitting out processes).*
- *Bus stop infrastructure is to be secured by condition and should be operational prior to occupation of the site.*
- *Northamptonshire Highways will work with the LPA and developers to ensure that effective, adequately funded, resourced and monitored Travel Plans are created and implemented.*

(01.06.2021)- Further re-consultation was carried out on the amended Transport Assessment submitted by the applicant. NCC highways maintains their view by stating that –

'Presently the applicant has failed to demonstrate a proposal that would not be detrimental to the Highway and that meets the LHA standards and Policies. The LHA recommends that either the applicant supplies all of the information required to the LHA standards and policies or the application be refused.'

(15.06.2021) Assessment of the Technical Note has been provided by the Northamptonshire Highways (NH) in relation to the proposed development. The key concerns raised by the officer are as follows:

- *Personal Injury Collision data was obtained from Northamptonshire County Council for the five year period from 01 January 2013 to 31 December 2017. This need to be updated with the latest five year accident data. All PICS should be provided.*
- *The financial contribution for the upgrade of footway and cycle way appears reasonable.*
- *Car and cycle parking provision with respect to Northamptonshire Parking Standards to be clarified.*
- *The trip generation for B2 should be revisited considering the comments in this note.*
- *The terminology in the Table 6 does not correlate with the calculations in the Appendix I A6116 North should be read as West, A6086 Corby should be trips towards south and A6116 to south should be refereed as trips travelling towards North. This should be clarified.*
- *All information as detailed in the note, including junction geometries, should be provided for traffic impact assessment in order to validate the 2018 base year model.*
- *2031 future year assessments may need to be updated once the trip generations have been clarified.*

(24.06.2021) Applicant has submitted a revised Technical Note for highways consideration. At the time of writing this report no further response has been received from Northamptonshire Highways.

5.16 Gretton Parish Council: (10.03.2021)- No comments/objection.

(27.04.2021)- Objection. Gretton Parish Council was re-consulted on this scheme. The Parish provides the following comments:

This application was considered and it was agreed to object to the application on the following grounds:

This road and surrounding area are used by the residents of Gretton daily and the Parish Council remains concerned that the roads in this area are often flooded and feels that adequate drainage must be put in place to prevent any risk of flooding on roads in the vicinity.

Traffic and Highways The documents state that a 10.9% increase in traffic would have a negligible effect on transport on these roads. However, the Parish Council feels this would generate a very significant amount of traffic overloading the highway infrastructure of the area and have a marked impact on the existing traffic network that is already very busy, particularly during peak travel periods.

5.17 Neighbours- Letters were sent to 38 neighbouring units on 18.02.2021. No representations received from the neighbouring units.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Section 54A of the Town and Country Planning (1990) (as amended) states “Where in, making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the Plan unless material consideration indicate otherwise.”

6.2 National Policy

National Planning Policy Framework 2019:

- 2 Achieving sustainable development
- 6 Building a strong competitive economy
- 7 Ensuring the vitality of town centres
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 15 Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy (NNJCS) (2016)

Policy 1 (Presumption in favour of Sustainable Development)

Policy 3 (Landscape Character)

Policy 4 (Biodiversity and Geodiversity)

Policy 5 (Water Environment, Resources and Flood Risk Management)

Policy 6 (Development on Brownfield Land and Land affected by contamination)

Policy 8 (North Northamptonshire Place Shaping Principles)

Policy 9 (Sustainable Buildings)

Policy 10 (Provision of Infrastructure)

Policy 11 (The Network of Urban and Rural Areas)

Policy 15 (Well-connected Towns, Villages and Neighbourhoods)

Policy 18 (HGV Parking)

Policy 19 (The Delivery of Green Infrastructure)

Policy 22 (Delivering Economic Prosperity)

Policy 23 (Distribution of New Jobs)

Policy 24 (Logistics)

Policy 27 (Rockingham MRC Enterprise Area)

6.4 Emerging Part II Local Plan

Part 2 Local Plan, when adopted (envisaged late summer 2021), will form part of the North Northamptonshire Development Plan.

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Environmental Statement
- Landscape and Visual Impact
- Ecology and Nature Conservation
- Employment
- Highways
- Flood Risk and Drainage
- Air Quality, Noise and Vibration

7.1 Principle of Development

- 7.1.1 Section 38(6) of the Planning and Compulsory Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan unless material planning considerations are considered to outweigh it.
- 7.1.2 The Part 2 Local Plan (P2LP) for Corby was submitted to the Secretary of State in December 2019 and is currently undergoing independent examination. It should be noted that given the stage the Local Plan Part 2 has reached in its preparation; it is allocated more than moderate weight in the determination of the application.
- 7.1.3 Policy 1 of the North Northamptonshire Joint Core Strategy (NNJCS) 2016 outlines the presumption in favour of sustainable development that is contained within National Planning Policy Framework (NPPF) 2019, and that the Local Planning Authorities should be taking a positive and proactive approach to applications as a result.
- 7.1.4 JCS Policy 3 sets out the importance of existing landscape character, to retain distinctive qualities where possible. Criteria b) states development should make provision for the retention and where possible enhancement of features of landscape importance.
- 7.1.5 Part of the site is identified as a UK Biodiversity Action Plan Priority Habitat and a Potential Wildlife Site, and the entire site is within the Nene Valley Nature Improvement Area. JCS Policy 4 seeks a net gain in biodiversity to protect and enhance features of biodiversity and geological interest. Criteria b(i) seeks to enhance ecological networks by managing development and investment to reverse the decline in biodiversity and restore the ecological network at a landscape scale in the Nene Valley Nature Improvement Area.
- 7.1.6 JCS Policy 6 requires proposals for sites with known or high likelihood of contamination to provide remediation strategies to manage the contamination. Proposals will be supported where it can be demonstrated that the site can be safely and viably developed with no significant impact on either future users or on ground and surface waters.
- 7.1.7 The site is within an identified sub-regional green infrastructure corridor. JCS Policy 19 and P2LP Policy 6 seek to protect and enhance the identified green

infrastructure corridors by ensuring new development does not compromise their integrity, and where possible new development should aim to provide connections to existing corridors.

- 7.1.8 The proposed development site is within the Rockingham Enterprise Area as designated within the adopted North Northamptonshire Joint Core Strategy (NNJCS, 2016). JCS Policy 27 states that the Enterprise Area will be a focus for employment development within and beyond the plan period and proposals will be supported where they will deliver a mix of high quality employment, particularly in priority employment sectors. The policy includes a number of place shaping principles to guide the development of the site for employment use.
- 7.1.9 Paragraph 8.47 of the JCS explains that Policy 27 allows flexibility for a range of employment uses to come forward in response to market demands, but that significant opportunities exist to deliver high performance technologies along with other priority economic sectors including logistics and food and drink.
- 7.1.10 In addition, paragraph 8.48 of the JCS states that the local planning authorities will encourage the preparation of a comprehensive masterplan for the Enterprise Area, incorporating the place-shaping principles outlined in JCS Policy 27. Proposals for development of individual parcels of land should demonstrate how they relate or connect to the wider area, contributing to the delivery of the place-shaping principles and ensuring they do not prejudice the delivery of other development within the Enterprise Area.
- 7.1.11 Overall, the development of this employment site is welcomed in principle; however, compliance with other relevant policies of the Development Plan will be assessed to determine the acceptability of the scheme. Policy 1 of the JCS states that - development should contribute to delivering the Plan Vision and Outcomes through compliance with the relevant policies of this Plan. Development that conflicts with policies of the Plan will be refused unless material considerations indicate otherwise.

7.2 Environmental Statement

- 7.2.1 The proposed development falls under schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and exceeds the relevant thresholds or criteria set out in the second column. The submitted application is accompanied by an Environmental Statement (ES) for the purpose of the 2017 Regulations and the application is classified as an Environmental Impact Assessment Application. The submitted Environmental Statement considers a range of issues relevant to the site and its constraints.
- 7.2.2 With reference to the issues contained within the ES and the constraints of the site as well as the issues raised by the key consultees, the report will be structured around the following themes:

Landscape and Visual Impact
Ecology and Nature Conservation
Employment
Socio-Economic Impact

Highways and Traffic Issues
Flood Risk and Drainage
Air Quality
Noise and Vibration

7.3 Landscape and Visual Impact

- 7.3.1 The application site is located within the Rockingham Enterprise Area (REA) as designated within the Development Plan. Policy 27 of the JCS relates to the REA and aims to provide flexibility for a range of employment uses to come forward in response to market demands. The JCS advises that proposals for development of individual parcels of land should demonstrate how they relate/connect to the wider area, contributing to the delivery of the place-shaping principles and ensuring that they do not prejudice the delivery of other development within the Enterprise Area.
- 7.3.2 Policy 8 stresses the need for creating distinctive local character by responding to the site's immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of that local character without stifling innovation.
- 7.3.3 JCS Policy 3 sets out the importance of existing landscape character, to retain distinctive qualities where possible. Criteria b) states development should make provision for the retention and where possible enhancement of features of landscape importance.
- 7.3.4 The above policies seek to minimise the environmental impacts through sensitive design to reduce the impact on the landscape, townscape and wider setting and by achieving the highest possible standards of design and environmental performance.
- 7.3.5 Whilst this is an outline application it has already been recognised that significant weight should be given to conserve the landscape and visual impact in order to conform with NPPF requirements. The Framework suggests that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.
- 7.3.6 In support of the Environmental Statement, the applicant submitted a Landscape and Visual Impact Appraisal (LVIA) which considers key view points; the degree of likely impact and who would be affected by that impact; and the suitability of the mitigation to reduce or mitigate the harm. It is considered that the above document provides a detailed account of the proposed GI framework and its onsite applicability to minimise landscape and visual effects identified in the LVIA.
- 7.3.7 It is important to note that the application is in outline with landscaping reserved. The critical matter in this respect is whether it is possible to accommodate sufficient and appropriate levels of tree planting within the development. The LPA considers that this is possible and therefore it would be difficult to substantiate a landscaping reason for refusal at this stage. At this stage the key objectives in terms of the landscape strategy are considered acceptable.

- 7.3.8 In terms of visual impacts of the development on wider views, potential visibility of the proposed development across the subject site is mainly shielded by commercial / industrial development which surrounds the majority of the site. This would be further controlled by the Rockingham Plantation to the north and a block of woodland and scrub to the east. Views are therefore typically limited to the immediate or short distance to the south, west and north, with some potential marginal medium to long distance views from limited locations unconstrained by built form and vegetation to the east.
- 7.3.9 It is generally accepted that the proposed planting would deliver sufficient effects to mitigate the impact, only after 15 years, and this would need to be subject to further details showing how the strategy would be delivered, phasing and further details of tree planting. The introduction of a new industrial / commercial development will result in permanent albeit localised changes in the landscape. The character of the landscape of the site will change from a previously developed one to a built one. The scheme also includes some perimeter structural landscaping to enhance existing vegetation within and along the southern and eastern boundaries.
- 7.3.10 In the light of the above, officers consider that the proposal, subject to adhering to Landscape and Visual Impact Assessment (LVIA) would adequately deal with this matter at the future stage.

7.4 Ecology and Nature Conservation

- 7.4.1 Policy 4 of the North Northamptonshire Joint Core Strategy protects existing biodiversity and geodiversity assets, including refusing development proposals where significant harm to an asset cannot be avoided, mitigated or, as a last resort, compensated. This includes sites of Special Scientific Interest.
- 7.4.2 Paragraph 170 of NPPF also suggests the need for minimising the impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are most resilient to current and future pressures. This approach is further supported by Policy 3 in the adopted plan which requires significant weight to be given to the conservation and enhancement of natural beauty. It also states that minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 7.4.3 Paragraph 175 of NPPF also advocates that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 7.4.4 Applicant has undertaken an Extended Phase 1 Habitat Survey along with Phase 2 ecological surveys for great crested newt and reptiles. Subsequently, an updated Extended Phase 1 Habitat Survey including invertebrate surveys was also carried out in August and September 2019. The Extended Phase 1 Habitat Survey (2018; prepared by REC Ltd) states that there are no Statutory Designated Sites within 5km of the site boundary. The Site is within a SSSI Impact Risk Zone. There are seven non-statutory designated sites located

within 2 km of the Site. All are Local Wildlife Sites (LWS) with the closest being Corby Tunnel Quarries LWS approximately 580m north west of the site. LWS are recognised for their importance to wildlife when assessed against a set of criteria. There are 11 Potential Wildlife Sites (PWS) within 2km of the Site, seven of which are within the Nene Valley Nature Improvement Area (NVNIA). The Site itself lies within a Potential Wildlife Site. The assessment of ecological impacts associated with the proposed development identified potential impacts to the open mosaic habitats on previously developed land, great crested newt and invertebrate assemblage.

- 7.4.5 Measures to mitigate effects during construction are necessary for legal compliance. These would include moving grass snakes prior to the site clearance, removing vegetation outside the bird nesting season, and moving dormice and great-crested newts under licence. This is in addition to proposed measures such as the planting of additional native hedgerows and trees, installation of bird and bat boxes and careful consideration of lighting scheme.
- 7.4.6 Submitted Design and Access Statement (DAS) states that the Willow Brook corridor has been fully considered within the schemes for the proposed platform. This includes due regard to the creation of engineered slopes and surface water drainage. The master planned areas will also be softened along the boundaries, by suitable indigenous landscaping to assist in promoting biodiversity. The DAS also confirms that a significant area of Open Mosaic Habitat will be retained within the Application boundary and enhanced (to the north of the Willow Brook corridor). Moreover, proposed surface water detention ponds will offer potential benefits for wildlife. An area of land to the east of the proposed development is set aside for biodiversity offsetting, including woodland management.
- 7.4.7 The submission incorporates the *Biodiversity Offsetting Report* with the use of the DEFRA biodiversity metric and Good Practice Principles. The Environmental Statement also identifies measures to mitigate the impacts on biodiversity which have been included to reduce the loss of biodiversity as a result of this application. It is demonstrated that two hectares of Open Mosaic Habitat would be retained within the site along with the habitats within the Willow Brook corridor. The proposal would also include the management of 5ha of compensatory habitat to the east of the red line boundary. There is still, however, an 86% net loss in biodiversity predicted due to the removal of most of the Priority Habitat. This is a significant and unacceptable loss. Therefore, the proposal is not in line with national or local policy regarding the need to demonstrate that a net gain in biodiversity could be achieved.
- 7.4.8 The Wildlife Trust and County Ecologist have assessed the application and objected to the proposed scheme due to the loss of Open Mosaic Habitat on Previously Developed Ground which is a Priority Habitat under the Natural Environment and Rural Communities (NERC) Act, 2006 and meets the criteria for selection as a Local Wildlife Site (LWS).
- 7.4.9 It is considered that the present proposal is unacceptable and conflicts with Policy 4 of the Joint Core Strategy and National Planning Policy Framework (2019).

7.5 Employment

- 7.5.1 Policy 22- Delivering Economic Prosperity stresses the need for safeguarding the existing and committed employment sites which are of the right quality and suitably located in relation to infrastructure and neighbouring uses. The Plan also aims to ensure that, as a minimum, North Northamptonshire delivers enough new jobs for the labour force arising from planned population growth, plus additional jobs in the southern area to help reduce levels of out commuting.
- 7.5.2 The significant potential of this area has been recognised in a number of technical studies including the Rockingham Development Framework (RDF) endorsed by Corby and East Northamptonshire Councils in 2011, and in the Northamptonshire Enterprise Partnership's 2015 bid for the designation of an Enterprise Zone. The partners (including the two local planning authorities) are continuing to promote the economic potential of the area. Policy 27 provides a positive planning framework to help achieve this.
- 7.5.3 The Application Site forms part of the proposed Rockingham Enterprise Area (REA). Policy 27 provides flexibility for a range of employment uses to come forward in response to market demands. The above policy also identifies significant opportunities to deliver high performance technologies and future vehicle technologies by attracting motorsport/automotive sector businesses. The Enterprise Area is also well placed to support other priority economic sectors including logistics and food and drink. The development of the Enterprise Area to its full potential is a long term opportunity that will be delivered during and beyond the plan period and consequently the Plan is not reliant on the delivery of the site to meet its minimum jobs targets.
- 7.5.4 However, the policy stresses the need for demonstrating how the development of individual parcels of land relate or connect to the wider area, contributing to the delivery of the place-shaping principles and ensuring they do not prejudice the delivery of other development within the Enterprise Area.
- 7.5.5 The net developable area within the development framework area extends to some 228 hectares of land (i.e. 75% of the gross land area), which constitutes a significant employment area. The development framework assumes the following for the B-class employment uses: B1 offices – 20% site coverage, B1c light industrial/B2 – 40% site coverage and B8 warehousing – 40% site coverage. The proposed development falls within the parameters of the RDF and in accordance with the Masterplan.
- 7.5.6 The proposed development will be phased which is suggested within the Policy 27 by stating that-
- It will be important that development is phased and focused in certain areas of the Enterprise Area, together with provision of appropriate temporary and other employment uses to build and maintain development momentum and contribute towards infrastructure delivery. Whilst the site has significant potential in the short, medium and long term it is important that development is phased in relation to the provision of on and off site infrastructure and mitigation of contaminated land constraints.*
- 7.5.7 A permission sought here may result in 100% (43,000m²) B2 use (general industrial). The site is allocated within an up-to-date development plan for

employment use. The proposed enabling works to facilitate the site for the employment development are therefore entirely in accordance with the NPPF. The direction of emerging local planning policy also supports deliverable employment sites and encourages employment diversity.

7.5.8 Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The Framework goes on stating that planning decisions should recognise and address the specific locational requirements of different sectors (paragraph 82).

7.5.9 In the light of the above, it is considered that the proposed development would support the economic growth and productivity by taking into account both local needs and wider opportunities for development. The proposed development would help meet the significant employment needs of the wider area. Therefore, the proposed scheme conforms with NPPF in building a strong, competitive economy.

7.5 Highways

7.5.1 There are currently two accesses to the site, via Napier Road to the west and via a link road from the A6116 Steel Road to the south. Napier Road is a two way single carriageway road that meets Phoenix Parkway at a ghost island priority junction and provides access to a small number of commercial units. There is a footway, separated by a grass verge, on the northern side of the A6116 Steel Road and on the eastern side of Phoenix Parkway, providing a pedestrian route to the various industrial and commercial premises. An alternative cycle link from the site to the town centre is via a cycle route through Heritage Way to the west of the site, linking with Pen Green Lane and routes along Rockingham Road to Corby railway station.

7.5.2 Submitted plans evidence that access into the B2 employment development will be via Napier Road which will be extended into the site. A potential second access will be available from the Corby Northern Orbital Road roundabout, after the completion of the road. The submitted documents also suggests that the Steel Road site access will be blocked off for vehicles when the site becomes operational.

7.5.3 Extensive consultation has been carried out with Highways department in relation to highway issues and the highway officer confirmed their acceptability of the proposed layout. However, Northamptonshire Highways considers that there are outstanding comments in regards to the Technical Note which needs to be addressed.

7.5.4 These includes Personal Injury Collision (PIC) data need to be updated with the latest five year accident data, clarification of car and cycle parking provision, trip generation, clarification of trip distribution; all information as detailed in the note, including junction geometries, should be provided for traffic impact assessment in order to validate the 2018 base year model and 2031 future year assessments.

7.5.5 Applicant has provided additional information to address previously raised concerns by highways. They have submitted a revised Technical Note for highways consideration and at the time of writing this report no further response has been received from Northamptonshire Highways.

7.6 Flood Risk and Drainage

7.6.1 Policy 5 (Water Environment, Resources and flood risk management) of Joint Core Strategy reflects how development should contribute to reducing the risk of flooding and also protecting the quality of the water environment. The above policy also states that 'development should be designed from the outset to incorporate Sustainable Drainage Systems wherever practicable, to reduce flood risk, improve water quality and promote environmental benefits'. This consideration is reiterated in the NPPF, which states that development should ensure that flood risk is not increased elsewhere.

7.6.2 The subject site is located within Flood Zone 1 and therefore has a low probability of flooding. Surface water runoff will be discharged from the surface water drainage network to the Willow Brook North via two outfall points at a restricted 'greenfield' rate. Excess flows will be attenuated within the site area within detention basins and plot-level geocellular storage tanks.

7.6.3 The applicant has submitted Chapter 9 (Drainage and Flood Risk Management) as part of the Environmental Statement to assess the potential effects of the Proposed Development on drainage and flood risk, both on site and to the immediate surrounding area. Due to the size of the application site, a Flood Risk Assessment (FRA) has also been undertaken to consider the impact of the development upon flood risk and vice versa, in line with national policy guidance. The FRA is included in Appendix 9.1 of the Environmental Statement.

7.6.4 The drainage strategy suggests that the proposed development will incorporate a surface water drainage network that will be designed and constructed in-line with industry best practice, which includes measures to manage site drainage and prevent pollution. The drainage strategy incorporates Sustainable Drainage features to provide water quality treatment, primarily within vegetated detention basins, which will slow the rate of flow through the basin providing filtration and settlement for suspended solids. Additional 'pre-treatment' will be provided by oil separators within individual plot and grass filter strips adjacent to access roads.

7.6.5 Information submitted by the applicant has taken full account of likely significant impact of the Proposed Development with regards to drainage and flood risk. The potential impact of the development has been considered and it is recommended that the drainage system is designed to reduce any flood risk due to the increased impermeable area both onsite and offsite. All the relevant factors associated with construction, operational activities and decommissioning have been taken into account to identify likely impacts.

7.6.6 The mitigation and enhancement measures have been identified and all the significant affects have been considered which are related to various stages of the design life. The Environment Agency and Surface Drainage Water team

were consulted on this proposal. They have not raised any objections, subject to conditions regarding the surface water management strategy and foul water infrastructure details. At this stage based on all the information provided by the applicant, it is considered that the drainage strategy, hydrology and flood risk mitigation is aligned with the policy requirements.

7.7 Air Quality, Noise and Vibration

- 7.7.1 The proposals have the potential to cause air quality impacts as a result of fugitive dust emissions during construction and road traffic exhaust emissions associated with vehicles travelling to and from the site during operation. As such, an Air Quality Assessment is vital in order to determine baseline conditions and assess potential effects as a result of the scheme.
- 7.7.2 During the construction phase of the development, potential air quality impacts as a result of fugitive dust emissions from the site has been identified. These were assessed in accordance with the IAQM methodology. It is also considered that good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities would not be significant.
- 7.7.3 Potential impacts during the operational phase of the proposals may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site.
- 7.7.4 The NPPF requires the LPA (Local Planning Authority) should conduct site analysis to 'ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.'
- 7.7.5 Policy 8 'Northamptonshire Place Shaping Principles' which prevents any development that would result in adverse impacts due to unacceptable levels of air pollution and noise.
- 7.7.6 An Environmental statement has been submitted for the air quality and mitigation measures required to prevent or reduce the likely residual effects, and all the measures have been specified. Council's Environmental Health Officer have reviewed chapter 11 of the Environmental Statement reference GM10604 dated January 2021 by Wardell Armstrong and advised it is accepted. However, states that the proposed mitigation measures and financial contribution may need reviewing in the future and this review could be secured by way of a suitably worded planning condition. The officer also reviewed the *Dust Management Plan* reference GM10604 dated 29th June 2021 by Wardell Armstrong and confirmed the acceptability.
- 7.7.7 In relation to noise impact the applicant has provided information within the Environmental Statement including Appendix 10.1 which includes noise survey, construction noise assessment and operational noise assessment.

- 7.7.8 An assessment has been made regarding the impact of noise and vibration at both the construction and operational phases of development. The above assessment is necessary to comply with Policy 8-Place Shaping Services of the JCS, which states that permission will not be granted for development resulting in unacceptable levels of noise. The Senior Environmental Health Officer was consulted in regards to noise and vibration and initially raised concerns in relation to the information provided at that stage.
- 7.7.9 Re-consultation has been carried out with EHO on the supplementary information provided within chapter 10 with regard to noise. The officer confirms that a suitable assessment with predicted noise levels and detailed mitigation measures needs to be submitted for approval by the LPA, by way of a suitably worded condition, to ensure that noise emissions will be controlled during the works such that it does not result in an adverse impact on nearby receptors. This includes existing and permitted industrial/commercial receptors. Additionally, suggested inclusion of a suitably worded planning condition that requests advance notice and details of any night working at least two weeks before it is proposed to take place.

8. Conclusion/Planning Balance

- 8.1 Turning to the planning balance, following the assessments made through section 8 of this report, this section weighs the harm to the significant biodiversity loss resulting from the proposal, against other material considerations in support of the development. This planning balance will then determine whether the benefits outweigh the identified harm.
- 8.2 It is recognised that the application has been accompanied by Ecological Surveys, it is already building on a site allocation where the principle for the use has been established. The Ecological Adviser and Wildlife Trust have raised objections in respect of impact on the Open Mosaic Habitat and 86% biodiversity loss. Council's Ecological Adviser also pointed that once the Environment Bill is passed applicants will have the last-resort option of buying credits from the Secretary of State however, that facility does not exist at present.
- 8.3 Overall and despite the benefits that would arise from supporting the delivery of an important component of the economic plan for Corby, the policy test for any application requires that development proposals where significant harm to an asset cannot be avoided, mitigated or, as a last resort, compensated should be refused.
- 8.4 There is a strong emphasis in the Framework in overall sustainability objectives including getting development in the right places. It is acknowledged that the scheme would provide benefit by contributing towards economic development both in the short and long term to the local economy. Nonetheless, It is considered that the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole.
- 8.5 Through the development, the application site would deliver significant job creation, apprenticeships and increase in economic output. The proposal does not align with environmental objectives within the NPPF, where it stresses the

need for minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 8.6 The officers have assessed the acceptability of the development applied substantial weight to the significant impact on the Priority Habitats. Alongside this they have considered any other harm from the development and consider that the benefits of the proposed development are not sufficient to outweigh the harm.

9. Recommendation

- 9.1 For the reasons set out below the proposal is recommended for refusal.

10. Reasons for Refusal

- 10.1 In conclusion the proposed development is unacceptable in principle because the proposed scheme fails to comply with Policy 4 of the Joint Core Strategy in relation to net biodiversity loss. Accordingly, the proposal fails to accord with paragraph 170 of National Planning Policy Framework and North Northamptonshire Joint Core Strategy.

11. Informatives

- 11.1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved', Local Plan Policies 1997, Joint Core Strategy Adopted July 2016, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.





12. Schedule of Plans/ Documents

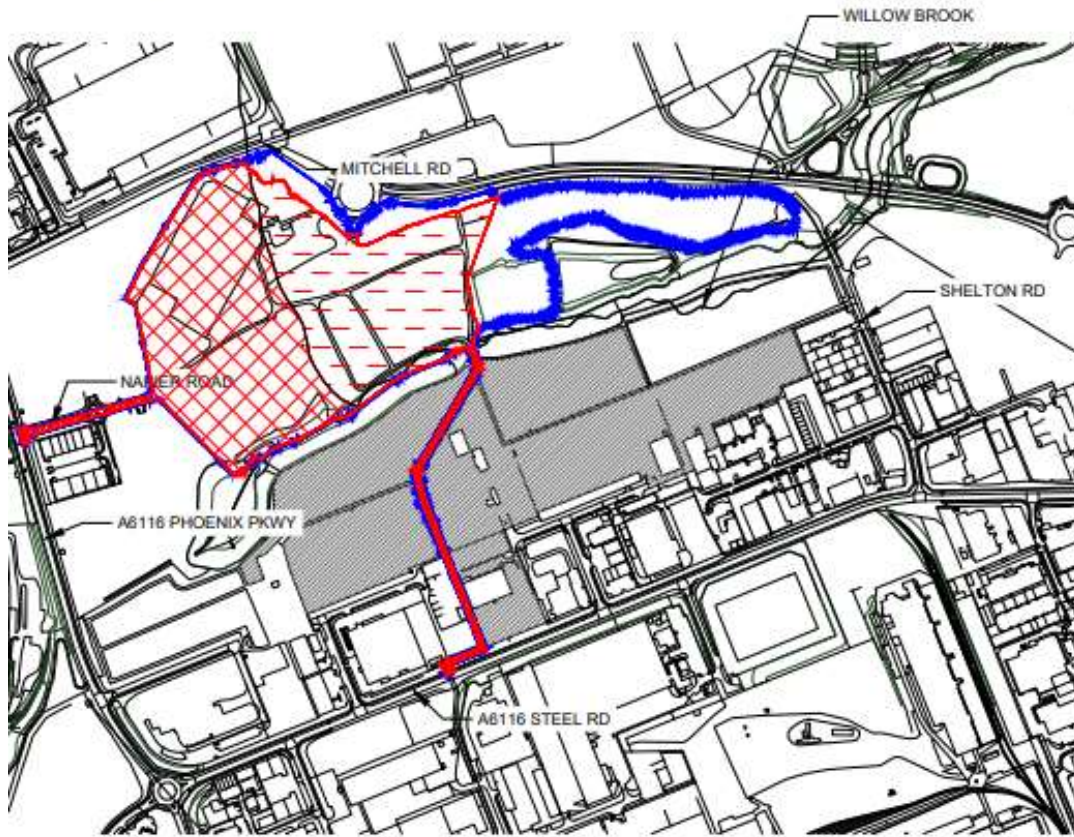
- Site Location Plan, Dwg No.- GM10604-004 Rev- B
- Planning, Design and Access Statement, January 2021
- Environmental Statement, January 2021
- Non-Technical Summary, January 2021
- Technical Note Response to North Northamptonshire CouncilV2, May 2021
- Technical Note 2 - Second Response to North Northamptonshire CouncilV1, June 2021
- Preliminary Construction Management Plan For Phoenix Parkway Enabling Works, January 2021
- Preliminary Investigation Report (Desk study and site reconnaissance), Report: STP3966D--P01 Revision 2, March 2019
- Ground Investigation Report, ref: STP3996D- G01, September 2020
- Supplementary Environmental Information for Chapter 10: Noise, received on

17.05.2021

- Supplementary Environmental Information for Appendix 11.4: Dust Management Plan, received on 17.05.2021

REFERENCE

-  APPLICATION BOUNDARY
-  LAND WITHIN THE CONTROL OF THE APPLICANT
-  AREA OF SITE LYING WITHIN CORBY BOROUGH COUNCIL
-  AREA OF SITE LYING WITHIN EAST NORTHAMPTONSHIRE COUNCIL



**Storefield Group Limited, Land Off, Centrix Business Park, Napier Road,
Corby, Northamptonshire,
Planning Application Reference: NC/21/00072/OUT
Planning Committee Date: 05.07.2021**

Scale: 1:1250



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ADDENDUM REPORT 2

Application Reference: NC/21/00072/OUT

Application for land off Phoenix Parkway to provide an engineered development platform, and Outline application for the development of an employment park comprising up to 43,000 sqm B2 use, with all matters reserved apart from access

The following paragraphs to be added under 5.11:

Ecologist

(30.12.2021 and 11.02.2022) Applicant has submitted a Botanical Report and a revised Ecological Mitigation Strategy which is based on the findings of a detailed botanical survey (undertook by Harwood Biology during October 2021) of the site to update the findings of the earlier Phase 1 Habitat Survey, 2019. Applicant has confirmed that the report, utilised Biodiversity metric 2.0 to evaluate the measure of baseline biodiversity units present on site. This latest assessment determined the biodiversity value of the site as 112.67 Units.

Council's Ecologist and Wildlife Trust was re-consulted on additional information provided by the applicant. The consultees have assessed the submitted reports and raised the following key concerns:

- *The report has not been written to the standards set out in CIEEM's ecological report writing guidance.*
- *Insufficient information in regards to the true species richness as the original Phase 1 habitat survey was conducted in February and the botanical survey in October, both outside the optimal season for detailed grassland characterisation.*
- *The report describes the site as 'isolated and unconnected' from other open habitat areas. Council's ecologist disagrees with the above statement as the site is part of a larger complex of open mosaic habitat.*
- *The report considers the site to be of 'low' strategic significance because 'there is no formal designation applied to the site' and the land is not 'assigned' for the purpose of a nature reserve. However, the site's designation and location within an OMH target area in particular meet the strategic significance criterion 'within area formally identified in local strategy' and therefore of greater value than the botanical report assigns.*
- *The updated Ecological Mitigation Strategy refer to recent appeal decision and the need to deliver 1% net gain and not the 10% which will eventually be required. This is considered acceptable.*
- *The mitigation strategy do not address concerns about where the compensation would be delivered or the feasibility of doing so on arable land.*
- *All three habitat surveys (2018 – 2021) were done at suboptimal times of year and all three habitat maps differed with respect to the quality and extent of habitats present. There has been no consistency in the evidence on which the council could base a decision.*

Paragraph 7.4.9 to be deleted and replaced by:

Applicant has provided additional information to address previously raised concerns by Council's Ecologist and Wildlife Trust. Applicant has submitted a Botanical Report which is based on the findings of a detailed botanical survey (undertook by Harwood Biology during October 2021) of the site to update the findings of the earlier Phase 1 Habitat Survey, 2019. A revised Ecological Mitigation Strategy has been also submitted for consideration by

relevant consultees. Extensive consultation has been carried out among Council's Ecological Adviser and Applicants Team in order to resolve the raised concerns. Consultees have assessed the additional information and concluded that they are unable to support the scheme due to lack of robust evidence.

Council's Ecologist has also pointed that robust evidence is required to demonstrate that it is possible to create OMH on arable land, irrespective of how the soil is pre-treated. As the subject site is extremely contaminated, assurances from both the Environment Agency and Environmental Health Officer (EHO) would be required to confirm that scraping, storing and transporting the material, plus depositing it on arable land (which is generally surrounded by other arable land and/or pasture) are acceptable and likely to receive any required permits.

It is considered that the present proposal is unacceptable and conflicts with Policy 4 of the Joint Core Strategy and National Planning Policy Framework (2021).

The following paragraph to be added under 5.15:

Highways Authority

(21.02.2022) –Previously, highways officer has pointed the applicant towards the Steel Road improvements scheme which was promoted by former Corby Borough Council and now North Northamptonshire Council. The officer indicated that the proposed scheme does not take into account the above application proposals or traffic impacts and therefore cannot be relied upon. Applicant have provided further supporting information to address Highway's raised concern.

Northamptonshire Highways was re-consulted on additional information provided by the applicant. After careful consideration Highways Officer confirmed that the assessment and identified mitigation reflects the impact and therefore the LHA would support the application on the basis that a mitigation contribution of £11,000 are secured to enhance the already identified improvement scheme at the Steel Road roundabout.

The LHA also requested that the footway on the eastern side of Phoenix Parkway is upgraded to a 3m footway / cycleway from Heritage Way, 160m north of Napier Road, to the Steel Road roundabout, 650m south of Napier Road to create a safe off-road cycle link to the centre of Corby. The Applicant is required to make a financial contribution to this facility however no confirmation has been received from the applicant on a proposed a sum that needs to be secured via the S106.

Paragraph 7.5.5 to be deleted and replaced by:

Applicant has provided additional information to address previously raised concerns by highways. A revised Technical Note (TN) has been submitted for highways consideration. Northamptonshire Highways have assessed the TN and concluded that they are unable to support the scheme due to insufficient information provided by the applicant.

The following paragraphs to be added as 7.5.6 and 7.5.7:

Applicant has submitted a Mitigation Letter dated 12th October 2021 to address highways concern in regards to the traffic impact of the proposed development on the Steed Road improvement scheme. Northamptonshire Highways was re-consulted on additional information provided by the applicant. The highways authority has confirmed that applicant has provided appropriate assessment of the development impacts and demonstrated that the additional development trips do not represent a severe impact on the highway network

subject to a suitable contribution towards enhancing the current Steel Road improvement scheme.

The proposal would therefore comply with JCS Policies and the NPPF which seek to ensure new development meets the need of the area without compromising the safe and satisfactory operation of the highway network.

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Minutes of a meeting of the Strategic Planning Committee
at 7.00 pm on Monday 7th March, 2022 in the
Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

Present:-

Members

Councillor Steven North (Chair)
Councillor Tim Allebone
Councillor Ross Armour
Councillor Alison Dalziel
Councillor Mark Dearing
Councillor Bert Jackson (Substitute)

Councillor Paul Marks
Councillor Roger Powell
Councillor Simon Rielly
Councillor Mike Tebbutt
Councillor Kevin Thurland

Officers

Jasbir Sandhu
Duncan Law
Reddy Nallamilli
Edward Oteng
Louise Holland
Heather Webb
Emma Granger
Fiona Hubbard
Pauline Brennan

Development Services
Development Services
Development Services
Development Services
Development Manager
Project Principal Officer - Biodiversity
Legal Representative
Democratic Services
Democratic Services

38 Apologies for absence

It was noted that apologies for absence were received from Councillors Bell, Smyth and Waters. Councillor Jackson attended as a Substitute for Councillor Waters.

39 Members' Declarations of Interest

The Chair invited those who wished to do so to declare interests in respect of items on the agenda.

There were no declarations received.

40 Minutes of the meeting held on 13 January 2022

RESOLVED that the minutes of the meeting of the Planning Committee held on 13th January 2022 be approved as a correct record.

***Applications for planning permission, listed building consent and appeal information**

The Committee considered the following applications for planning permission, which were set out in the Development Control's Reports and supplemented verbally at the meeting. Three speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

The reports included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-

41 NW/21/00866/REM - Land area 12B Residential Stanton Cross, Irthlingborough Road North, Wellingborough

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.1 Reserved matters application for the siting, scale, layout and appearance of 81 units together with garaging and associated infrastructure pursuant to planning permission ref: WP/15/00605/VAR on Land Area 12B Residential Stanton Cross, Irthlingborough Road North, Wellingborough.</p> <p>Application No: NW/21/00866/REM</p> <p><u>Speaker:</u></p> <p>James Griffiths attended the meeting and addressed the Committee as the agent for the proposed development. The agent considered it to be an attractive scheme which responded to the requirements of the Neighbourhood centre and South Slopes design brief in this centrally located parcel of land fronting onto Irthlingborough Road. He stated that existing residents would have direct pedestrian access to the commercial centre; the elevational façade to Irthlingborough Road had undertaken significant Urban Design changes from the original application submission and the current proposal would create better massing of buildings on Irthlingborough Road and a change in the fenestration window design and roof articulation.</p> <p>The agent referred to concerns of some residents in relation to the parking</p>	<p>Members received a report to seek approval of Reserved Matters for the siting, scale, layout and appearance of 81 units together with garaging and associated infrastructure, In addition, further reserved matters had been submitted including vehicle parking, hard and soft landscaping, external amenity space and ancillary works pursuant to condition 2 of planning permission reference WP/15/00605/VAR. The application site was located within the Neighbourhood Centre and South Slopes Design Brief for the area of Stanton Cross.</p> <p>It was recommended in the report to approve the Reserved Matters Consent for siting, scale, layout and appearance, subject to the conditions set out in the report.</p> <p>The Planning Officer addressed the Committee and presented the report, providing full and comprehensive details.</p> <p>During the debate, members raised several questions of clarification including affordable housing, the Town and Country Park, electric vehicle charging points and the building control regulation condition with regard to water use at each dwelling.</p> <p>It was proposed by Councillor Marks and seconded by Councillor Allebone that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be APPROVED subject to the following</p>

strategy. He reported that the scheme would provide 148 allocated parking spaces plus 14 garages and 26 visitor spaces providing 188 parking spaces overall.

He also explained that pedestrian access directly through this phase to the south would access the neighbourhood centre and would enhance footfall by providing direct pedestrian links.

Following the speaker's comments, members asked questions of clarification to the agent.

conditions:

1. The development hereby approved shall be carried out in accordance with the following drawings:

Received 05 Oct 2021

Location Plan 17410/1031

1B2P Maisonette 1B2P Maisonette v1 Floor Plans and Elevations 18908/100A

House Type MORDEN Floor Plans and Elevations 18908/104

House Type DERWENT Floor Plans and Elevations 18908/105A

House Type COLERIDGE Floor Plans and Elevations 18908/106

House Type COLERIDGE v1 Floor Plans and Elevations 18908/107

House Type ROSEDENE Floor Plans and Elevations 18908/108

House Type ROSEDENE v1 Floor Plans and Elevations 18908/109

House Type CHIDDINGSTONE Floor Plans and Elevations 18908/110

1B2P Maisonette Floor Plans and Elevations 18908 124

Received 07 Dec 2021

1B2P Apartment Block Floor Plans and Elevations 18908/101C

2B4P Apartment Block C Floor Plans and Elevations 18908/102D

Type MORDEN C Floor Plans and Elevations 18908/103B

2B4P Affordable Apartment Block Floor Plans and Elevations 18908/112F

Received 17 Jan 2022

Freestanding Cycle Store Details for Plots 46 and 47 18908/ 123

Refuse Strategy 18908/1003H

Received 10 Feb 2022

Planning Layout 18908/1001M

Boundary Treatments 18908/1004I

House Type HANBURY Floor Plans and Elevations 18908/111A

Type HANBURY v1 Floor Plans and Elevations 18908 120C

House Type HANBURY v1 with Ancillary Buildings Floor Plans 18908 121C

House Type HANBURY v1 with Ancillary Buildings Elevations 18908 122C

Received 16 Feb 2022

Street Scene AA / along Irthlingborough Road 18215/1005L

Materials Layout 18908/1006K

Affordable House Type 3B5P Floor Plans and Elevations 18908/113A
Garages Pergola Freestanding Cycle Store Details 18908/114A
Boundary Treatments Details 18908/117A

Received 17 Feb 2022
Car Parking Strategy 18908/1002I

Reason: To define the permission for the avoidance of doubt and in accordance with best practice guidance set out in paragraph 022 of the National Planning Practice Guidance.

2. In the event that any unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with policy 6 of the North Northamptonshire Joint Core Strategy.

3. The development hereby approved shall be carried out in accordance with the materials specified on the approved Materials Layout 18908/1006K plan as set out in Condition 1.

Reason: To ensure that the external appearance of the building is satisfactory and to not detract from the character and appearance of the area in accordance with policy 8 (d) (ii) of the North Northamptonshire Joint Core Strategy.

4. Notwithstanding the approved drawings, no development shall take place above slab level until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include existing trees and/or hedgerows to be retained and/or removed accurately shown with root protection areas; existing and proposed finished levels or contours; means of enclosure; visibility splays; areas of hard surfacing materials; proximity between street lights and tree planting; pedestrian access and circulation areas; civic space/public park furniture, bins etc.; proposed and existing functional services above and below ground such as cables, pipelines, substations. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, plant supply sizes and proposed densities; written specifications (including cultivation and other operations associated with tree, plant and grass establishment; and the implementation programme. Development shall be carried out in accordance with the approved details. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity. All hard and soft landscape

works shall be carried out prior to the occupation of the building(s) or the completion of the development whichever is the sooner or in accordance with a programme agreed in writing with the local planning authority.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area in accordance with policy 3 (a), (b) and (e) of the North Northamptonshire Joint Core Strategy.

5. No dwelling or dwellings shall be occupied until the streets affording access to those dwellings has been completed to wearing course.

Reason: To ensure that the streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety in accordance with policies 8 (b) (i) and 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

6. Before the first occupation of each associated dwelling the boundary treatment details as shown on Boundary Treatments 18908/1004I plan as agreed in condition 1 shall be installed or such other details that shall have been submitted to and approved in writing by the local planning authority and thereafter retained in that form.

Reason: To reduce opportunities for crime and aid security and privacy in accordance with policy 8 (e) (iv) of the North Northamptonshire Joint Core Strategy.

7. No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved Car Parking Strategy 18908/1002I plan has been constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

8. Prior to the first occupation of any dwelling on site a lighting scheme for the development hereby permitted in particular the communal parking areas and for the unadopted private driveways of the site shall be submitted to and approved in writing by the local planning authority. The lighting shall be implemented in accordance with the approved details and timetable for installation and shall be maintained as such thereafter.

Reason: In order to help safeguard future residents and to help minimise opportunities for crime and disorder in accordance with policy 8 (e) (iv) of the North Northamptonshire Joint Core Strategy.

9. The dwellings hereby approved shall incorporate measures to limit water use to no more than 105 litres per person per day within the home and external water use of no more than 5 litres per day in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations (2015).

Reason: To ensure that the development complies with policy 9 of the North Joint Core Strategy.

(Members voted on the officers' recommendation to approve the application)

(Voting: For: 9; Abstain 1)

The application was therefore

APPROVED

42 KET/2020/0208 - Hanwood Park (Parcel R22), Barton Seagrave

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.2 Approval of Reserved Matters (EIA): All details in respect of KET/2015/0967 for 350 dwellings at Hanwood Park (Parcel R22), Barton Seagrave.</p> <p>Application No: KET/2020/0208</p> <p><u>Speaker:</u></p> <p>Caroline Chave attended the meeting and addressed the Committee as the agent for the proposed development. The agent stated they had worked proactively with officers and considered a good standard had been set for future parcels and through a series of design workshops had carefully created variety to the scheme. The agent referred to biodiversity within the development and bespoke high-quality street scenes with a footpath linked to the school and a cycleway in the vicinity.</p> <p>Following the speaker's comments, members asked questions of clarification to the agent.</p>	<p>Members received a report to seek approval of Reserved Matters relating to access, appearance, landscaping, layout and scale for a parcel of land identified on the Hanwood Park Strategic Master Plan at R22 for residential development. The proposal was seeking to deliver a total of 350 residential units comprising of 296 family dwellings and 54 apartments. A detached three storied block would contain 30 of the proposed apartments.</p> <p>A presentation pack from the Developer had been distributed to each member which contained detailed images of the layout, proposed street scenes and property types. An adjournment time of 5 minutes was given to the Committee to peruse the information contained therein.</p> <p>It was recommended in the report that planning permission be granted, subject to the conditions set out in the report.</p> <p>The Planning Officer addressed the Committee and presented the report, providing full and comprehensive details.</p> <p>During the debate, a member congratulated the work of officers and considered it to be a good scheme. Another member raised a query in relation to the width of the footpath and cycle path which was confirmed to be 3 metres wide therefore one extra metre to</p>

	<p>accommodate both pedestrians and cyclists.</p> <p>Members heard that utilities were already available in relation to broadband and the proposal was a sustainable urban extension which encouraged walking and cycling.</p> <p>A member asked if special Bee Bricks had been considered. The Biodiversity Officer would welcome this but explained that people do get nervous about this subject but she would like to introduce this process with a gentle approach in the future.</p> <p>A query was raised in relation to open space for occupiers of flats and Members heard there was plenty of open space and recreational activities all within walking distance.</p> <p>A member questioned lighting for the open space areas which would be discussed with officers and highway engineers.</p> <p>It was proposed by Councillor Dalziel and seconded by Councillor Rielly that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:</p>
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1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

Reason: In the interests of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

2. All external surfacing works (materials) and hard landscaping works to R22 shall be carried out, maintained, and implemented in accordance with drawings: 10060.03(E)- Materials Dispersion & 10060.13(E)-Surface Finishes unless subsequently agreed between the local planning authority and developer by exchange of letter.

Reason: To promote and deliver the Councils design objectives in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy and the aims and objectives of the revised National Planning Policy Framework.

3. All external and internal biodiversity works shall be carried out, maintained, and implemented in accordance with the submitted and approved details prior to occupation of each individual phase within parcel R22.

Reason: To promote and deliver the Council's biodiversity objectives in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy and the aims and objectives of the revised National Planning Policy Framework.

4. The approved landscaping scheme and boundary enhancement measures shall be implemented strictly in accordance with the approved details in the first available planting season after commencement of the development. Any trees planted in public areas which within a period of 10 years of planting die, are removed or become seriously damaged or diseased in the view of the Local Planning Authority, shall be replaced in the next available planting season with others of a similar size and species.

Reason: To reinforce and deliver important landscape features and promote and deliver the Council's environmental protection objectives in accordance with Policies 8 and 19 of the North Northamptonshire Joint Core Strategy and the aims and objectives of the revised National Planning Policy Framework.

5. Prior to commencement of the development hereby approved details of the siting, design and appearance of street lighting shall be submitted to the Local Planning Authority for approval in writing. The scheme thereafter shall be implemented in accordance with the approved details.

Reason: To promote and deliver the Council's design objectives in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy and the aims and objectives of the revised National Planning Policy Framework.

6. Notwithstanding the previously approved Construction Environmental Management Plan at outline stage, prior to commencement of the development hereby approved a Construction Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval in writing. The CEMP shall include and specify provision to be made for the following:
 - a) Overall strategy for managing environmental impacts which arise during construction
 - b) Measures to control the emission of dust and dirt during construction
 - c) Control of noise emanating from the site during the construction period
 - d) Hours of construction work for the development shall be limited as follows. All site preparation or construction activities involving driver operated machinery shall not take place between the hours of 18.00-08.00 Mondays to Fridays and 13:00-09:00 on Saturdays and no works shall take place on Sunday or Bank/Public Holidays. All other site preparation or construction related activities without driver operated machinery, shall not take place between the hours 18:00 and 07.00 Mondays to Fridays and 13.00 and 08.00 on Saturdays and no works shall take place on Sunday or Bank/Public Holidays and not at any other time or day
 - e) Location, scale and appearance of contractors' compounds, materials storage, and other storage arrangements, for cranes and plant, equipment, and related temporary infrastructure
 - f) Designation, layout and design of construction access and egress points
 - g) Internal site circulation routes
 - h) Directional signage (on and off site)
 - i) Provision for emergency vehicles

- j) Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials
- k) Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period
- l) Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles on a daily basis
- m) Routing agreement for construction traffic
- n) Enclosure of phase or development parcel and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; and
- o) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works
- p) Delivery times (which for the avoidance of doubt shall be outside of pick-up and drop-off times of Hayfield Cross Primary School)
- q) A strategy for resolving and responding to any complaints received regarding construction activities

The scheme thereafter shall be implemented in accordance with the approved details.

Reason: To promote and deliver the Councils environmental protection objectives in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy and the aims and objectives of the revised National Planning Policy Framework.

7. Within 12 months of the development hereby approved commencing, a written scheme setting out the arrangements and agreements for the future maintenance and management of the native shrub as a single continuous hedge and boundary treatment provided along Cranford Road/Hanwood Park Road to be retained in perpetuity shall be submitted to the Local Planning Authority and approved in writing. The scheme thereafter shall be implemented in accordance with the approved details.

Reason: To protect important landscape features and promote and deliver the Councils environmental protection objectives in accordance with Policies 8 and 19 of the North Northamptonshire Joint Core Strategy and the aims and objectives of the revised National Planning Policy Framework.

8. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order 2015 or any Order amending, revoking and/or re-enacting that Order, with or without modification. No extension or alterations relating to Class A, B, C & E of Part 1 of Schedule 2 or Part 2 Class A of Schedule 2 shall be erected without the prior written consent of the Local Planning Authority.

Reason: To secure the satisfactory development of the site, protect residential amenity and comply with the aims and objectives of the NPPF.

(Members voted on the officers' recommendation to approve the application)

(Voting: Unanimous)

The application was therefore

APPROVED

43 NC/21/00072/OUT - Land off Centrix Business Park, Napier Road, Corby

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.3 Application for land off Phoenix Parkway to provide an engineered development platform and Outline application for the development of an employment park comprising up to 43,000 sqm B2 use with all matters reserved apart from access.</p> <p>Application No. NC/21/00072/OUT</p> <p><u>Speaker:</u></p> <p>Bernard Ralph attended the meeting and addressed the Committee as the agent for the proposed development. The agent asked the Committee if it would resolve to approve the planning application, subject to a s106 Agreement and ecological mitigation be dealt with via condition.</p> <p>Following the speaker's comments, members asked questions of clarification to the agent.</p>	<p>Members received a report on a proposal for a hybrid planning application in two parts. The applicant for the present application Storefield Group Limited, sought full planning permission for proposed engineering and enabling works to level the site within the first part. The second part was seeking outline planning permission for proposed B2 (general industrial) employment uses with all matters reserved except access. It is acknowledged that the proposal straddles the administrative boundary with former East Northamptonshire District Council. The applicant proposed the development of up to 43,000m2 of B2 use.</p> <p>It was recommended in the report that planning permission be refused for the reason set out in the report. However, the Planning Officer, addressed the Committee and provided an update asking the Committee to consider deferring the planning application due to further information which had been received from the applicant and the agent which needed to be considered further by officers.</p> <p>During the debate, a member raised questions in relation to a badger survey and the officer responded that this could be dealt with via a method statement and a pre-commencement condition.</p> <p>A member made a comment that the site was derelict with no productive use and queried why we could not grant planning</p>

	<p>permission as it was an industrial area.</p> <p>The Legal Adviser informed the Committee that due to the information that had been recently submitted this should be properly considered and we would then need to follow due process and bring a recommendation back to Committee.</p> <p>Members asked if the application could return to this Committee as soon as practically possible.</p> <p>It was proposed by Councillor Tebbutt and seconded by Councillor Allebone that the application be deferred.</p> <p>It was agreed that the application be DEFERRED, contrary to the recommendation in the report, on the grounds that further information had been received from the applicant and agent which needed to be considered by officers.</p>
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(Members voted on the motion to defer the application. Although the recommendation in the report was refusal, officers asked the committee to consider deferring the planning application due to further information that had been received from the applicant and agent which needed to be considered by officers).

(Voting: For: 9; Against 1)

The application was therefore
DEFERRED

44 Delegated Officers Report

None.

45 Exempt Items

None.





46 Close of Meeting

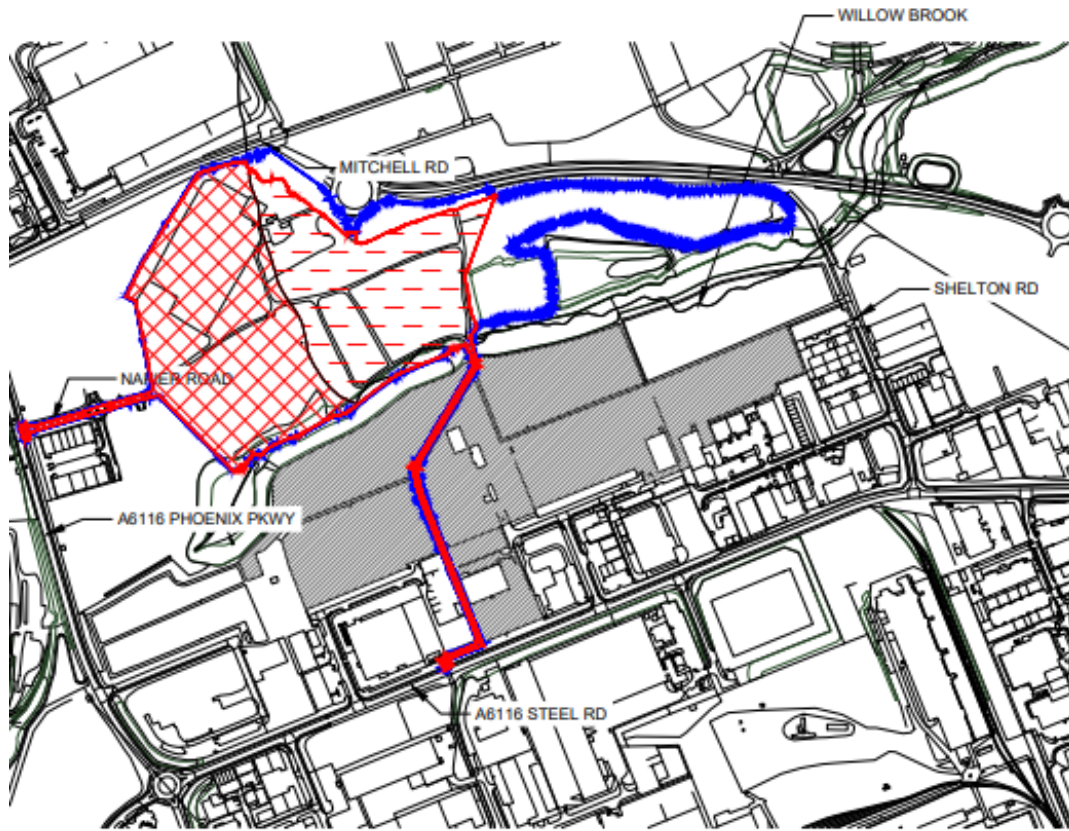
The meeting closed at 8.33 pm.

Chair

Date

REFERENCE

-  APPLICATION BOUNDARY
-  LAND WITHIN THE CONTROL OF THE APPLICANT
-  AREA OF SITE LYING WITHIN CORBY BOROUGH COUNCIL
-  AREA OF SITE LYING WITHIN EAST NORTHAMPTONSHIRE COUNCIL



**Storefield Group Limited, Land Off, Centrix Business Park, Napier Road,
Corby, Northamptonshire,
Planning Application Reference: NC/21/00072/OUT
Planning Committee Date: 07.06.2023**

Scale: 1:1250



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North Northamptonshire Planning Committee (North) 7th June 2023

Application Reference	NC/22/00464/DPA
Case Officer	Farjana Mazumder
Location	Land South Of Kettering Road Weldon
Development	Full Planning Application for the Erection of an Entry Level Exception Site of 22 Dwellings, Associated Infrastructure and Landscaping
Applicant	Wulff Asset Management Limited
Agent	Harris Lamb Limited
Ward	Corby Rural
Overall Expiry Date	8 th February 2023
Agreed Extension of Time	9 th June 2023

List of Appendices

None.

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there are 5 or more written objections to the proposal and comes before the Committee for determination.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement.

2. The Proposal

- 2.1 The application proposal is for the erection of entry-level homes and associated infrastructure at Land to the South of Kettering Road, Weldon.
- 2.2 The proposal is for a housing development, comprising: 2 x 1-bedroom units, 11 x 2-bedroom units and 9 x 3-bedroom units; and access directly from Kettering Road.

3. Site Description

- 3.1 The application site is situated to the south-east of Kettering Road. The subject site is located in an open countryside and outside the settlement boundary of Weldon.
- 3.2 The topography of the site is such that the land slopes down away from Kettering Road to the south-east boundary. The site is bounded to the north-east by the residential properties; agricultural land to the south-east, south-west and west; and Kettering Road to the north-west. The site is a greenfield land and comprises an area of 0.99ha.
- 3.3 The site has an existing access from the west off Kettering Road.

4. Relevant Planning History

- 4.1 19/00283/DPA- Stopping up of existing access and replacement with new access approximately 90m to the south west. Application permitted on 7th August 2019.

5. Consultation Responses

- 5.1 **Environmental Health:** (12.01.2023) Environmental Health Officer (EHO) has reviewed Phase 1 – contaminative uses desk study and site walkover survey' reference JN1707 issue 1 dated 14 September 2022 by ST Consult and advised it is accepted.

In terms of noise, a planning condition has been suggested by EHO which will require applicant to submit a Noise Impact Assessment report.

(05.04.2023) No comments/objection.

- 5.2 **Local Plans Section-** (23.12.2022) Corby Local Plan Section were consulted on this application. The key comments are as follows:

Policy 11 of the Joint Core Strategy states that development in the rural areas will be limited to small scale infill development on suitable sites within villages where this would not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure. Development in the open countryside is resisted unless exceptions can be made under the provisions of Policy 13 of the Joint Core Strategy. Policy 13 of the Part 2 Local Plan expands on Policy 13 of the Joint Core Strategy in supporting custom and self-build housing under exceptional circumstances.

The latest 5-year housing land supply calculations demonstrate that North Northamptonshire Council has a 7.05-year supply of deliverable housing land against Local Housing Need requirements[1].

In view of the above, the proposal is currently considered to contradict with Policy 11 and 29 of the Joint Core Strategy.

It is acknowledged that the available evidence shows a notable need for affordable housing in North Northamptonshire but the specific need for entry-level homes suitable for first time buyers (or equivalent, for those looking to rent), has not been established in line with paragraph 72 of the Framework.

Most of the affordable need identified in the Strategic Housing Market Assessment Update is for affordable rent. Where low-cost home ownership has been provided, this has tended to be shared ownership because it is accessible with a lower deposit.

National Planning Practice Guidance provides no specific guidance about how the supply of housing to meet the need for entry-level homes should be calculated. It should however be noted that sale of homes priced below lower quartile prices would potentially be affordable to the target group for entry-level homes and arguably would mean there is a much more limited need for this form of affordable housing.

The Council has appointed consultants, Icenl, to undertake a Housing and Economic Needs Assessment to provide updated evidence on housing needs in North Northamptonshire, including need for the types of tenures that are acceptable forms of affordable housing. The study is due to report early in 2023.

In order to respond to the comments above and satisfy the requirements of paragraph 72 of the NPPF, it is suggested that the applicant engages with colleagues in Housing Development and Enabling to establish where there are any sources of data available to help identify the need for affordable homes, including indicators of need for entry-level housing within North Northamptonshire.

Due to the issues stated above, and based on the information submitted, Planning Policy officers are currently unable to support this application.

(18.01.2023) Local Plans Section has been re-consulted on the amended scheme (60% rent and 40% shared ownership). Policy Officer has confirmed that the positive shift by the applicant towards an increase in rental properties is welcomed and support from housing colleagues is noted. Therefore, the proposed development of an entry-level exception site at Land South of Kettering Road, Weldon is supported in principle, subject to compliance with any local design policies and standards.

- 5.3 **Tree Officer-** (05.12.2022) In order to fully assess the impact of the development, the Tree Officer recommended the following should be submitted-
- the retention of the existing category B trees and hedges (excepting T3, the category U Field Maple)
 - an Arboricultural Impact Assessment
 - an Arboricultural Method Statement and
 - a Tree Protection Plan
- 5.4 **Ecologist-** (16.12.2022) No objection. Council's Ecological Adviser stated that the proposal can demonstrate a net biodiversity gain, which would satisfy JCS Policy 4 and NPPF paragraph 174. However, the Officer have suggested that applicant need to submit the entire metric workbook for verification by the planning authority and to provide evidence for the public record.

The Officer also recommended conditions related to construction environmental management plan (CEMP: Biodiversity) and 30 year Habitat Management Plan (HMP).

- 5.5 **Archaeology** - (10.01.2023 and 04.04.2023) No objection. Archaeological Advisor has assessed the submission and provided the following comments:

The application site is located to the south of Weldon and on the south side of Kettering Road. It lies on the northern edge of an area of historic quarrying; the land to the north of the road is also known to have been quarried. The county Historic Environment Record indicates that in the 1960s earthworks thought to be of archaeological origin were visible within the site, but no further information is available. Medieval settlement is thought to have been present to the north east but it is not known if any activity extended into the site.

The NPPF, in paragraphs 194 and 195, stresses the importance of pre application discussions in order to assess the significance of potential heritage assets. Normally the assessment would take the form of an evaluation prior to determination; however, in this case a condition for a programme of archaeological works is recommended. The programme of works should comprise evaluation by trial trenching in the first instance, followed by any detailed investigation work that may be required as a result of the evaluation. I will be happy to provide a brief for the programme of works.

The proposed development may have a detrimental effect upon surviving sub-surface archaeological remains. Such effects do not represent an over-riding constraint to development provided that adequate provision is made for the investigation and recording of any remains so affected. In order to secure this please attach a suitable condition for a programme of archaeological work as recommended above and in line with NPPF paragraph 205 to any permission granted in respect of this application.

- 5.6 **Housing Strategy**- (09.01.2023) Housing Strategy has been consulted on this application. In their view, the need for discounted open market sale units will be met in future by the NPPF requirement for at least 25% of affordable housing on section 106 sites to be provided as First Homes.

The officer confirmed that the latest evidence supports the previous evidence contained within the *Strategic Housing Market Assessment* that the overwhelming need is for rented homes. On this basis they would therefore request that the tenure mix is flipped to **60% rent and 40% shared ownership** to reflect that need, whilst taking into account the viability of delivery.

In terms of the house type mix, Council has a need for all house types from 1 to 4+ beds. It would therefore be the preference that at least 1x four bed house is included within the scheme to ensure that the development meets the identified need.

(11.04.2023) Housing Strategy Officers have been re-consulted on the revised layout and housing types. They have confirmed that the amended layout and housing types are acceptable.

5.7 **Crime Prevention Officer-** (01.12.2022) No objection. The Crime Prevention Officer has been consulted on this application and provided the following recommendations:

- *Full boundary treatment details to dwelling plots and communal areas should be submitted and agreed in writing by the LPA. Details should include type and height of walls/fencing, locking gate facilities, anti-vehicle barriers and bollards.*
- *Details of the proposed lighting scheme for adopted and private driveways shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the lux levels and a plan showing the position, type and extent of the lighting over the area to be lit.*
- *Details of the proposed enclosed secure bicycle parking for each dwelling shall be submitted to and approved in writing by the local Planning Authority. Sheds should be secured according to Secured by Design guidance i.e. No window – Door hinges need to be bolted through the shed fabric – Two Hasp and Staples that meet Sold Secure ‘Silver’ approval should be used, they should be positioned 200-300mm from the top and bottom of the door, and should be fitted with coach bolts – Any Padlocks should meet Sold Secure ‘Silver’ accreditation. – a security anchor should be fitted inside the shed meeting Sold Secure ‘Silver’ accreditation and securely fitted to the manufacturers specification.*

(26.05.2023) Crime Prevention Officer has been re-consulted on the revised scheme and the comments are as follows:

The footpath link from the adjacent development passes too close to plots 20/21/22 and also in between the dwellings and their car parking. This is likely to create nuisance issues for the residents and increases the potential for crime. These houses also have no defined perimeter so encroachment onto perceived ‘private space’ is likely and there is no buffer between the path and the house frontage.

Where fence lines abut parking areas or open space the fence should be augmented with a trellis topping to reduce opportunities for climbing over.

Not all parking to the side of dwellings is overlooked from within the ground floor routinely inhabited rooms. Where blank gables are adjacent to parking spaces a window should be introduced on the ground floor to enable active surveillance.

5.8 **Local Highways Authority-** (20.12.2022) Highways observations and recommendations are as follows-

1. *22no. dwellings are proposed comprising of x2 1-beds, x11 2-beds and x9 3-beds.*
2. *The TRO mentioned within the Transport Statement is as acknowledged, not agreed in totality at present and indeed there is the possibility that an altogether different scheme could come forward and as such, traffic movements left out of the site could also be possible.*
3. *An accurate and scaled plan is requested detailing of how the site interacts with the gateway speed feature on Kettering Road and the prospective TRO scheme. Visibility splays will depend on the sighting of the access relative to the*

speed feature. An x value of 2.4m is required at both accesses and splays are permitted to extend 1m into the carriageway beyond the kerb line. Appendix J of the Transport Statement details splays less than required. It is not clear how they have been obtained/calculated.

4. Footway widths less than 2m as shown in the Proposed Access plan (815-TA11 Rev. A, MAC, 07/10/22) are not adoptable and cause highway safety concerns. The LPA should consider the enhancement of the footway fronting the site must be a minimum of 2m wide. It should extend up to the junction with Church Street to 2m to provide a safer, more connected footway link and further encourage the use of alternative modes of travel.

5. Tactile crossing points at all junctions are required (buff in colour) to the LHA Audit Team's specification.

6. The site is over 400m from the nearest bus facilities. As a minimum, a 4-week or one-month Megarider ticket for the local area, one per unit on first occupation is secured.

7. Preliminary Site Layout (22002-01-SK102-C, RDC, June 2022) is noted.

8. With regards to the transition to the adoptable shared surface:

a. The road must come in at the width of the shared surface.

b. 900mm ramp up to a kerb height of 25mm from the standard road is required (the ramp will end at the end of the radii). If the road is already ramped, this is not required.

c. The 2m footway must continue around to a point 2m past the radii / end of the ramp.

9. The length of the turning head arm fronting plots 17/18 should be reduced to such a length such that the 4-axle refuse vehicle is able to safely negotiate its turning manoeuvres without overrunning the service margins. The tracking plan (815-TA12, MAC, 07/10/22) shows unnecessary excess highway which would likely to not be adopted. Tracking should also be carried of the shared surface and access with the 4-axle refuse vehicle opposed by a large private car.

10. Any private trees less than 2.5m from the prospective highway boundary will need to be of a species commensurate to the Audit team's Highway Cultivation Guide and require an adequate tree pit. Hedgerows/shrub planting adjacent to the highway must be offset by 1m to allow for growth without significant encroachment as it matures.

11. The parking arrangement for plots 16/17 will rely on perfect parking practices to ensure all bays are accessible. There are concerns with access/egress of the end bays. The arrangement should be revisited.

12. Visitor parking lay-bys on the adoptable shared surface must be laid out such that the 1.5m service margin wraps around the lay-by as demonstrated below.

13. Cycle parking must be supplied at a minimum of 1 secure, covered space per bedroom hence 3 bed dwellings should have at least 3 cycle parking spaces.

14. The applicant/LPA should consider the provision of EV charging facilities at all dwellings. This could be up to the duct work to allow for the final unit to be installed at a later date.

15. Comments with respect to the Travel Plan (Framework Travel Plan, MAC Ltd, 815-TP-01-0, Revision 0: October 2022) will be provided at the earliest.

(17.04.2023) Applicant has submitted additional information to address highways concern. Highways Authority has confirmed their acceptance of the proposal subject to planning conditions related to construction management plan, engineering construction and drainage details of the footpath work; and S38 Works.

Highways final observations are as follows:

Observations:

1. *The provision of the 2m footway link is noted. It will need to form part of a suitably worded pre-occupation condition for the offsite highway works to be dealt with through a Section 278 audit. The LHA would require site of the Technical Audit approval letter to recommend its discharge. The applicant is advised to seek confirmation of the Speed Limit Review Panel (contact: Mr Simon Mills Simon.Mills@kier.co.uk) to confirm the minor re-location is of no concern/issue.*
2. *A 4-week or one-month Megarider ticket for the local area, one per unit on first occupation is to be secured.*
3. *Triple tandem parking is proposed for plots 16/17/18. This is not accepted as again, it relies on proper parking practices amongst all users. Whilst 2 tandem parking drives can be located adjacent to each other, the parking solution for the third should be re-considered. The parking for plot 17 for example, could be located on the opposite side of the road to the dwelling, immediately off the highway.*
4. *Comments with respect to the Travel Plan (Framework Travel Plan, MAC Ltd, 815-TP-01-0, Revision 0: October 2022) which is unapproved have been provided.*

- 5.9 **Environment Agency-** (19.12.2022) No objection. The Agency draws attention to the fact that the proposed development is located within 250 metres of an historic landfill site that is potentially producing landfill gas.

Therefore, suggests that the developer should consider the potential risk to the development from landfill gas, ensuring that appropriate assessments have been carried out to identify potential risks.

- 5.10 **Lead Local Flood Authority (LLFA)-** (04.01.2023) Drainage Officer has requested additional information to fully assess the proposal.

(18.05.2023) Further consultation has been carried out with LLFA on the additional information provided the applicant. The officer reviewed the following documents:

- Lead Local Flood Authority (LLFA) Response 23rd December 2023
- Response Letter, MAC Ltd, 9th March 2023

And advised that if the suggested planning conditions related to surface water drainage scheme, management and maintenance of the surface water drainage system and Verification Report; are included, the impacts of surface water drainage will have been adequately addressed at this stage.

- 5.11 **Anglian Water-** (05.12.2022 and 14.04.2023) No Objection. Anglian Water has stated that there are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

They have also confirmed that foul drainage from this development is in the catchment of Corby Water Recycling Centre which currently does not have

capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Anglian Water has assessed the Flood Risk Assessment 815-FRA-01-0 Oct 22 and conformed that the sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

- 5.12 **Conservation Officer** - (16.01.2023) No objection. Conservation Officer has assessed the submission and commented that the development is small in scale and extends the existing previously approved residential site and on a heritage basis will have minimal impact on the adjacent conservation area and listed buildings, ideally the elevations facing onto Stamford Road, should contain or be constructed of limestone, in order to more accurately reflect the vernacular architecture and local materials of the village.

The officer also recommended that ideally the use of UPVC should be limited across the site, utilising traditional materials, adjacent to the conservation area and the use of limestone to the Stamford Road elevations.

- 5.13 **Safer Community**- (05.12.2022) No comments/objection.

- 5.14 **Waste Team**- (30.11.2022) No comments/objection.

- 5.15 **Fire Officer**: No comments received.

- 5.16 **Leisure Services**: No comments received.

- 5.17 **Weldon Parish Council**: (15.12.2022) Objection. Weldon Parish Council has been consulted on this application and provided the following response-

WPC received a letter from the Applicant's agent in July 2022 outlining the proposals, suggesting they wished to consult the community and asking for comments prior to a formal planning application being made. A written response was sent on 1st August 2022 with observations on relevant policy. Apart from the acknowledgement WPC have not received any reply to the points we raised. The formal planning application does not appear to show any changes to the first proposals received in July 2022 and commented on by WPC, We have received no justification for the applicant to ignore the points raised on policy. It is our opinion a consultation should be a conversation, to exchange and discuss views, the applicant has failed to facilitate this.

Weldon Parish Council OBJECT as follows:

The applicant is bringing the site forward as an entry level exception scheme under the NPPF, where is the evidence of need for more affordable housing in Weldon Parish? We believe none has been offered, and the proposals fail the requirement.

There are two major consented developments in Weldon Parish, namely Priors Hall Park and Weldon Park, both have affordable housing provision obligations

and allocations, consented and to be built. We believe the local affordable housing need is already satisfied several times over.

We are advised that the Unitary Authority classifies all open land as public amenity space - as this is currently undeveloped open space, how will the applicant demonstrate

The land is no longer needed by the community

The availability/provision of a similar size open space to compensate for the loss?

Part 2 Local Plan - Green Infrastructure

Policy 6 of the P2LP (Part 2 Local Plan) seeks to protect and enhance Green Infrastructure corridors, as set out in the North Northants Green Infrastructure Delivery Plan. The Inspector has recommended the inclusion of Main Modification 5 (MM5) as a requirement including where corridors overlap with other existing land uses.

The policy also outlines 5 ways in which corridors would be protected and enhanced, encouraging biodiversity improvements in and around developments.

As well as being open countryside the site off Kettering Rd is also part of an important wildlife corridor that links the Rookery and open countryside and woodland to the south and east of the village to Weldon Woodland Park and from there all the way into the centre of Corby itself. We believe there is evidence of badger setts close by the location, it is also probably part of their foraging territory.

Has the applicant carried out the necessary investigations and Environmental Assessment to the satisfaction of the Environmental Officer?

How will this development enhance the existing green infrastructure corridor, and meet the requirements of the Green Infrastructure Delivery plan? Sustainability and reduction of carbon footprint is a primary consideration for all development, and should be in the DNA of these proposals. Any new development for low-income households should be low-energy, carbon-zero in operation, to eliminate fuel poverty for those with the biggest need.

In summary

Weldon Parish Council strongly object to the planning application on the grounds of Over development (given the consented residential development at Priors Hall Park, Weldon Park, and the planned Tresham Garden Village), all of which will provide social/affordable housing. Also the proposal will effectively double the size of the consented Dash Farm development. Cynically, it's our view that this type of development is the only way and opportunity to enhance the value of this land, even when heavily discounted.

Reducing rather than enhancing a natural green infrastructure corridor, which goes against the Policy intent, which we believe will be to the unnecessary detriment of the local natural ecosystem.

Reducing public amenity space without mitigation.

Sustainability and carbon-zero in operation to eliminate fuel poverty should be a natural priority in developments for low-income families, which you purport this to be.

It is our view that the proposed development will provide no benefit or enhancement to the local community, and will increase vehicular traffic locally, putting additional strain on minor streets.

5.18 **North Northamptonshire Key Services** - (22.12.2022) No objection. Based on the proposed dwelling mix for 22 dwellings, it is expected that the development(s) will generate the following pupil yields:

Early years- 3

Primary- 4

Secondary and sixth form- 2

Key Services Officer confirms that if there is a lack of capacity identified for Early Years, a s106 contribution of £44,303, a Primary education s106 contribution of £69,941, a Secondary education s106 contribution of £54,278, a libraries s106 contribution of £ 4,305 would be required based on the proposed dwelling mix.

(13.04.2023) Further consultation has been carried out on the revised scheme and the officer indicated that the amended scheme will generate the following pupil yields:

Early years- 2

Primary- 4

Secondary and sixth form- 2

Key Services Officer confirms that if there is a lack of capacity identified for Early Years, a s106 contribution of **£38,721**, a Primary education s106 contribution of **£61,221**, a Secondary education s106 contribution of **£45,152**, a libraries s106 contribution of **£ 4,045** would be required based on the proposed dwelling mix.

5.17 **Neighbours-** Letters were sent to 42 neighbouring units for the first round of consultation on 30th November 2022 and second round on 30th March 2023. LPA have received 10 letters of objections at the first round and 4 letters of objections at the second round. The main objections to the proposal can be summarised as follows:

- Complicated online service
- Character Impacts
- Damage to life in the village
- Against planning policy
- Character of Conservation area
- Design/Appearance
- Detriment to the visual amenity
- Effect on listed building
- Green field site
- Over development of site
- Environmental Impacts
- Noise and nuisance
- Pollution

- Traffic and Road safety
- Health and Wellbeing
- Ecology and Biodiversity
- Social Impact
- Flooding and Drainage Issues
- Policy Context
- Amenity issues on residents
- Overlooking and loss of privacy
- Loss of Amenity Land
- Increase in Crime
- Stain on Local services, Schools, Doctors Surgeries and Social Care
- Parking issues
- Safeguarding concerns
- Loss of Green Space
- Quality of housing
- Oversupply of housing

Full versions of the comment can be viewed at:

<https://publicaccess.corby.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=RL2MAGFFK8500>

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework 2021:

NPPF Section 2- Achieving Sustainable Development

NPPF Section 5- Delivering a Sufficient Supply of Homes

NPPF Section 8- Promoting Healthy and Safe Communities

NPPF Section 9- Promoting Sustainable Transport

NPPF Section 12- Achieving well-designed places

NPPF Section 14- Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy (NNJCS) (2016)

Policy 1 (Presumption in favour of Sustainable Development)

Policy 3 (Landscape Character)

Policy 4 (Biodiversity and Geodiversity)

Policy 5 (Water Environment, Resources and Flood Risk Management)

Policy 6 (Development on Brownfield Land and Land affected by contamination)

Policy 7 (Community Services and Facilities)

Policy 8 (North Northamptonshire Place Shaping Principles)

Policy 9 (Sustainable Buildings)
Policy 10 (Provision of Infrastructure)
Policy 15 (Well-connected Towns, Villages and Neighbourhoods)
Policy 19 (The Delivery of Green Infrastructure)
Policy 28 (Housing Requirements)
Policy 29 (Distribution of New Homes)
Policy 30 (Housing Mix and Tenure)

6.4 Part 2 Local Plan For Corby, 2021

Part 2 Local Plan, was adopted in September 2021 and form part of the North Northamptonshire Development Plan.

Policy 1 (Open Space, Sport and Recreation)
Policy 2 (Health and Wellbeing)
Policy 6- (Green Infrastructure Corridors)
Policy 7 – (Local Green Space)
Policy 11 (Delivering Housing)
Policy 12- (Custom and Self-Build)
Policy 15- (Specialist Housing and Older People's Accommodation)
Policy 17 – (Settlement Boundaries)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Layout, Scale and It's Impact on the Surrounding Area
- Residential Amenity
- Landscaping
- Highways safety and Parking
- Ecology
- Flood Risk and Drainage
- S106 Contribution

7.1 Principle of Development

7.1.1 Key material considerations in this case include the National Planning Policy Framework (2021), Planning Practice Guidance (as amended), North Northamptonshire Joint Core Strategy (2016) and Part 2 Local Plan for Corby (2021).

7.1.2 Section 38(6) of the Planning and Compulsory Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan unless material planning considerations are considered to outweigh it.

7.1.3 Policy 1 of the North Northamptonshire Joint Core Strategy (NNJCS) 2016 outlines the presumption in favour of sustainable development that is contained within National Planning Policy Framework (NPPF) 2021, and that the Local Planning Authorities should be taking a positive and proactive approach to applications as a result.

- 7.1.4 The site is located outside and adjacent to the built-up area of Weldon as defined by the Policies Map for the Part 2 Local Plan for Corby. Therefore, the site is situated in open countryside. The site is within the Nene Valley Nature Improvement Area and part of the site lies in an area designated for archaeology. The site is not allocated for any form of development.
- 7.1.5 Policy 11 of the Joint Core Strategy states that development in the rural areas will be limited to small scale infill development on suitable sites within villages where this would not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure. The proposal consists of 22 dwellings so is not considered to be infill and as set out in their submission does not seek to meet the housing needs of Weldon specifically as their submission relates to the entire affordable housing needs across North Northamptonshire. Even if it sought to meet the needs of Weldon specifically it would add further urbanisation to an open countryside so would not be considered to accord with point c of Core Policy 11 of the Joint Core Strategy.
- 7.1.6 Development in the open countryside is resisted unless exceptions can be made under the provisions of Policy 13 of the Joint Core Strategy. The above spatial strategy seeks to focus development towards the urban areas to ensure that the character of the rural area is maintained and reinforced, and that the open countryside is strongly protected. However, Policy 13 also indicates that there may be special circumstances where development is acceptable in the rural area that is not identified in Part 2 Local or Neighbourhood Plans. These developments may be justified to meet locally identified needs to provide affordable housing in the rural area on sites adjoining established settlements.
- 7.1.7 The above Policy clearly sets out that all the following criteria need to be satisfied for development adjoining established settlements, beyond their existing built-up area or defined boundary:
- a) *The form and scale of the development should be clearly justified by evidence that it meets an identified need arising within a village or network of villages through a local needs survey;*
 - b) *Sites should be well-related to a settlement that offers services and employment to meet the day to day needs of occupants of the development;*
 - c) *Development should enable access to local services and facilities by foot, cycle or public transport;*
 - d) *The scale and nature of the development will not exceed identified needs and must be appropriate to the surroundings, minimise impacts on the environment and be supported by existing or new infrastructure. Rural Exception Housing schemes should be purely affordable housing unless an element of market housing is essential to enable the delivery of the development. In such cases, the scale of market housing will be the minimum necessary to make the scheme viable and should be tailored to meeting specific locally identified housing needs;*

e) *Occupation of affordable units within the development will be controlled through a legal agreement or conditions to ensure that it remains available and affordable in perpetuity to meet local needs.*

7.1.8 The information submitted by the applicant refer to the general affordable housing need in the North Northamptonshire area. The submission refers to matters within the Annual Monitoring Report from 2020/21 and affordable housing provision in the whole of North Northamptonshire area.

7.1.9 JCS Policies seek the scale and nature of the development will not exceed identified needs and must be appropriate to the surroundings, minimise impacts on the environment and be supported by existing or new infrastructure. Applicant has stated through their submission that the proposal does not seek to meet the housing needs of Weldon Parish specifically as their submission relates to the entire affordable housing needs across North Northamptonshire. The proposed scheme is for 100% affordable housing. In this case the proposed scheme accords with certain aspects of Policy 13(d) but not all.

7.1.10 Paragraph 78 of the NPPF states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Paragraph 119 of the Framework stresses that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

7.1.11 Policies 28 and 29 of the Joint Core Strategy set out the housing requirements for North Northamptonshire. Policy 29 offers further clarity and specific detail on the distribution and extent of required housing development for Corby. It has been identified that the housing requirement for Corby is 9,200 dwellings, with 120 dwellings required in the rural villages (excluding Little Stanion) in the plan period between 2011 and 2031, where development outside of these villages will only be acceptable in exceptional circumstances.

7.1.12 Local Plans Section has been consulted on this application and the Policy Officer has confirmed that the latest 5-year housing land supply calculations demonstrate that North Northamptonshire Council has a 7.05-year supply of deliverable housing land against Local Housing Need requirements. However, it is acknowledged that there is significant shortage of affordable homes in the North Northamptonshire area.

7.1.13 The submission is considered as an entry-level exception site under the provisions of paragraph 72 and Annex 2 of the NPPF which states that- Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area. These sites should be on land which is not already allocated for housing and should:

a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of this Framework; and

b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.

7.1.14 NPPF also confirms that entry-level exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement.

7.1.15 The site meets the test of being adjacent to the settlement as it adjoins the settlement boundary of Weldon. The site is less than a hectare in size. In this context the development complies with the provisions of paragraph 72 of the NPPF.

7.1.16 During the application stage, Housing Strategy Officer has confirmed that the tenure mix of 60% rent and 40% shared ownership will reflect the identified need within the wider area, whilst taking into account the viability of delivery. In terms of the house type mix, Council has a need for all house types from 1 to 4+ beds. It would therefore be the preference that at least 1x four bed house is included within the scheme to ensure that the development meets the identified need. Applicant has amended the submission to reflect the above suggestions, and this is considered acceptable.

7.1.17 Overall, it is acknowledged that the available evidence shows a notable need for affordable housing in North Northamptonshire. Local Plans Section has been re-consulted on the amended scheme and confirmed that based on the information submitted, they do not have any objection to the proposed scheme.

7.1.18 The proposal would accord with Paragraph 72 of the Framework, wherein there is no evidence of any existing entry level affordable housing, the presumption being that needs are not being met to any extent and therefore provision of such housing should carry great weight. This weight should be further enhanced when considering the perennial lack of affordable housing and should carry significant weight as a public benefit in this context.

7.1.19 The NPPF also advocates that Local Planning Authorities should look favourably upon sustainable housing development. As such it is considered that there is no in-principle argument against the proposal. However, further assessment is required to all other material considerations to identify whether they are satisfactorily addressed to comply fully with the above Policies.

7.2 Layout, Design and Materials

7.2.1 Chapter 12 of NPPF attaches great importance to the design of the built environment. It goes on to advise that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to make places better for people.

7.2.2 The application site is a greenfield land and comprises an area of 0.99 ha. The site is set on the edge of the Conservation Area of Weldon and falls outside the settlement boundary. The site is bounded to the north-east by the residential properties; agricultural land to the south-east, south-west and west; and Kettering Road to the north-west.

- 7.2.3 The site comprises a mix of 22 no dwellings, mainly houses, all over two storey, with gable ends and pitched roof dormer windows, to add character to the roofscape. The site provides on-site parking for a maximum of two spaces per dwelling along with cycle storage provision. Six houses face onto Kettering Road, running on the similar building line with a set back from the road edge, as the existing houses on the edge of the village. A further two houses facing west off the access road, with the remainder facing south-east off the access road. The rear south-eastern boundary of the site is finished with soft landscaping and the surface water attenuation pond, to complement the open fields and hedgerows beyond the site boundary.
- 7.2.4 The submitted site layout has been designed to be consistent with the existing development within the area. Each property is served by the necessary amenity space whilst each would benefit from adequate parking provision. The proposed layout includes an area of public open space to the southern corner of the site.
- 7.2.5 The house types proposed are varied in scale, but show a clear lineage in terms of aesthetic approach. The detail around fenestration, doors, and soffits is common across the package of properties – and this will lead to a pleasing uniformity despite the differences between plots. The proposed layout of the scheme does not give the appearance of a cramped form of development. Accordingly, the amenity space provided for each new property is considered to be acceptable.
- 7.2.6 The proposal involves a mix of dwellings which vary from 1 to 3 bedrooms. A total of 22no. units are proposed, and this comprises of 7 no.3 bed units, 11 no. 2 bed units and 7 no. 3 bed units. The proposed design of the residential dwellings has given consideration to the local traditional character of the street scene, which although outside of the conservation area, is to be commended, as it reflects the local character. The design is largely of simple symmetrical elevations, with symmetrical fenestration, set under pitched roofs, to reflect the locality with either plain tiles or slate. The windows are generally vertical emphasised casement windows, symmetrical across the elevations.
- 7.2.7 Conservation Area Officer has assessed the submission and no concerns have been raised in relation to the proposed scheme. The officer commented that with simple traditional elevational design and treatment, of brickwork construction and slate or plain tiled roofs, complete with pitched roof dormer windows to add character to the otherwise plain roofscapes. It is also suggested that the roofs would benefit from the introduction of ridge and gable end chimneys to complement the village character.
- 7.2.8 All elevations proposed is either buff or red brickwork, which is a dominant material within the village has been acknowledged by the Conservation Officer. However, as Church Road is predominantly local limestone it is considered that inclusion of a local limestone element to the design, especially of those to the Kettering Road elevation would be more appropriate.
- 7.2.9 Applicant has revised the plans to adhere with the above recommendations. It is also considered that given the sensitive nature of the site it is reasonable to require the submission of sample materials via condition as part of any approval.

7.2.9 Overall, it is considered that the scale, design and detailing of the proposed development would accord with the requirements of Policy 8 of the Joint Core Strategy and therefore acceptable.

7.3 Residential Amenity

7.3.1 The proposed layout and design of the properties will ensure that no loss of privacy or light will occur to existing properties adjacent to the site. Furthermore, the relationship between the proposed units is considered to be reasonable with no overlooking taking place.

7.3.2 Plot 1 would front on to Kettering Road and sit parallel with No. 5 Kettering Road. There would be no windows within the first floor of the eastern elevation (removing Permitted Development Rights for openings on this plot is considered necessary) - and as such no loss of privacy will occur within that adjoining property.

7.3.3 Plot 18 would front onto the access drive, and back on to the rear of the private amenity space of No. 5 Kettering. Windows are proposed at first floor to the rear elevation, but they would be approximately 9m from the boundary, and only afford minor views of the very rear of that garden – they would not provide views into habitable rooms or the immediate garden space (where patios, etc are most likely) due to sufficient distance between the properties.

7.3.4 Plot 19 would have the amenity space at the rear of the No. 3 Kettering Road – measuring approximately 119m². Due to the separation distance and layout, it is considered that this property will not cause any adverse impact on No. 3 Kettering Road in terms of neighbouring impact.

7.3.5 Plots 8,9, 21 and 22 will have limited amenity space, however, given that maisonette properties are to be 1 bed (2 person) properties – the level of outdoor space proposed is entirely acceptable.

7.3.6 In terms of standards of accommodation, Policy 30(b) on Housing Mix and Tenure from the North Northamptonshire Joint Core Strategy (2016) emphasises that the internal floor area of new dwellings must meet the National Space Standards as a minimum in order to provide residents with adequate space for basic furnishings, storage and activities. In both affordable and market sectors, adaptable housing designs will be encouraged in order to provide flexible internal layouts and to allow for cost-effective alterations (including extensions) as demands and lifestyle changes.

7.3.7 The proposed units are in accordance with the National Space Standards and satisfies the standards of accommodation criteria and as such considered to be acceptable. Therefore, the proposed development conforms to Policy 8 and Policy 30 of the North Northamptonshire Joint Core Strategy (2016) as well as the National Planning Policy Framework (2021).

7.4 Landscaping

7.4.1 The application site is located outside the Weldon settlement boundary on a greenfield land. The Local Plan is very explicit in requiring the highest possible

standards of design and environmental performance through maximising the use of sustainable design and construction techniques.

- 7.4.2 Policy 8 stresses the need for creating distinctive local character by responding to the site's immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of that local character without stifling innovation.
- 7.4.3 From the site visit it is evident that there are no internal landscape features within the site with the exception of the boundary hedgerows which are found to the north-western and south-eastern edges of the site, providing linear landscape corridors and a framework within which the site is seen. The south-eastern hedgerow boundary is fragmented in places.
- 7.4.4 Submitted documents demonstrates that the proposals will retain characteristic linear landscape features along Kettering Road and these hedgerows will be further enhanced with additional lengths of hedgerows within the site to align with the wider characteristics of the surrounding area. The proposals include a landscape buffer and edge along the south-eastern boundary to provide a soft transition with the wider landscape to the south-east, allowing for the creation of an ecological corridor and soft edge to the development plots. Dwellings along the south-eastern landscape buffer front onto open space will also allow for positive frontages and a softer development edge. Council's Tree Officer has reviewed the landscaping proposal and are satisfied with proposed measures. In regards to Impact Assessment, Method Statement and a Tree Protection plan it is considered that it can be secured through conditions.
- 7.4.5 It has been recognised that significant weight should be given to conserve the landscape and visual impact in order to conform with NPPF requirements. The Framework suggests that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.
- 7.4.6 It is considered that adherence with the recommendations within the landscape proposals the proposed development is acceptable at this stage. It is also recommended that as mature trees are impacted on, that developer and Tree Consultant contact Local Authority Tree Officer in Planning, to agree on tree removal and siting of protective fencing prior to development.

7.5 Highway Safety and Parking

- 7.5.1 The subject site has an existing field access off Kettering Road located at the south-west corner of the site. The existing gated field access is approximately 3.5m wide at the gate position and widens to circa 11.5m at the back edge of footway. The existing arrangement is currently only suitable for entry by agricultural vehicles.
- 7.5.2 The existing footway within the immediate vicinity of the site comprises less than 2m wide footway on the development side of the Kettering Road only. This footway connects development site to Weldon to the north and Stanion to the south. There are no dedicated cycling facilities within the vicinity of the site. The nearest bus stops are located on High Street some 560m from the proposed development.

- 7.5.3 The proposal sets out how the 22 properties would be accessed via an access from Kettering Road, with a 'L' shape road surface and a secondary access located off Stamford Road providing entry to a shared private drive. The primary access will provide a simple priority junction serving the development with a 5.5m wide road bound by 2no. 2m wide footways on either side of the carriageway.
- 7.5.4 Parking is to be achieved through a dedicated parking bays – with a total of 51 dedicated parking spaces. 9 Visitor parking spaces is provided across the whole site, which meets the minimum requirements of highway standard.
- 7.5.5 Submitted Transport Assessment demonstrates that the proposed development is predicted to generate 18 vehicle trips in the morning peak and 15 trips in the evening peak. It is considered that this number of vehicles will not result in a significant adverse impact which will result in detrimental harm to the highway network.
- 7.5.6 Local Highways Authority has assessed the proposal and raised concern in relation to the site's interaction with the gateway speed feature on Kettering Road and the prospective TRO scheme, footway widths, tactile paving crossing, visitor parking, arrangement of turning head, parking arrangement, cycle parking etc.
- 7.5.7 The applicant has amended the site layout and provided additional information to overcome the concerns expressed by Northamptonshire Highways. Applicant has also confirmed that the widening of the existing footpath along Kettering Road can also be provided within the maintained extent, thereby ensuring the asset can remain an adopted provision. After reviewing the revised information, Highways Authority has confirmed their acceptance of the proposal subject to planning conditions related to construction management plan, engineering construction and drainage details of the footpath work; and S38 Works.
- 7.5.8 In regards to cycle parking, electric vehicle charging facilities and access details it is considered that this information can be, secured through a condition. This approach is also reasonable in relation to bin storage details and the required Construction Management Plan.
- 7.5.9 Accordingly the proposal is considered to be acceptable on highway and parking grounds and therefore accords with Policy 8 and 15 of the Joint Core Strategy.

7.6 Ecology

- 7.6.1 Policy 4 of the North Northamptonshire Joint Core Strategy protects existing biodiversity and geodiversity assets, including refusing development proposals where significant harm to an asset cannot be avoided, mitigated or, as a last resort, compensated. This includes sites of Special Scientific Interest.
- 7.6.2 The NPPF in paragraph 174 (d) suggests minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 180 (a) also suggests that if significant harm to biodiversity resulting from a development

cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

- 7.6.3 Applicant has submitted an ecological report, Preliminary Ecological Appraisal, November 2022 in support of the application. Council's ecologist and Wildlife Trust were consulted on this application and stated that the proposal can demonstrate net biodiversity gain which would satisfy the policy requirement. Subsequently, an assessment of the impact of the development on biodiversity has been submitted using the DEFRA Biodiversity Metric v3.1 showing that the proposed development would result in a measurable net gain in biodiversity.
- 7.6.4 It is considered that the present proposal is acceptable at this stage of the process subject to adherence with the planning conditions.

7.7 Flood Risk and Drainage

- 7.7.1 Policy 5 (Water Environment, Resources and flood risk management) of Joint Core Strategy reflects how development should contribute to reducing the risk of flooding and also protecting the quality of the water environment. The above policy also states that 'development should be designed from the outset to incorporate Sustainable Drainage Systems wherever practicable, to reduce flood risk, improve water quality and promote environmental benefits'. This consideration is reiterated in the NPPF, which states that development should ensure that flood risk is not increased elsewhere.
- 7.7.2 The application site is located within Flood Zone 1, which is defined as having little or no risk of flooding from rivers or streams. Such zones generally comprise land assessed as having a less than 1 in 100 annual probability of river or sea flooding in any year.
- 7.7.3 A Flood Risk Assessment (FRA) along with a drainage strategy has been submitted to outline the potential for the site to be impacted by flooding; the potential impacts of the development on flooding both onsite and in the vicinity, and the proposed measures which can be incorporated into the development to mitigate the identified risks.
- 7.7.4 The FRA has been examined by the Lead Local Flood Authority. Concerns were raised initially by the drainage engineer and requested additional information to fully assess the proposal. Additional information along with a revised Drainage Strategy has been submitted by the applicant to address the raised concerns. It is considered that the proposed scheme is acceptable subject to conditions related to surface water drainage scheme, management and maintenance of the surface water drainage system and Verification Report.
- 7.7.5 The proposal as submitted is therefore considered to be acceptable and in accordance with the Core Strategy and NPPF.

7.8 S106 Obligations

- 7.8.1 Applicant has proposed a total of 22 affordable units. The details of these will form an obligation within the s106 legal agreement.

- 7.8.2 A continuous 2m wide footpath between the primary site access and up to the junction with Church Street to provide a safer, more connected footway link and further encourage the use of alternative modes of travel.
- 7.8.3 Council's Key Services has responded to the application with a request for s106 contributions towards early years, primary school education and secondary education. They have based the contribution on their standard cost calculator, which would total **£38,721** for Early Years provision, **£61,221** for Primary School provision, **£45,152** for Secondary School provision and **£4,045** for library.

8. Conclusion/Planning Balance

- 8.1 It is accepted that there is a conflict with the development plan in terms of its lack of exception site status and general lack of conformity with the spatial strategy. The proposal would be located in the open countryside but close to existing residential development. However, the perceived harm needs to be balanced with a significant shortage of affordable homes in the authority area. It is considered that the planning balance is in favour of delivering a quantum of affordable housing, where there is an overriding need.
- 8.2 In support of this, officers consider that the proposal would accord with Paragraph 72 of the NPPF Framework, wherein there is no evidence of any existing entry level affordable housing. The presumption being that needs are not being met to any extent and therefore provision of such housing should carry great weight. This weight is further enhanced when considering the perennial lack of affordable housing and therefore carries significant weight as a public benefit in this context.
- 8.3 It is considered that this significant weight as a public benefit overcomes the harm to the open countryside and the great weight it is afforded in the balancing exercise under Paragraph 174 and 197 of the Framework.
- 8.4 The proposal would cause a degree of harm and benefit. However, in this case, it is considered that grant of permission would not cause such a level of harm that would demonstrably outweigh the benefits of delivering 100% affordable housing. Furthermore, the proposal would benefit from the national planning policy presumption in favour of sustainable development that would further tilt the overall planning balance for a conditional approval.

9. Recommendation

- 9.1 It is therefore recommended that the application be Approved subject to completion of a s106 Agreement and the conditions as set out below.

10. Conditions

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

- Site Location Plan, Dwg. No.- 22002-01-002-SLP
- Preliminary Site Layout, Dwg. No.- 22002-01-SK102-G
- 2B4P HOUSETYPE, Dwg. No.- 22002-01-SK210-B
- HOUSETYPE 3B5P-V1, Dwg. No.- 22002-01-SK220-B
- HOUSETYPE 3B5P-V2, Dwg. No.- 22002-01-SK230-B
- HOUSETYPE 3B5P-V3, Dwg. No- 22002-01-SK240-B
- HOUSETYPE 3B5P-V4, Dwg. No- 22002-01-SK250-B
- HOUSETYPE 2B4P-V2, Dwg. No.- 22002-01-SK260-B
- HOUSETYPE 2B4P-V3, Dwg. No.- 22002-01-SK270-B
- HOUSETYPE MAIS, Dwg. No.- 22002-01-SK280-B
- HOUSETYPE 3B5P-V5, Dwg. No.- 22002-01-SK290-B
- Proposed Streetscene, Dwg. No.- 22002-01-SK150-A
- Proposed Streetscene, Dwg. No.- 22002-01-SK170-A
- Plots 19-22, Dwg. No.- 22002-01-SK320
- Supporting Planning Statement, Ref: P1999, 3rd November 2022
- Design & Access Statement , November 2022
- Heritage Statement, Document No: TJC2022.136, October 2022
- Landscape Appraisal, ref: 1037 R01b, 17th October 2022
- Tree Survey, dated 12th August 2022
- Transport Statement, Report Reference: 815-TS-01-0, October 2022
- Response to Local Highway Authority (LHA), dated 28th March 2023
- Proposed Drainage Strategy, Dwg. No.- 815-FRA03
- 815-LT-02-Response to LLFA, dated 9th March 2023
- Phase 1- Contaminative Uses Desk Study & Walkover Survey, dated 14th September 2022
- Flood Risk Assessment, Report Reference: 815-FRA-01-0, October 2022
- Preliminary Ecological Appraisal, Ref: PE0288, November 2022
- Stamford Rd - Biodiversity Metric 3.1 - 18-04-23 LA
- Health Impact Assessment, Ref: P1999, 3rd November 2022
- Statement Of Community Involvement, Ref: P1999, 3rd November 2022
- Lead Local Flood Authority (LLFA) Response 23rd December 2023
- Response Letter, MAC Ltd, 9th March 2023

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy 2016.

Conservation

3. Prior to the commencement of development physical samples of the external walling and roofing materials shall be provided to and approved in writing by the Local Planning Authority. The approved details shall be implemented and retained thereafter.

Reason: In the interests of visual amenity and the character of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to the commencement of development detailed drawings of the proposed

windows and doors at a scale of 1:10, sections and elevations, including colours and glazing details shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and retained thereafter.

Reason: In the interests of visual amenity and the character of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Environmental Impact

5. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to C have been complied with.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination: Risk Management' (or any guidance revoking and replacing this guidance with or without modification)'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy 11 of the NPPF and Policies 6 and 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

6. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

Informative: This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination: Risk Management' (or any guidance revoking and replacing this guidance with or without modification)'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy 11 of the NPPF and Policies 6 and 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

7. Before development commences a scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units shall be submitted for approval to the Local Planning Authority. Once approved the scheme shall be implemented before occupation of the residential units and therefore maintained in the approved state. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers without prior written approval from the Local Planning Authority.

Reason: In the interest of residential amenity.

8. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The

approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority. The Statement shall detail the following including but not limited to:

- the parking and turning of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works.
- design of construction access
- hours of construction work
- measures to control overspill of light from security lighting

The approved method statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of highway safety and residential amenity in accordance with Policy 13 of the Core Spatial Strategy.

Informative: Contractors and sub contractors must have regard to BS 5228-2:2009+A1:2014 "Code of Practice for Noise and Vibration Control on Construction and Open Sites" and the Control of Pollution Act 1974.

Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.

Works audible at the site boundary outside the approved hours may result in the service of a Notice restricting the hours. Breach of the notice may result in prosecution and fines of up to £5000 plus £50 for each further breach and/or six months imprisonment.

Highways

9. Prior to occupation of the development full engineering, construction and drainage plans for the offsite works shall be submitted to and approved in writing by the Local Planning Authority. The Local Highways Authority would require site of the Technical Audit approval letter to recommend its discharge.

Reason: To ensure that the access serving the development is completed and maintained to the approved standard, and are available for use by construction traffic and other users of the development, in the interest of highway safety.

10. Notwithstanding the submitted details, no building or use hereby permitted shall be occupied or the use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved

in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the council.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

11. Prior to first use or occupation, the proposed vehicular access, parking and turning facilities shall be provided in accordance with the approved plans and shall thereafter be set aside and retained for those purposes.

Reason: To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

12. Prior to the first occupation of the development hereby permitted details of the proposed enclosed secure bicycle parking and bin storage for each dwelling shall be submitted to and approved in writing by the local Planning Authority and the scheme approved shall be provided and be retained thereafter.

Reason: To ensure the provision and availability of adequate cycle parking in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

13. A 4-week or one-month Megarider ticket for the local area, one per unit on first occupation should be provided.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

14. Prior to the first occupation of the development hereby permitted provision of EV charging facilities for each dwelling shall be installed, completed and be retained thereafter.

Reason: To ensure the provision and availability of adequate EV charging facility.

Boundary Treatment

15. Prior to the commencement of development a scheme showing the proposed boundary treatment of the plots and communal areas shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the type and height of fences, hedges, walls or other means of enclosure, and these shall be provided in accordance with the approved scheme before the adjacent dwellings are first occupied. The approved fence, hedge or wall shall subsequently be retained thereafter.

Reason: To ensure a suitable form of boundary treatment is constructed in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Ecology

16. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction: these shall include method statements for bats, great crested newts and invasive non-native species.
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority..

Reason: To ensure that the development makes a contribution towards a net gain in biodiversity across the plan period, in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

17. No development shall take place on any part of the site until a written 30 year Habitat Management Plan (HMP) for the site has been submitted to and approved in writing by the Local Planning Authority. The approved HMP shall be strictly adhered to and implemented in full for its duration and shall contain the following;
- a) Description and evaluation of the features to be managed;
 - b) Ecological trends and constraints on site that may influence management;
 - c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
 - d) Description of the management operations necessary to achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a works schedule, including annual works schedule;
 - g) Details of the monitoring needed to measure the effectiveness of management;
 - h) Details of the timetable for each element of the monitoring programme; and
 - i) Details of the persons responsible for the implementation and monitoring;
 - j) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets;
 - k) Reporting on year 1, 2, 5, 10, 20 and 30, with biodiversity reconciliation

calculations at each stage.

The HMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the HMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved HMP shall be strictly adhered to and implemented in full for its duration.

Reason: To ensure that the development makes a contribution towards a net gain in biodiversity across the plan period, in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

18. Prior to occupation, a Lighting Design Strategy for Biodiversity shall be submitted to and approved in writing by the local planning authority. The Strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging, and;
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications: so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the Strategy, and they shall be maintained thereafter.

Reason: To ensure that the development makes a contribution towards a net gain in biodiversity across the plan period, in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

Archaeology

19. No development shall take place until the applicant 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 Planning Authority.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) fieldwork in accordance with the agreed written scheme of investigation;

(ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);

(iii) completion of post-excavation analysis, preparation of site archive ready for deposition at

a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 205.

Landscaping

20. No development shall commence on site until Tree Retention Plan has been submitted to and approved by the Local Planning Authority. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of the same size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity accord with Policy 8 of the North Northamptonshire Joint Core Strategy.

21. No development shall commence on site until an Arboricultural Impact Assessment has been submitted to and approved by the Local Planning Authority.

Reason: To enable the Local Planning Authority to assess the effect of the proposed development on the existing trees and to ensure the long-term survival of those to be retained and to accord with Policy 8 of the North Northamptonshire Joint Core Strategy.

22. No development shall commence on site until an Arboricultural Method Statement (as set out in BS5837:2010) has been submitted to and approved by the Local Planning Authority. The method statement shall be carried out as approved and shall be maintained as such in perpetuity.

Reason: To enable the Local Planning Authority to assess the effect of the proposed development on the existing trees and to ensure the long-term survival of those to be retained and to accord with Policy 8 of the North Northamptonshire Joint Core Strategy.

23. No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work

commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area. This will ensure the development is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

24. No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for protection, in the course of development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory in accordance with Policies 3 and 8 of the North Northamptonshire Joint Core Strategy.

Drainage

25. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority (LLFA). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall include the following information:

- Undertake infiltration testing in accordance with the BRE Digest 365 Soakaway Design Guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site.
- Where infiltration is demonstrated not to be feasible, the discharge rate shall be limited to 4.1l/s for all rainfall events up to and including the 1 in

100 year (plus an allowance for climate change) critical duration, in line with the approved surface water drainage strategy (ref: Flood Risk Assessment, MAC, revision 0, dated October 2022) and subsequent technical note (ref: Response to LLFA, MAC dated 9th March 2023) .

- Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date presents limited consideration with regard to water quality and further multifunctional, source control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design. This is in line with the requirements set out in Paragraph 169 of NPPF.
- Provide detail drawings including cross sections of proposed features such as infiltration structures, attenuation features, and outfall structures. These should be feature-specific demonstrating that each of the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include:
 - o Suitable representation of the proposed drainage scheme, details of design criteria used (including consideration of a surcharged outfall), and justification of such criteria where relevant.
 - o Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events
 - o Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.
 - o Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
- Provide plans such as external levels plans, supporting the exceedance and overland flow routing. Such overland flow routing should:
 - o Demonstrate how runoff will be directed through the development without exposing properties to flood risk.
 - o Consider property Finished Floor Levels (FFLs) and thresholds in relation to exceedance flows. The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels.
 - o Recognise that exceedance can occur during any storm event due to a number of factors. As such exceedance management should not rely on calculations demonstrating no flooding.

Reason: To prevent the increased risk of flooding; to improve and protect water quality; and to improve habitat and amenity.

26. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site has been made available. This should be based on the approved surface water drainage strategy (ref: Flood Risk Assessment, MAC, revision 0, dated October 2022) and subsequent technical note (ref: Response to LLFA, MAC dated 9th March 2023) and information provided to satisfy the relevant discharge of conditions application in relation to surface water drainage. This should be submitted in writing by a suitably qualified, independent, drainage engineer and approved in writing by the Local Planning Authority. This

Verification Report shall include:

- o Demonstration that any departure from the agreed design is in keeping with the approved principles.
- o Any As-Built Drawings and accompanying photos
- o Results of any performance testing undertaken as a part of the application process (if required / necessary)
- o Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges/Structures etc.
- o Confirmation that the system is free from defects, damage and foreign objects

Reason: To secure the satisfactory drainage of the site in accordance with the agreed strategy, the NPPF and Local Planning Policy.

27. No occupation and subsequent use of the development shall take place until a detailed, site-specific maintenance plan is provided to the Local Planning Authority in consultation with the Lead Local Flood Authority. Such maintenance plan should:
- o Provide the name of the party responsible, including contact name, address, email address and phone number.
 - o Include plans showing the locations of features requiring maintenance and how these should be accessed.
 - o Provide details on how surface water each relevant feature shall be maintained and managed for the lifetime of the development.
 - o Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

Reason: To ensure the future maintenance and effective operation of each of the sustainable drainage structures.

28. The development hereby permitted shall not be commenced until such time as a scheme to ensure finished floor levels are set no lower than 150mm above adjacent ground levels has been submitted to and approved in writing by the Local Planning Authority.

The applicant must also demonstrate the no water susceptible development is located within water susceptible / flood flow route(s).

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future users and to ensure that pluvial flood flow routes are not displaced causing flooding to others.

Foul Water

29. Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding

Fire Hydrant

30. No development shall take place until a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Informative: With reference to Condition above, the developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure.

PD Rights

31. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in any elevation of Plots 1 and 19 as hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. Informatives

- 11.1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework 2021 to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Joint Core Strategy Adopted July 2016, Part 2 Local Plan For Corby Adopted September 2021, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

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Rev	Date	Description



**Land South Of, Kettering Road, Weldon,
 Planning Application Reference: NC/22/00464/DPA
 Planning Committee Date: 07/06/2023**

Scale: 1:1250



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North Northamptonshire Planning Committee (North) 7th June 2023

Application Reference	NC/23/00057/DPA
Case Officer	Hollie McPherson
Location	4 Appleton Gardens, Gretton, NN17 3EF
Development	Insertion of a window to first-floor side elevation of existing garage (Retrospective)
Applicant	Mr Fitzgerald
Agent	Mr Owen Hoare
Ward	Corby Rural Ward
Original Expiry Date	20.04.2023
Agreed Extension of Time	Extension of time agreed 30.06.2023

List of Appendices

None.

Scheme of Delegation

This application is brought to Committee because a material written objection has been received from a statutory consultee (Gretton Parish Council) that is contrary to the Officer recommendation and has not been able to be resolved through negotiation.

Following the introduction of the new scheme of delegation at North Northants, this application would now fall within the remits of officer delegation and would be determined under officers' delegated powers. The application has been brought to committee given that the application was received prior to the implementation of the new scheme of delegation.

1. Recommendation

1.1. That Planning Permission be GRANTED subject to condition.

2. The Proposal

- 2.2.1 The application seeks permission for the retention of a window to first-floor side elevation of the existing garage. The application is retrospective with works complete, as the applicant assumed that the works constituted permitted development. This application seeks to regularise the development.
- 2.2.2 The window is of a small scale, matching in material and design to those used on the host dwelling (white, UPVC). It is clear glazed, hinged and set on the side of the pitched roof of the garage to allow natural light into the first-floor garage room. This is currently being used as a general-purpose domestic room, including storage and a singular piece of gym equipment.

3 Site Description

- 3.1 This application relates to an existing three storey detached dwelling with garage at 4 Appleton Gardens. It is accessed within a small courtyard, off Kirby Road in Gretton. Gretton is a large village located to the north of Corby. The property is set within the Gretton Conservation Area, and within Flood Zone 1.

4 Relevant Planning History

No relevant planning history.

5 Consultation Responses

A full copy of all comments received can be found on the Council's website

5.2 Parish/Town Council

Gretton Parish Council responded on 21.03.2023 voting against the application due to the negative impact onto the neighbouring properties privacy which is in the Conservation Area. Officers contacted the Parish Council on 19.04.2023 to further inform the significantly small scale of this application and the neutral impact it holds. The withdrawal of these comments was requested given that the Parish had not visited the site to view the impact. The Parish voted for these comments to remain in place.

5.3 Neighbours/Responses to Publicity

Public consultation was carried out by way of site notice: posted 23.02.2023, as well as notification to the below neighbours on 23.02.2023:

- 3 Corby Road, NN17 3BN
- 3A Corby Road, NN17 3BN

1 objection has been received from 3 Corby Road, based on the following:

- Accuracy of the drawings
- Change of use of the garage (habitable space)
- Impact on residential amenity
- Poor design
- Impact on the Conservation Area

The Officer undertook an external and internal visit of the site, confirming that the drawings accurately represent the site and no change of use application is required. Officers note that the garage is being used for typical domestic storage/use; it is acceptable to use this as habitable space, providing it remains ancillary in use to the host dwelling. Officer's have seen no indication that this space is being used as separate accommodation, for example being sub-let, which would require a change of use application.

5.4 Environmental Health

The North Northamptonshire Environmental Health Liaison Officer has raised no objection and no comments to the proposal.

5.5 Other Matters

No comments from the Conservation Officer have been received at the time of determination. Given the small scale of the application, the property is not a listed building, and the window matches in materials and design to those used on the host dwelling, these comments are not deemed essential in the determination. The impact on the Conservation Area will be fully assessed in the report below.

6 Relevant Planning Policies and Considerations

6.2 Statutory Duty Planning (listed Buildings and Conservation Areas) Act 1990

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.3 National Policy

National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG)

6.4 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1 – Presumption in Favour of Sustainable Development
Policy 2 Historic Environment
Policy 8 Place Shaping Principles

6.5 Local Plan – Part 2 Corby Local Plan (2021)

No relevant planning policies or planning constraints

6.6 Neighbourhood Plan

Gretton Neighbourhood Plan 2019-2031
Policy H3: Design Policies

7 Evaluation

The key issues for consideration are:

- Principle of Development

- Design and impact upon the character of the Conservation Area
- Impact on Neighbouring Amenity

7.2 Principle of Development

- 7.2.1 The National Planning Policy Framework (NPPF) 2021 gives great weight to achieving well-designed places. The Framework notes that good design is a key aspect of sustainable development, creates better places and helps make development acceptable to communities. Furthermore, paragraph 130 of the NPPF clearly states that developments should function well and be sympathetic to local character.
- 7.2.2 Policy 1 of the Core Strategy seeks to deliver sustainable development through the relevant policies in the plan. Policy 2 seeks to preserve or enhance the historic environment and associated heritage assets. Policy 8 of the Core Strategy provides place shaping principles for new development such as safe and pleasant streets, a distinctive local character, and to protect amenity, and to design out crime and anti-social behaviour.
- 7.2.3 Although a retrospective application, the proposal is considered to be acceptable in principle involving a small window in the side elevation of the garage. It seeks approval for works and development on an established dwelling that is located within the main built-up area of Gretton. The key purpose of the 1st floor window in the side gable of the garage is to allow natural light into a floor room within the eaves of the garage, the latter which is being used for domestic use/purposes.

7.3 Design and Impact upon the Character of the Area

- 7.3.1 Paragraph 127 of the NPPF also elaborates how well-designed places can be achieved through sustainable development.
- 7.3.2 Policy 8 of NNJCS states that development should respect and enhance local character by ensuring that it responds to its topography, wider context, the landscape setting and the local streetscape and local building material.
- 7.3.3 Consistent with Policy 8 of the NNJCS and the design-led approach advocated by the NPPF, the suitability of a development must be measured in part on its overall quality and function to ensure development is appropriately located and has regard to both the subject dwelling and the surrounding area.
- 7.3.4 Policy 2 of the NNJCS states that development should conserve, and where possible enhance the heritage significance and setting of an asset, complement the surrounding historic environment, and demonstrate an appreciation and understanding of the impact of development on heritage assets. This is consistent with section 16 of the NPPF.
- 7.3.5 The proposed longitudinal window to the side elevation of the garage is in white UPVC which is clear glazed, but is hinged and opens outward. It matches the existing windows of the host property. It is of a small size and set in a partly screened position, so the window is not a dominant feature, detracting from the character of the property and its Conservation Area setting. The window design and position has been viewed by the case Officer from the host dwelling's garden area at a number of angles and it was not

seen to visually dominate the property as it has been discreetly placed and sensitively designed.

- 7.3.6 The window faces the side gable wall of the host property but with an angled view of part of the rear garden of the neighbouring property no. 3. The window does not face directly onto other properties and is not visible in the street scene, including Corby Road, which is also partly screened by some mature trees. Notwithstanding the tree screen the window is of acceptable design, scale and considered a feature which conserves the character of the host dwelling and the setting of the Conservation Area. The development is therefore in accordance with Policy 2 and Policy 8 of the North Northamptonshire Joint Core Strategy Plan (2016), and sections 12 and 16 of the National Planning Policy Framework (2021) in this regard.

7.4 Impact on Neighbouring Amenity

- 7.4.1 National Planning Policy Framework (2021) advises that planning should seek to secure a high quality of design, a high standard of amenity for all existing and future occupants of such conversions this is further supported and elaborated upon by Policy 8 of the North Northamptonshire Joint Core Strategy (2016) which states: *Protecting amenity by not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.*
- 7.4.2 The proposal involves the insertion of a window the first-floor of the garage, serving an existing room used for domestic purposes. The neighbour's objections (at no.3) relate to inter alia overlooking adversely affecting their amenity.
- 7.4.3 During the site visit, the Officer undertook an internal site visit to view the impact on the neighbouring properties garden areas from the view of the window. The rear garden of no. 3 is situated behind the host property, and there is a considerable space distance of 25m to the other neighbouring property no.5 Corby Road. Plus, there is a tree screen minimising the potential for overlooking from the window and the outlook from this property. To conclude the window is not considered to have a detrimental impact upon the residential amenity of properties.
- 7.4.4 The side elevation of the garage is set forward 6m approx. forward of the neighbouring dwelling (3 Corby Road). Therefore, any view from the proposed window would be restricted to only part of the rear garden not the neighbouring property(no.3). This is considered acceptable however, given that it is not overlooking directly into the dwelling of 3 Corby Road.

In this respect it is not considered detrimental towards neighbour amenity, particularly given that the garage room is not a main habitable room as part of the host dwelling so will not be in constant use. The applicant (at their discretion) can fully protect neighbour amenity by incorporating a blind to the proposed window, shutting when the room is in use, however the approval of the application is not reliant on this as the small garage window retains a high standard of amenity regardless.

7.4.5 Finally, the in-situ window does not result in undue loss of light to neighbouring properties or substantive loss of privacy or overlooking. As such, the proposal is considered to maintain an acceptable standard of amenity and accords with Policy 8 of the NNJCS and para 130 of the NPPF and would not adversely affect the character and setting of the Conservation Area.

8 Conclusion

8.2 The retrospective application is considered to be acceptable in principle, as it involves the addition of a minor feature in the gable wall of a garage in an established residential area in Corby. Furthermore, it is considered that the development harmonises with the appearance of the host dwelling and the character of the Conservation Area and will not cause detrimental harm the amenities of neighbouring properties. The proposal is therefore considered to be in accordance with the requirements of Policy 2 and Policy 8 of the North Northamptonshire Joint Core Strategy (2016) and sections 12 and 16 of the National Planning Policy Framework (2021).

9 Recommendation

9.2 For all the reasons considered above and weighing up the policies of the NPPF 2021, North Northamptonshire Joint Core Strategy (2016) Part 2 Local Plan 2021 and the Gretton Neighbourhood Plan and other material considerations it is recommended that retrospective planning permission be granted subject to the conditions set out below.

10 Conditions

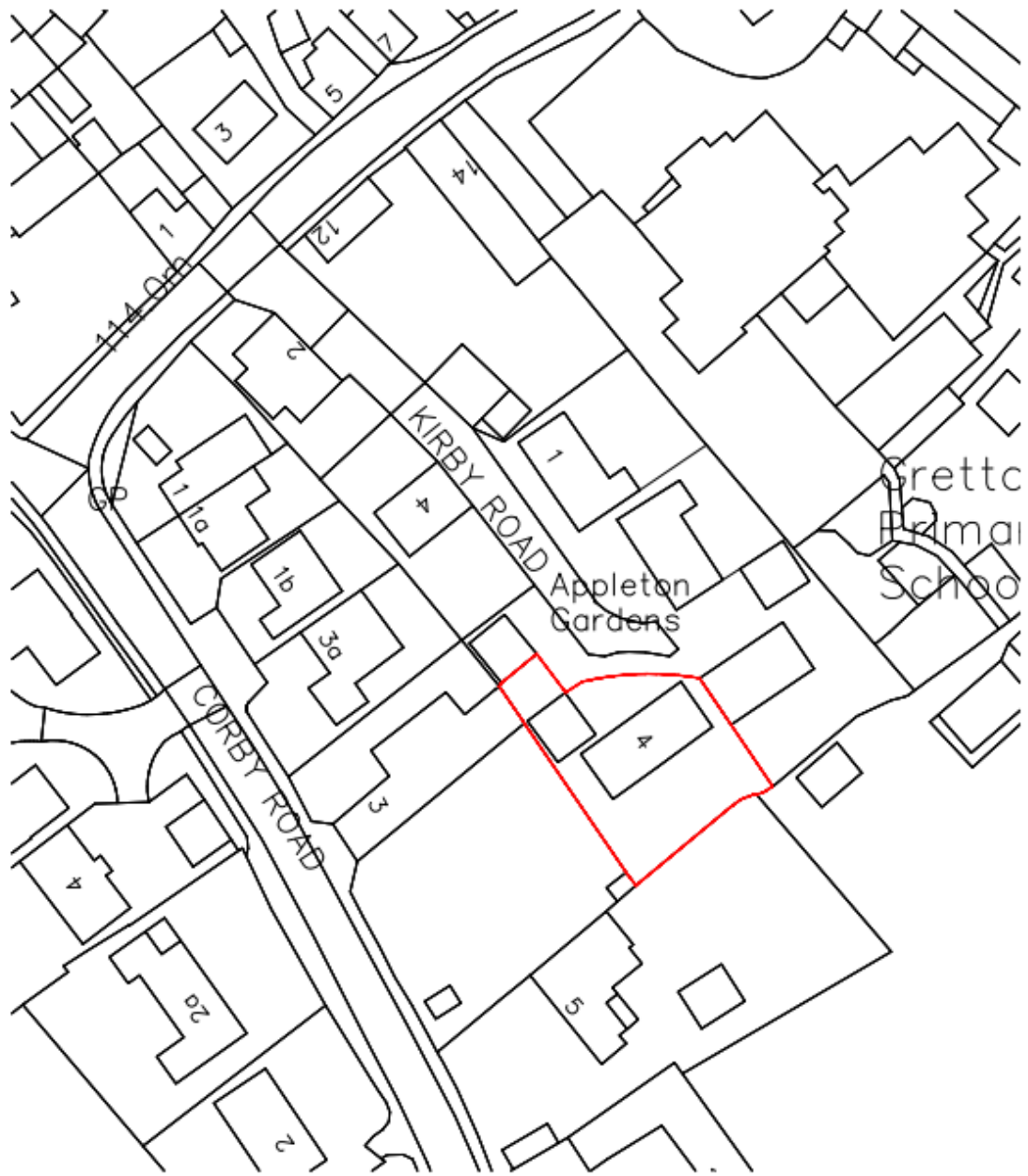
1. The in-situ window development shall be retained in accordance with the plans and details hereby approved, unless otherwise agreed by the Local Planning Authority.
Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Schedule of Plans

FLOOR PLAN _ ELEVATIONS 0010/20/FA 22.02.2023

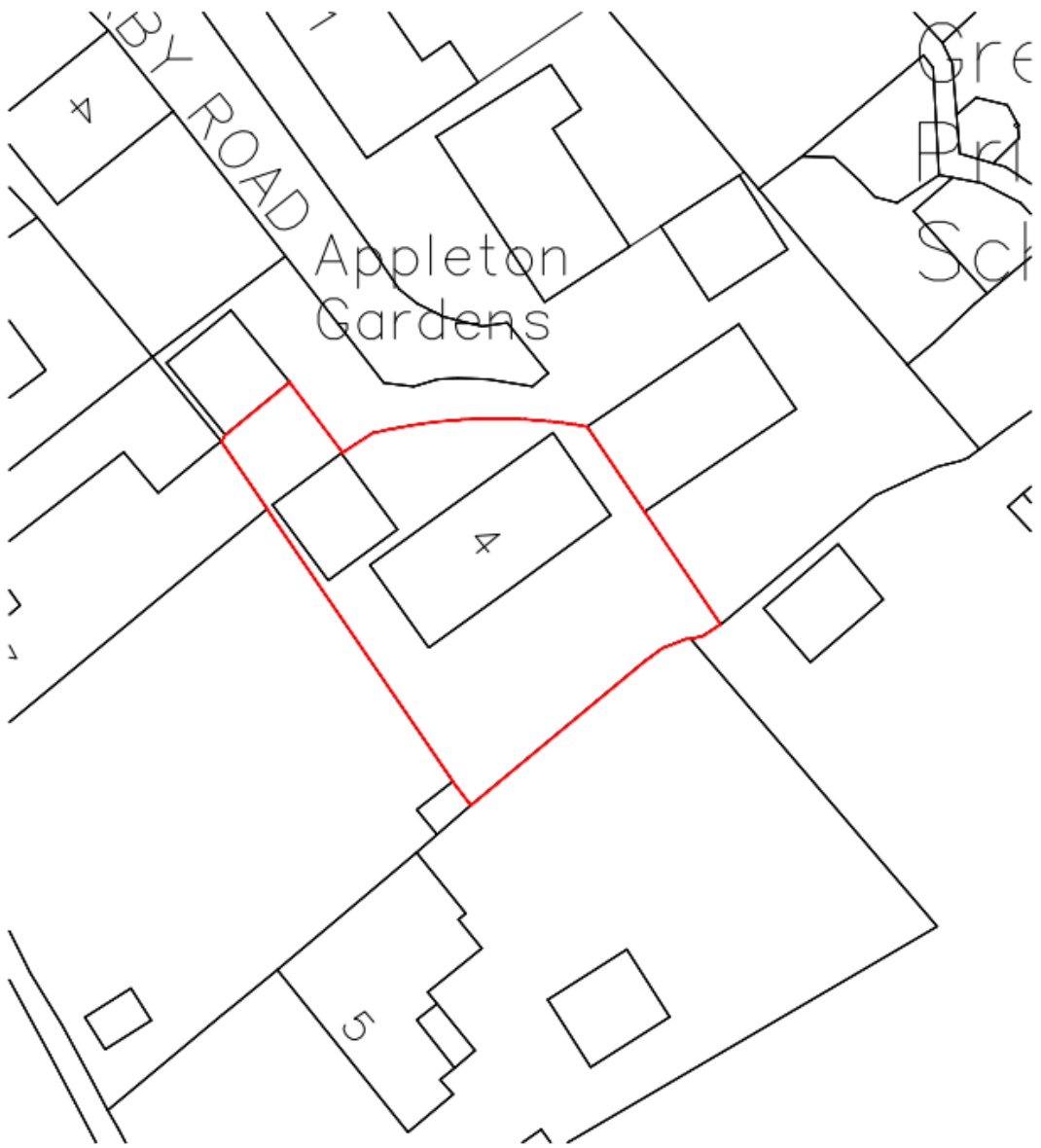
11 Informatives

1. In dealing with the application the Council has taken into account the National Planning Policy Framework 2021, the Joint Core Strategy Adopted July 2016, Part 2 Local Plan for Coby 2021, and any relevant material considerations.

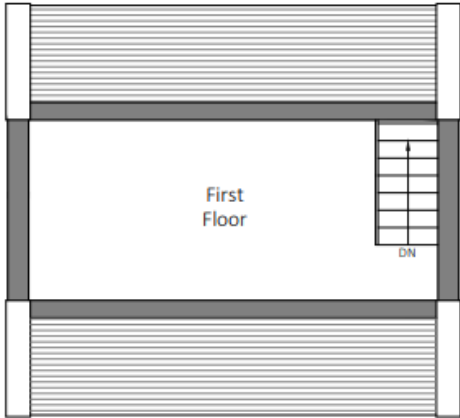


LOCATION PLAN
1:1250

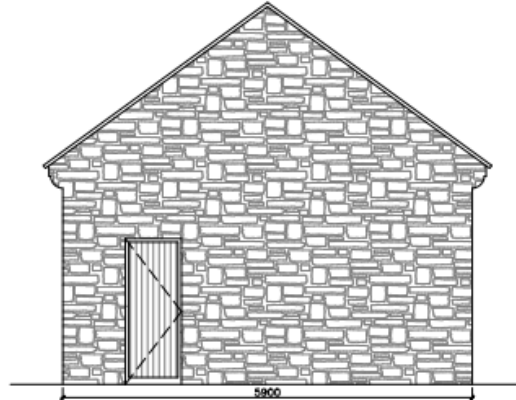




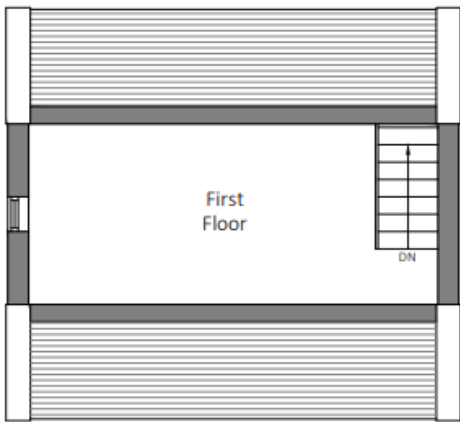
SITE PLAN
1:500



EXISTING FIRST FLOOR PLAN
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EXISTING LEFT ELEVATION
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PROPOSED FIRST FLOOR PLAN
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PROPOSED LEFT ELEVATION
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North Northamptonshire Planning Committee (North) 7th June 2023

Application Reference	NE/22/01271/FUL
Case Officer	Patrick Reid
Location	Olive Grove Nurseries Oundle Road Polebrook Peterborough PE8 5LQ
Development	Redevelopment of the site comprising the relocation and consolidation of the existing Olive Grove Garden Centre including associated polytunnels (to the south) and development of an elderly care home (Class C2) (to the north) with ancillary cafe and associated landscaping and car parking.
Applicant	Country Court Care Homes 5 Limited
Agent	Boyer Planning - Mr Arjun Lal
Ward	Thrapston Ward
Overall Expiry Date	27 January 2023
Agreed Extension of Time	12 June 2023

This application is brought before the Council's Planning Management Committee as the Parish Council have objected to the application and the Officer recommendation is for approval.

Appendices:

Appendix A: Material Considerations - Need, demand and supply of care bed spaces

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement by [add date here] (or other date to be agreed).
- 1.2 That should the Section 106 Legal Agreement not be completed by [add date here] (or other date to be agreed) that it be delegated to Officers to REFUSE planning permission.

2. The Proposal

- 2.1 The application seeks planning permission for an elderly care home, ancillary café a redevelopment of an existing garden centre along with associated car park and works. As part of the redevelopment of the site, the garden centre and nursery still in operation would be scaled back to cover part rather than all of the application site.
- 2.2 The development would comprise a main building as the care home, to be positioned toward the north-western part of the site. The use of the western part of the site would be for the care home, whereas the eastern part of the site would accommodate the garden centre use. A building comprised of polytunnels would house the horticultural use. Centrally there would be a building housing a café. The front of the site would primarily be used as the access and parking area.
- 2.3 The care home would be two-storey in height and would accommodate 68 care bedrooms, all with wet rooms, as well as various communal rooms and facilities. External space associated with the care home would include a landscape garden on its north-western side.
- 2.4 The proposed floor space for the care home is 4,552 sqm for the care home and 1,372 sqm for the garden centre. The existing garden centre covers 3,605 sqm of tradable floor area, resulting in a reduction of 2,233 sqm.(approximately).
- 2.5 The garden centre would be redeveloped toward the south-eastern part of the site. Polytunnel structures would be set back from the road, as well as a café between the two main uses. It is proposed to utilise the existing vehicular access into the site and reconfigure the parking space.

3. Site Description

- 3.1 The application site comprises an area of developed land to the east of Oundle and the west of Polebrook. It is an irregular shaped parcel of land that is occupied by a garden centre, a café and plant nursery. There are a number of buildings across the site as well as a large area of space used for car parking. The land includes a garden centre and associated nursery as well as a café. Planning history shows these being extended and altered over time.
- 3.2 The site is in a rural context with the majority of the surrounding land being in agricultural use. It is positioned on the northern side of Nene Way, an A road, which joins to Oundle around 1.3 miles away across the A605. To the east, the village of Polebrook is located around 0.6 miles away by road.
- 3.3 The site is relatively flat and includes an undefined parking area to its front behind hedging. A number of brick buildings toward the west of the site are located near to the access.

4. Relevant Planning History

- 4.1 16/01285/FUL – Construction of opening canopy over plant display area joining existing buildings and extension to car parking – Approved – 15.09.2016
- 4.2 14/01250/FUL - Extension to existing building to allow for relocation of shop and expansion of cafe seating area, including new coffee serving bar and customer toilets, with associated ancillary works – Approved 08.09.2014
- 4.3 13/02032/VAR - Variation of condition 3 to the allow the sale of hot food on the premises pursuant to planning permission EN/11/00049/FUL - 'Erection of new timber building to provide new customer entrance and exit, coffee bar/cafe with seating area, retail space and farm shop and covered walkway and link' dated 14.04.11 – Approved 20.02.2014
- 4.4 12/01983/FUL – Outdoor seating area enclosure associated with existing cafe – Approved – 30.10.2013
- 4.5 12/01359/FUL - Extension to barn to create new storage area, change of use of existing barn to re-house farm shop and expansion of coffee shop seating within existing shop area – 20.12.2012
- 4.6 09/01511/FUL – Replacement of temporary building (residence) with another temporary building (residence) - EN/09/00096/FUL – Approved – 26.09.2009

5. Consultation Responses

A full copy of all comments received can be found on the Council's website [here](#)

5.1 Polebrook Parish Council

At this meeting the Parish Council resolved to unanimously object to the planning application. Their major reasons for objecting are listed below

The Parish Council consider the proposed development to be excessive in size. The Parish Council wish to remind NNC of the existing planning restrictions within the current consent accounting for the site being rural and agricultural and not part of an existing community. Concerns expressed about the development setting a precedence for further applications and creation of development erosion in the area. The location does not have the infrastructure to support the excessive proposed development. The location is remote and does not provide accessibility to the centre of the village.

Concern expressed regarding light pollution and management of wastewater from the site and how this will be processed. The existing structure is a one storey building of temporary structure, the proposal is for a permanent two storey structure and contravenes the consent in the existing consent. This is a significant planning change more suitable for an urban environment as opposed to open countryside. Consent for C2 on the plantation land area will undermine the existing planning restrictions on the temporary dwelling ref EN/05/00177/FUL.

Policy 11 - The network of urban and rural areas

States "The rural areas 2a) Development in the rural areas will be limited to that required to support a prosperous rural economy or to meet a locally arising need, which cannot be met more sustainably at a nearby larger settlement;". The Parish Council do not have evidence of any identified need for this size and scale of residential care home and wish to view the justification.

Policy 13 states "The scale and nature of the development will not exceed identified needs and must be appropriate to the surroundings, minimise impacts on the environment and be supported by existing or new infrastructure". The Parish Council do not have evidence of any identified need for this size and scale of residential care home and wish to view the justification

Policy 25 - Rural economic development and diversification

8.24 States "Policy 25 seeks to ensure the economic sustainability of rural communities, whilst avoiding urbanisation through excessive levels of traffic, noise and light pollution. This is important in maintaining the attractive mixed rural/urban character of North Northamptonshire." The Parish Council believe a development of this size and scale goes against the JCS.

II. Ensuring high quality development

Connectivity point 4.4 states "the importance of having local facilities within walking distance, but noted that if there are barriers, such as major roads, which need to be crossed to access these facilities this can be a significant issue for parents, children and young people as well as elderly people." The Parish Council believe the proposed location of a residential care home in such a remote location does meet the criteria in the JCS.

The Parish Council believe this application contravenes many of the policies contained in the JCS due to its remote location and accessibility issues for residents.

5.2 Neighbours / Responses to Publicity

A total of thirty-one representations have been received, of which 24 are in objection and 7 in support. The matters raised are summarised below:

- Light pollution;
- Increase in traffic;
- Need for a care home unclear;
- Greenbelt land (Officer comment: the land is not Greenbelt)
- Visual impact on the landscape/Nene Valley;
- Wildlife impact;
- Impact on schools and doctors;
- Residents would feel isolated and away from the town;
- Cold and windy site not suitable;
- Access onto the road a concern;
- Impact on Ashton Conservation Area;
- Design concerns;
- Reliance on cars;
- It was once an agricultural site;

- Precedent for future developments;
- Poor pavement access;
- Poor sewage system;
- Conflict with Neighbourhood Plan (Officer comment: there is no neighbourhood plan);
- Insufficient parking;
- Loss of agricultural use (Officer comment: the site is not agricultural);
- No employment for local people;

Comments in support summarised below:

- No greater traffic than currently;
- Benefit to the community;
- Sympathetic design;
- No impact on local residents;
- A much needed facility;
- Residents would have good views;
- Good quality care home;
- Nationally suitable care for people with dementia is much needed.

5.3 Local Highway Authority (LHA)

Comments summarised as follows:

- In this instance given the minimal increase in trips in the AM peak and that the marginal increase in trips associated with the proposal does not meet the test relating to NPPF policy and that of a severe impact. Therefore, the visibility splays can be considered acceptable.
- Please note that on receipt of planning consent, and in order to carry out works within the highway the applicant will be required to enter into a Section 278 agreement with the LHA. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.
- The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install or alter the site access and the vehicle crossover of public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.
- Please ensure that the applicant is made fully aware of their responsibilities in respect of Byway No. NP13 which runs in close proximity to the proposed. With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements (standards listed).
- The proposed development is unlikely to generate significant impact on the network.

5.4 Northamptonshire Fire Service

Please ensure the pre-planning guidance is consulted, in particular access to the building.

5.5 Ecology

The applicant has not demonstrated that the proposal would deliver a net gain in accordance with JCS Policy 4, NPPF paragraph 174 or recent appeal decisions (APP/Y3940/W/21/3278256, APP/Y3940/W/21/3282365, APP/P1940/W/21/3289305). Until the Environment Act secondary legislation is passed next year, and due to resource limitations, the council is not currently pursuing net gain on applications which do not require a habitat survey as set out in the Biodiversity SPD. The application site is just within 100m of a Local Wildlife Site, which would normally trigger a habitat survey. However, the application site habitat is largely hardstanding with no ecological value so on balance I will not be asking the applicant to provide a net gain assessment in this case.

5.6 Police

Northamptonshire Police have no objection or concerns with this application as proposed. All crime prevention related measures quoted within the original submitted documentation, dated 28th Oct 22, should be implemented as agreed.

5.7 Council Commissioning and Performance Team

As per our recent market review and Market Sustainability Plan, North Northamptonshire Council has received a number of enquiries from larger/national providers looking to acquire land and build care homes in North Northamptonshire. This, in addition to expansion plans from existing providers will see a potential 400 additional beds joining the market in the next 5 years, 351 of these by the end of 2025.

The Authority has reviewed its current demand and can confirm the following:

NNC currently has 12 residential or nursing placements, out of the current 116 referrals currently with brokerage, where there is an expression from the family that they would like to consider homes within East Northants. Of these 12 referrals to only 6 of these exclusively request for the East Northants area. At least 3 of these referrals are already in homes within East Northants either as Assets below, Health Funding transfer or a Hospital Discharge Pathway.

Breakdown of Needs:

Res	3
Res De	5
Nursing	2
Nursing DE	2

Current Homes within East Northants

Currently there are 14 care homes within East Northants offering services to 65+ either Residential or Nursing. These care homes currently have a capacity

for 501 people. NNC currently has 177 placements within these homes. NNC is currently using 35.3% of the available beds within East Northants. Based on NHS capacity tracker data there is currently 58 vacancies within these care homes (11.5%).

Taking into account population growth, anticipated demand and existing and planned provision, the Authority would be cautious about the sustainability of further care home development in this area.

Should Country Court Care Homes Ltd wish to continue with their application, we would ask you to consider providing nursing support and/or care and support to those with dementia to ensure we are able to meet our population's increasing needs in the future.

I have provided a link below should you wish to review the Market Sustainability Plan in full.

5.7 Sport England

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

5.8 Nature Space

- The development falls within the amber impact risk zone for great crested newts. Impact risk zones have been derived through advanced modelling to create a species distribution map which predicts likely presence. In the amber impact zone, there is suitable habitat and a high likelihood of great crested newt presence;
- There are 4 ponds within 500m of the development proposal. The nearest pond was on the northern red line boundary. The other three ponds lay 285m south, 280m west, and 455m north west;
- There are great crested newt records within 500m of the site;
- limited connectivity between the development and surrounding features in the landscape.

Summary

The applicant has provided an ecological report, Ecological assessment Olive Grove Oundle, Polebrook, 13th April 2022, Tyler Grange Report No. 14097. Within this report it states that:

-GCN was recorded via eDNA in the pond 280m south of the site and the results from the nearest pond to the site came back inconclusive.

Conclusion and recommendation for conditions:

I am satisfied with this ecological report and the recommendation for a licenced approach. If a licenced approach is not taken, then further information will be required in the form of investigative surveys to fully assess potential impact on GCN.

Therefore, in line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must either:

- Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through North Northamptonshire Council's District Licence; or
- Provide further information in line with Natural England's Standing Advice, to rule out impacts to great crested newts, or demonstrate how any impacts can be addressed through appropriate mitigation/compensation proposals*; or
- If it is determined that there is no suitable habitat impacted on site and the likelihood of GCN is very low, then a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist may be acceptable for the development.

5.9 North Northamptonshire Council Education

I am responding on behalf of North Northamptonshire Council's Education, Libraries and Digital Infrastructure services on which this development would have an impact.

This response follows the principal guidance in the adopted 'Creating Sustainable Communities - Planning Obligations Framework and Guidance Document (2015) (as amended)', which follows the tests of paragraph 57 of the National Planning Policy Framework (2021), and is therefore relevant to this planning application.

From the information received regarding this application, it is understood that the development would comprise construction of 68 no. bed Care Home and associated works, with the proposed mix of units as follows:

o 68 x 1 bed units

These figures have been used to guide this response.

Education

Due to the proposed nature and mix of the development, it is expected that there will not be any pupils of Early Years, Primary or Secondary age fully resident in the properties. As a result, no S106 obligations will be required from this scheme if approved in its current form towards education infrastructure. This position will be reviewed in the event of any changes proposed and/or effected during the planning process.

Libraries

North Northamptonshire Council is the Library authority for the area in which the application site is situated. Where a new development will generate additional need and library space requirement, the library service requires contributions towards the costs of providing new, extended and/or improved library facilities to support the delivery of growth. This may include contributions towards maintained library facilities and services, as well as community-managed libraries where applicable. This development is expected to impact

on the current level of library provision as the new residents moving into the developments utilise existing facilities.

The Library service has adopted the National Library Tariff formula produced by the Museums Libraries and Archives Council (MLA). This includes:

- A minimum standard of 30 sq. metres of new library space per 1,000 Population.
- A construction and initial equipment cost on a per sq. metre basis (adjusted to reflect Northamptonshire building costs), based on BCIS building costs for public libraries. In order to adequately serve the growing community, improvements to the Library service are planned which will enable more flexible spaces to be available to the public, with improved facilities and an increased range of services. A schedule of works will be determined subject to available budget. These improvements are intended to support the provision of Library services to meet the needs of current and planned for population growth, to ensure adopted national and local standards of service can be maintained, and to contribute towards delivery of the Council's prevention and other strategies. In order to establish a proportionate cost towards the new works, the Library service utilises cost multipliers as per our adopted guidance.

Local planning and library authorities are recommended to adopt a minimum tariff of £90 per person in new housing. This is adjusted for Northamptonshire to £88 per person, based on BCIS building costs. Further information on these calculations can be found in the adopted Creating Sustainable Communities - Planning Obligations Framework and Guidance Document (2015).

The following outlines the cost per dwelling type based on the expected numbers of residents for each type of unit:

Size of Dwelling	1 bed	2 bed	3 bed	4+ bed
Cost per unit	£109	£176	£239	£270

A Libraries Contribution of £7,412 is therefore required, to contribute towards the improvement, enhancement or expansion of Library facilities to serve the development. This figure will be reviewed, with a specific project identified, at such time as the S106 for the development is entered into.

Digital Infrastructure

To help boost fibre broadband connectivity to new developments, the following Informative is proposed for inclusion in any decision notice, should permission be granted in relation to this application:

The North Northamptonshire Joint Core Spatial Strategy 2011-2031 policy 10 (e), Provision of Infrastructure, encourages developers to provide for fast broadband to new buildings (including but not exclusive to housing, commercial, retail or leisure) by partnering with a telecommunications provider or providing on site infrastructure to enable the premises to be directly served - this should be gigabit capable and where possible, full fibre connectivity. This supports the government's Gigabit programme and local targets to see 80% full fibre and 90% gigabit coverage by the end of 2028.

Developers should approach telecoms providers at the earliest opportunity to agree gigabit-ready infrastructure and connectivity plans. The network

capability delivered by full fibre technology supports the fastest broadband speeds available, is considered future proof, and will bring a multitude of opportunities, savings and benefits. It may also add value to the development and is a major selling point to attract potential homebuyers and occupiers, with many people now regarding fast broadband as one of the most important considerations.

Efficiencies can be secured if ducting works and other network infrastructure is planned early and carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works- specifically Volume 1 Specification Series 500 Drainage and Ducts, and Volume 3 Highway Construction Details Section 1 - I Series

Underground Cable Ducts. These documents can be found at:
<http://www.standardsforhighways.co.uk/ha/standards/mchw/index.htm>.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1 - Presumption in Favour of Sustainable Development
Policy 3 – Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 6 – Development on Brownfield Land and Land affected by Contamination
Policy 7 – Community Services and Facilities
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings
Policy 11 - The Network of Urban and Rural Areas
Policy 15 - Well Connected Towns, Villages and Neighbourhoods
Policy 22 - Delivering Economic Prosperity
Policy 23 - Distribution of New Jobs
Policy 25 - Rural Economic Development and Diversification
Policy 28 – Housing Requirements
Policy 29 – Distribution of New Homes
Policy 30 – Housing Mix and Tenure

6.4 Rural North, Oundle and Thrapston Plan (RNOTP) (2011) (Local Plan Part 2)

Policy 2 - Windfall Development in Settlements

Policy 4 - Green Infrastructure

Policy 5 - Transport Network

6.5 Submission Version (March 2021) East Northamptonshire Local Plan Part 2

Policy EN1 – Spatial Development Strategy

Policy EN3 – Settlement Boundary Criteria – Freestanding Villages

Policy EN5 – Development on the Periphery of Settlements

Policy EN13 – Design of Buildings/Extensions

Policy EN18 – Development of commercial space to support economic growth for smaller and medium sized enterprises

Policy EN20 – Relocation and/or expansion of existing businesses

Policy EN30 – Housing Mix and Tenure to meet Local Need

Policy EN31 – Older Peoples Housing Provision

6.6 Other Relevant Documents

Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)

Northamptonshire County Council - Local Highway Authority Parking Standards

Northamptonshire County Council – Planning Out Crime Supplementary Planning Document (December 2003)

Joint Planning Unit – Design Supplementary Planning Document (March 2009)

Biodiversity Supplementary Planning Document (February 2016)

North Northamptonshire Council Market Sustainability Plan (March 2023)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Material Considerations - Need, demand and supply of care bed spaces
- Quality of Care Accommodation
- Location of the proposed care home
- Economic impact – garden centre redevelopment, care home and café
- Design and Visual Impact
- Highway Matters
- Impact on Neighbouring Amenity
- Environmental Matters
- Flood Risk and Drainage
- Ecology
- Planning Obligations

7.1 Principle of Development

7.1.1 The proposal is for a combination of residential and commercial uses in a location outside of any settlements. The starting point for considering the principle of the proposed development is the development plan, which at the current time comprises the North Northants JCS 2011-2031 (adopted 2016) and saved policies of the Part 2 Local Plan. Material considerations including the National Planning Policy Framework (NPPF), as well as the guidance within the NPPGs are to be taken into consideration. For the former East

Northamptonshire area within North Northamptonshire, a Part 2 Local Plan is at a point of examination having been submitted in March 2022. This is also a material consideration.

7.1.2 Starting with the adopted development plan, a number of policies are relevant due to the mixture of commercial and residential uses proposed. As the proposal is for a care home, the use class is C2 which relates to residential institutions. The development plan policies do not make a distinction between residential institutions and dwellings and as such the same policies apply in this regard. Policy 11 sets the broad basis for residential distribution across North Northamptonshire. Policies 28, 29 and 30 provide further policy on the distribution of housing, housing requirements and housing mix. Policy 11 of the JCS sets a vision for the urban and rural areas. Part 2 (a) of Policy 11 is applicable as sets out that '*Development in the rural areas will be limited to that required to support a prosperous rural economy or to meet a locally arising need, which cannot be met more sustainably at a nearby larger settlement.*' Policy 13 relates to developments in the rural areas. Part (1) sets out the parameters for potential residential development in such areas, including making provision for affordable housing schemes. Part (2) refers to residential development and relates primarily for housing for rural workers.

7.1.3 In terms of housing requirements, Policy 28 sets out that for East Northamptonshire, there is a need for 8,400 new dwellings across the plan period. The Policy does not make reference to residential institutions, only dwellings which are the different use class of C3. Policy 29 covers the distribution of 'new homes'. The Policy has an associated hierarchy of settlements. The wording of the policy makes reference to housing development in the 'rural areas' being managed by Policies 11 and 13. Reference is also made to Part 2 Local Plans and Neighbourhood Plans. At this time there is no adopted or made such plans.

7.1.4 The proposal does not comply with the adopted housing provision policies due to its location. A number of material considerations are relevant need to be taken into account in the planning balance.

7.2 **Material Considerations - Need, demand and supply of care bed spaces**

7.2.1 The matters of need and supply for care bed spaces is of significance in the assessment of the merits of the proposal. A detailed section on this matter is included at **Appendix 1**.

7.3 **Quality of Care Accommodation**

7.3.1 It is appropriate to acknowledge that not all care home spaces recorded are of equal quality. Due to factors such as the age of the development, there are care homes that do not have ensuite bathrooms or wet rooms for each resident. There are also cases whereby the space of each room is less than is 'required' by market standards that apply to new care home. As an indication of the percentage nationally that have wet rooms for nursing care and dementia care, nationally the provision is 32.9% and 44.1% respectively. It also is noted that of the country's care bed supply of 460,613 units, 69.5% were build/registered prior to the year 2000.

7.3.2 The quality of care bed spaces can have significant implications for the wellbeing and health of the occupants due to various factors, including the spread of virus such as Covid-19 in circumstances whereby shared bathrooms is necessary. The proposal would provide each room with a wet room and it is considered that the quality of the accommodation would be to an acceptable standard.

7.4 **Location of the proposed care home**

7.4.1 As the site is located in open countryside outside of either Oundle or Polebrook, it is necessary to consider the principle of suitability and sustainability of the site. Key factors would be in terms of site accessibility by car, service and staff vehicles, emergency services and more sustainable means of travel i.e. by foot and cycling and public transport to the proposed care home. The garden centre element of this proposal, is considered to have less impact given the extant use and its proposed reduced footprint on the site. Also, that a garden centre use is typically more associated with edge of town or more isolated location. The focus therefore is on the accessibility of the care home.

7.4.2 The site is around a mile or so by road outside of Oundle, depending on which part of the edge of the town is measured from. Due to the distance and nature of the road/pathway, and the age of prospective occupants this might inhibit access by walking to the village. The vast majority of access movements would be by motor vehicle. Some short cycle trips may be made from Oundle or Polebrook.

Traffic Impact

7.4.3 In terms of vehicular movements, these will be a combination of staff, visitors, deliveries and those of residents. Due to the nature of the care and the health of the residents, vehicular movements by care home residents are likely to be minimal. Medical appointments not possible on-site are likely to require accompanied transport as part of the care provision.

7.4.4 The submitted Transport Assessment and Plan have been assessed by the Local Highway Authority (LHA) who have provided comments on the application. The LHA advise that the development would result in a minimal 'increase in trips in the AM peak' and as such the visibility splays are acceptable. The comments are not in objection and find the access arrangements acceptable. From a highway safety perspective, the proposal is acceptable.

7.4.5 In considering the suitability of the site more broadly in terms of accessibility, the proposal is supported by a Transport Assessment. This includes an assessment of the reduced garden centre combined with the care home and café and concluded that the development would result in a net reduction in vehicular movements when assessed using TRICS data. The submission shows a net vehicular trip generation of -224 trips between 0700 and 1900. IN the AM peak hours there would be a minimal increase of 5 vehicles in the 0800 to 0900 hour. These calculations ae based in the reduction in the size and scale of the garden centre on the site, which is a use associated with relatively high numbers of vehicular movements.

- 7.4.6 Officers' consider that the TRICS data assessment to be an accurate assessment of vehicular movements associated with the current use and proposed mixed development. An anticipated reduction in vehicular movements to and from the application site weighs in favour of the sustainability of the development.
- 7.4.7 Part of the assessment of the location's suitability for the proposed care home is the nature of the use, which has a general presumption towards more accessible locations. In this case the development involves the 'reduction' of a garden centre and as such will incur a reduction in vehicular movements, even accounting for the addition of the care home. The suitability of the location for care home use is also appropriate for consideration independently.
- 7.4.8 The submitted case emphasises the benefits of the site for occupants, including the views that would be possible from the rooms and outside space. These benefits are presented as features that would be part of a quality living environment for people who may be unlikely to travel and walk beyond the building and premises for much of the time. This would appear to be a reasonable assertion if comparing it against a theoretical site without such positive views.
- 7.4.9 As set out previously, whilst care homes are residential in nature and historically have been largely treated without distinction from 'standard' housing. Historic evidence shows a significant shortage of appropriate accommodation for older people of all types. The locational demands and impacts for care homes do share similarities with 'standard' housing but there are distinctions. For instance, vehicular movements are more associated with staff such as carers, travelling for shifts, rather than occupants. This affects the times of day of travel as well as the volume of traffic. Therefore, it is considered that the care home use should be considered in broadly a similar way in terms of location, as standard housing, it cannot be considered identically.
- 7.4.10 In this case, the site is accessible off Nene Way around a mile or so outside of Oundle. Staff would be likely to travel by private motor vehicle and it is noted in the Travel Plan that the sharing of vehicles would be encouraged. Other visits, including from families and friends of occupants would largely be reliant on the private motor car. It is a consideration that it is reasonable to suggest that a reasonable proportion of these journeys would be by the private motor vehicle if a care home was located centrally within Oundle. The area is relatively rural and there are limitations on public transport availability between the villages and settlements of the 6 mile catchment area. Therefore, it is noted that the site is primarily accessible by private motor vehicle and that a proportion of visits would be by a similar means in a town centre location. In purely locational terms for residential purposes however, the location weighs against the proposal in the planning balance.

7.5 **Economic impact – garden centre redevelopment, care home and café**

- 7.5.1 Paragraph 8 of the NPPF 2021 sets out that there are three interdependent strands of what constitutes 'sustainability'. The development would have an economic impact, which in addition to the social and environmental considerations, combine to reflect the NPPF's definition of sustainability. The development of the site is part residential for elderly care plus a café and

garden centre the latter typically located in open countryside or edge of settlements. The current site is commercial in its nature but involves a garden centre/nursery rather than a urban type commercial use.

- 7.5.2 The supporting statement by the applicant states that the site occupier, Olive Grove Garden Centre, is at long-term risk due to financial pressures in recent years. The redevelopment of the site would help to ensure the long-term retention of a modified, but fit for purpose garden centre.
- 7.5.3 Policy 22 of the JCS seeks to contribute to a net increase of 31,100 jobs by 2031. The Policy sets broad basis of supporting and enhancing existing employment sites and previously development land. As the site is occupied by a garden centre used for retail, the site is previously developed/brownfield. In this regard, the proposal to re-use the land is supported by the Policy.
- 7.5.4 Policy 25 refers to rural economic developments and it sets out the type of developments that it seeks to support. Part (2) refers to sustainable rural diversification activities to support the ongoing viability of the existing businesses. In this case, the proposed mixed development could in principle support the ongoing viability of a modified garden centre. However, the applicant has not provided details of the financial constraints and therefore a case has not been made on viability grounds. Therefore, another operator could potentially acquire the existing business and continue a horticultural operation. Less weight can therefore be given to the economic benefits of the part retention of the garden centre.

Employment benefits

- 7.5.5 The development would create local employment with a total of 33 staff daily across the day and night shifts. Plus, the café and the garden centre, would generate a total of 32 full-time employees, compared to only increased from the current 4 staff associated with the current garden centre. In this regard, the proposal would provide economic benefits of 28 additional full-time jobs equivalents which weights positively in the planning balance.
- 7.5.6 The long-term benefits associated with care home will benefit the local economy. Aside from employment, the increase in spending on goods and services locally from the operator, occupants, staff and visitors will represent an economic benefit. The extent of such is likely to be relatively modest. Overall, the economic benefits of the scheme weigh in favour of the proposals.

7.6 Design and Visual Impact

- 7.6.1 The site is occupied by the garden centre and plant nursery and associated buildings in a rural location surrounded by agricultural land. The local landscape is characterised by agricultural fields and relatively gentle changes in gradient. The public space from which the site is most evident from is the adjacent highway, 'Nene Way', which is a two-lane road with a relatively wide verge on either side at the point of the site.

Pre-Application Advice

It is also noted that the design of the proposal has been informed by pre-

application advice undertaken prior to the receipt of the application. The applicant engaged with Officers' prior to the this submission and the scale design layout of the development has benefited from these discussions.

- 7.6.2 The submitted details for the elderly care home specialising in dementia care, are as follows:
- 68 one-bedroom care spaces, all with wetrooms
 - Communal space including dining room, lounge, reception, garden, activity room
 - Assisted bathrooms
 - Cleaning store, laundry, plant, circulation space, kitchen
- 7.6.3 The extent of land to be used for the development is largely that which is occupied by the current garden centre and the associated parking space and plant nursery. The most significant 'change' is the introduction of a residential building on the site of the current garden centre, and how this would appear in the surrounding context. The
- 7.6.4 At the site frontage, the 2 storey building shape materials, fenestration, internal arrangements. Although two storeys in height would constitute a more prominent built form at a greater scale and massing than the current garden centre, the use of a flat roof is preferable to a pitched roof due to the height differences. The care home building would comprise the largest mass of built form and would be visible from the road. Although a two storey building, in order to meet density requirements for this type of accommodation the footprint of the building would be extensive, and to reduce height the roof would be flat.
- 7.6.5 The application is also supported by a Landscape Visual Assessment.(LVA) The applicant has commissioned a LVA to establish that the landscape effects would not be significant upon completion of the development, including the landscaping. The landscaping scheme involves substantial hedge and tree planting along boundaries around the care home, which would limit its visual impact in the countryside setting. The conclusions of the LVA assessment are considered acceptable.
- 7.6.6 The proposed care home, would change the character of the site and its immediate surroundings but not as such to warrant a refusal of permission. This is because, the broader landscape impact is considered to be limited due to the relatively low profile of the buildings and the integration of new landscaping within the application site and its boundaries. This has softened the impact of the proposed development upon the transition to more open areas of countryside which adjoin.
- 7.6.7 In terms of the design of the care home itself, has progressed building upon the pre-application and more recent discussions. It also takes account of the care needs and benefits of occupants. The siting of the care home, the café and the garden centre are a logical approach to the development of the site. The low-profile design of the building would limit the visual impact of the development.
- 7.6.8 Other aspects of the design, including the siting of the parking, residents' outside space and the entrance to the care home is considered appropriate for

the site. The materials indicated on the elevations, including timber cladding battens, is considered to be an attractive approach to the building and its location. The design is considered a well reasoned approach to meeting the spatial needs of the development in a sensitive and high quality manner whilst providing the functional requirements of the different elements.

7.7 Highway Matters

7.7.1 In terms of highways safety, access and parking, it is noted that the LHA do not object to the application for the reasons cited previously. A reduction in vehicular movements overall, an established access and sufficient parking spaces are considered to ensure the development is served by suitable highway demands.

7.7.2 The care home would include a total of 25 staff for the day shift and 8 for the night shift. It also notes that around 22 visitors would arrive on a typical weekday. Servicing vehicular movements are also taken into account in the submitted Transport Assessment reviewed by the LHA. Across the site, the LHA have raised no concern at the proposed parking provision of 88 parking spaces for the different uses.

7.7.3 The matters of the access and parking can be suitably controlled by condition if permission is to be granted.

7.8 Impact on Neighbouring Amenity

7.8.1 There are no residential properties in the immediate vicinity that would be affected by the development. The site is relatively isolated and as such the development would not materially affect the amenities of nearby properties.

7.9 Environmental Matters

7.9.1 The Council's Environmental Protection Team were consulted by no response is noted on file. In terms of noise, contamination and odour, there is no indication that the development of the site would be subject to unacceptable impacts in these regards.

7.9.2 In this case it is appropriate for the Council to attach a construction management condition that limit the hours of construction and require measures to control mud and other debris, as well as other controls, during the construction phase.

7.10 Flood Risk and Drainage

7.10.1 The application is supported by a Flood Risk Assessment and Drainage Strategy for the site which is all within Flood Zone 1 which is low risk. The applicant's drainage report sets out on-site measures proposed, including the use of permeable ground and cellular storage crates.

7.10.2 At the time of writing no response has been received from the Lead Local Flood Authority (LLFA). Notwithstanding this a safeguarding condition is proposed to ensure that the key objectives of the flood risk report are implemented, if permission is to be granted.

7.11 Ecology

- 7.11.1 The application is supported by an Ecological Assessment and it has been subject of a consultation response from the Nature Space Team. The response received indicates that the site has the potential for great crested newts and that a biodiversity net gain assessment is not necessary.
- 7.11.2 The comments received in relation to great crested newts (GCN) Nature Space Team require surveys to establish the extent of the presence or absence of GCNs. The application was submitted in October and the comments received note that GCN surveys should be carried out in the spring. Taking a proportionate approach, whilst the comments received express a preference for surveys to be undertaken prior to determination, it is considered in this case, reasonable that such surveys be secured by a pre-commencement condition. The condition/s would ensure that, in the event the presence of GCNs is found, appropriate movement of them, including licencing, be secured so no harm occurs.

7.12 Planning Obligations

- 7.12.1 The consultation exercise has resulted in requests for s106 contributions towards mitigating the impact on libraries. The request for a contribution towards the local library due to the impact on the service is considered justified due to the population of the care home and the potential use of their facilities. This would be secured via a Section 106 Agreement.
- 7.12.2 As a care home for the elderly specialising in care for people with dementia, the provision of care is evidently an inherent part of the use of the development. The securing of the use including details of care can be secured via a Section 106 Agreement, along with the library contributions requested.

8. Other Matters

- 8.1 Neighbour comments: The representations received have raised a combination of matters, several of which are addressed within the report. Those that are not are addressed include the following. One matter raised was a loss of 'greenbelt' land. The site is not Greenbelt, as is no land within North Northamptonshire.
- 8.2 Parish Council comments: The Parish Council objected on the basis of the following matters: size, 'agricultural' use, further developments in future, infrastructure, access, light pollution, need and location. These matters are addressed in the main body of the report in the main, however specific matters are addressed here. In terms of the existing use, it is a garden centre and café, and therefore not agricultural. The reference to 'future developments' is unclear insofar as the nature of concern is not expressed. More fundamentally however, each application has to be assessed on its own merits.
- 8.3 From the comment relating to 'infrastructure' impact, it is not apparent which aspect. The application has been assessed on its impacts, including the highway and libraries. Matters of size, light pollution, need, scale and location are addressed within the report.

- 8.4 Other concerns raised include that the site is windy and cold and that residents would feel isolated from the town. These matters of perception are not considered to materially affect the consideration of the proposal. It also is considered that the development would not materially affect Ashton Conservation Area. A concern about a conflict with an Oundle Neighbourhood Plan was cited, but no such made plan exists.
- 8.5 There is no evidence to indicate that the care home would impact on the local medical services. No request for planning obligations of such has been received. Other concerns raised include that the site was once agricultural. As a garden centre occupies the site, the agriculture ceased and the proposal therefore represents a redevelopment of the site. Concerns about potential expansion are not a material consideration.
- 8.6 Equality: The proposed care home for older persons, including those with dementia, makes provision of accommodation for this aspect of society. It is acknowledged in national policy and guidance that there is an increasing need to provide suitable accommodation for this part of society. In this regard, the proposal is not considered to raise equality concerns.
- 8.7 Health Impact Assessment: Paragraph 92 of the NFFP states planning policies and decisions should aim to achieve healthy, inclusive and safe communities and, specifically, criterion c) of this seeks to enable and support healthy lifestyles. The care home is designed to help the health and wellbeing of the occupants and is therefore considered to provide health benefits.

9. Conclusion / Planning Balances

- 9.1 The application has been assessed by officers in the context of both National and Local plan policy. The proposal comprises a residential element in this case 68 bedroom care home (Class C2 residential institution). This has then been integrated with a café shop and a smaller garden centre. The 'residential' element of the proposal conflicts in principle with the Council's housing strategy as such uses are directed towards more sustainable locations closer to established settlements. The proposal therefore conflicts in principle to some extent with Policies 11 and 29 of the JCS and this weighs against the proposal.
- 9.2 However, there are significant material considerations to be taken into the planning balance of the assessment of the public benefits of the proposal, primarily the contribution of 68 care bedroom units towards meeting a significant unmet need of care bed spaces within North Northamptonshire. Current analysis indicates a reliance on windfall sites for care home bed spaces, due to a lack of sites being allocated for elderly care housing and a shortage across North Northamptonshire. The proposal therefore represents a windfall site albeit outside of a settlement, as part of a redevelopment of a garden centre.
- 9.3 The weight to be attributed to the provision of 68 care bed spaces is considered to be substantial in the context of the identified need and the apparent lack of supply coming forward or allocated. This approach is

considered to reflect that of the Planning Inspectorate in a number of recent appeals.

- 9.4 The quality of accommodation and the benefits it would provide for the residents is considered to weigh in favour of the proposal albeit to a modest extent in the planning balance. Evidence presented shows that of the care home bed spaces that currently exist, a large proportion do not have their own ensuite or wet room and do not meet standards for new-build care homes.
- 9.5 In respect of the smaller garden centre, it would benefit from modernisation to improve its facilities, a positive factor which complements the main use. In terms of the visual impact, it would be limited due to the low profile of the care home in its rural setting integrated with landscaping. The design of the development, including the care home building itself, is considered to represent high quality design both aesthetically and in terms of the function of providing a suitable space for care provision for people in need.
- 9.6 The proposal is considered to be acceptable in terms of drainage, ecology and the impact on libraries, subject to suitable conditions and a S106. The care provision is recommended to be secured via a S106.
- 9.7 A fundamental aspect of the NPPF is the goal of sustainable development, ensuring that economic, environmental and social needs are met. Public benefits would be a result of the development, including the social and economic benefits relating to meeting an unmet specialist housing need, the health benefits to occupants as well as the employment and spending benefits locally from the construction and those long-term. A net increase in 28 full-time equivalent jobs and the spending benefits to the local economy weigh in favour of the proposal.
- 9.8 The submitted Alternative Sites Assessment demonstrates a lack of suitable sites in preferable locations. It is also noted within the LPP2 that there are no sites allocated for care homes and as such their development is reliant on windfall sites. The development would cause a low level of visual harm, although it is noted it is a redevelopment of a part brownfield site and as such the harm is limited.
- 9.9 The planning balance is not straightforward in this case, in part due to the nature of the development plan context for care homes and then current evidence concerning need, supply and quality. Taking into account the development plan, the emerging plan and the evidence on need and supply, the benefits of the development are considered substantial towards meeting a significant shortage of care bed spaces, for which there is no apparent supply to come forward elsewhere. The contribution towards the significant unmet care needs are considered to have a positive impact in terms of meeting the specialist housing needs of the elderly. The health benefits are considered to be significant and whilst the spatial strategy seeks to direct residential uses to settlement locations, in this case the balance is in favour of the identified public benefits.

10. Recommendation

- 10.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement by [dated to be agreed with Applicant)
- 10.2 That should the Section 106 Legal Agreement not be completed by date to be agreed with Applicant) that it be delegated to Officers to REFUSE planning permission.

11. Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following plans:

- Existing Site Location Plan rev. A ref. 434_PL_01_100;
- Proposed Site Plan rev. F ref. 434_PL_00_200;
- Site Access Arrangement ref. ITL16401-GA-005 ref. B;
- Proposed Elevations rev. B ref. 434_PL_00_310;
- Proposed Elevations ref. 434_PL_00_311 rev. A;
- Proposed Plan – Ground Floor rev. D ref. 434_PL_00_210;
- Proposed Plan – First Floor rev. D ref. 434_PL_00_211;
- Proposed Roof Plan rev. C ref. 434_PL_00_212;
- Proposed Site Elevations rev. A ref. 434_PL_00_300;
- Proposed Detailed Room Layouts ref. 434_PL_00_400;
- Proposed Detailed Room Layouts ref. 434_PL_00_300;
- Detailed Room Layouts Type B1/B2 – Opt 1 & 2 ref. 434_PL_00_401;
- Rendered Room Plan Type B1/B2 – Opt. A ref. 434_PL_00_402;
- Proposed Detailed Room Layouts ref. 434_PL_00_403;
- Proposed Sections – Internal Courtyard ref. 434_PL_00_320 rev. A;

Reason: In order to clarify the terms of the Planning Permission and to ensure that the development is carried out as permitted.

3. The access hereby approved shall be constructed in full prior to the use or occupation of any part of the development. The access shall be in accordance with the following submitted details:

- Site Access Arrangement ref. ITL16401-GA-005 ref. B;

Reason: To ensure the site access is appropriately designed to serve the development, in accordance with Policy 8 of the JCS.

4. Prior to the occupation of the care home, the car park shown on Site Plan rev. F ref. 434_PL_00_200 shall be developed and made available for parking and shall thereafter be retained as such.

Reason: To ensure adequate parking provision.

5. The landscaping of the development hereby permitted shall be carried out strictly in accordance with following plans received by the Local Planning Authority :

- General Arrangement ref. 051034-EN-XX-00-DR-L-101rev. P01;
- General Arrangement ref. 051034-EN-XX-00-DR-L-102 rev. P01;
- Landscape Strategy ref. Figure 27;

Reason: In order to clarify the landscaping terms of this consent.

6. The landscaping works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

Reason: To ensure the landscaping is undertaken and maintained in suitable time relating to the occupation of the care home.

7. Prior to the development above the slab level, full details of the external materials, including samples and product details, for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity.

Reason: To safeguard the visual amenity of the area in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy 2016.

8. The garden centre hereby approved shall not be open to the public outside of the hours of 09=8:00 to 18:00 Mondays to Saturdays, and 10:00 and 16:00 on Sundays and Bank Holidays:

Reason: To ensure the activity at the garden centre from public access does not unacceptably impact on the amenities of the adjacent care home.

9. The drainage works for the hereby approved development shall be undertaken in accordance with the following submitted details prior to the first occupation of the development hereby permitted:

- Drainage Strategy and SuDS Assessment produced by Motion dated 01 July 2022.

Reason: To ensure the drainage works are undertaken in accordance with the approved details.

10. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved surface water scheme has been submitted in writing by a suitably qualified

independent drainage engineer and approved by the Local Planning Authority The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV Confirmation that the system is free from defects, damage and foreign objects.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

11. The recommendations of the submitted Ecological Assessment dated April 2022 shall be complied with as part of the development. In for the avoidance of doubt, the measures set out in the following shall be followed:

- Impacts, Mitigation and Enhancement Strategy.

Reason: In the interests of the ecology of the area.

12. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details in accordance with a timetable to be agreed.

Reason: In the interests of ensuring the development has an appropriate ecological impact.

13. At all times during the carrying out of operations authorised or required under this permission, best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

Reason: To ensure the protection of the local amenity throughout construction works.

14. Prior to commencement of development to submit to the Local Planning Authority for written approval a Construction Traffic Management Plan (CTMP). The CTMP will include details of the construction traffic daily timetable, confirming no construction traffic will arrive on site before 8.00am and after 6.00 pm Monday to Friday, before 8.00am and after 1.00 pm on a Saturday and with no construction vehicles to attend the site on a Sunday or Bank Holiday. The CTMP will include details of site access and egress points together with how any mud/detritus originating from the site is to be removed from the surrounding highway at the end of the working day. The CTMP will also include the provisions to be made on-site for contractor parking provision.

Reason: In the interests of residential amenity, highway safety and visual amenity in accordance with the North Northamptonshire Joint Core Strategy (2016).

15. There shall be no burning of any material from site preparation works (i.e. clearance of trees, scrub, vegetation, internal fittings etc).

Reason: To minimise the threat of pollution and disturbance to local amenity.

16. Details of any external lighting shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and wildlife and local light-sensitive development from light pollution.

17. If, during development, contamination not previously considered or identified becomes known to the Applicant, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.

Reason: To ensure all contamination within the site is dealt with. This will ensure the amenity of the site and prevent the potential harmful effects of contamination on the proposed use.

18. The tree and arboricultural work shall be undertaken in accordance with the submitted plan and details:

- Tree Protection Plan ref. 4377.Olive Grove.Boyer.TPP;

Reason: To ensure the site does not cause unacceptable harm to trees on and around the site.

19. No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority.

Reason: To ensure the protection of the local amenity throughout construction works.

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Appendix 1 - Material Considerations - Need, demand and supply of care bed spaces

- 7.2.1 The development plan context for establishing how the matters of need, supply and quality of older persons' housing and care bed spaces are to be considered, is relatively limited in terms of specific requirements. Policy 30 of the JCS provides the authority area's policy basis for setting the housing tenure mix that is to apply to new developments. Part (a) (i) sets out that developments should reflect the need to accommodate smaller households, including where appropriate, dwellings designed for older people. Part (c) sets out that new dwellings must meet Category 2 of the proposed National Accessibility Standards as a minimum, and that a proportion of Category 3 (wheel-chair accessible) housing may be negotiated by the LPA, depending on the evidence of local needs.
- 7.2.2 Part (f) of the Policy 30 refers to schemes being encouraged that provide market and affordable specialised housing for older households. The contents of Policy 30, and the other policies of the JCS, do not set out housing requirements for the different types of specialist housing for older people, including care home spaces. The housing requirements within Policy 29 are an amalgamation of all housing types across the plan period.
- 7.2.3 Taking account of the adopted development plan position, there is an expressed intention and support for the provision of smaller housing suitable for older persons. Beyond this, the requirements in terms of quantity and type are not specified.
- 7.2.4 It is necessary to note that the JCS is the Part 1 of a two-part development plan, the second of which is unadopted. The Part 2 Local Plan for the former East Northamptonshire area (2011-2031) is currently subject to examination. As of May 2023, the Plan reached the stage whereby it was subject to examination hearings in the summer of 2022 and subsequently and most recently, has been subject to a consultation on the 'Main Modifications' in March and April 2023. The weight to be attributed to the emerging plan and relevant policies will be analysed following reference to the policies and contents considered relevant.

Emerging Part 2 Local Plan

- 7.2.5 In terms of the policies that are specifically directed towards housing mix and care homes, 'Policy EN30: Housing mix and tenure to meet local need' refers to JCS Policy 30. Part (a) notes that 'particular consideration will be given to meeting the needs of an ageing population by providing the opportunity for smaller properties to encourage downsizing within the district'. The supporting text at paragraph 8.60 notes that the Council has an increasing number of older persons households and the Policy is intended to help contribute to increasing supply of suitable accommodation.

7.2.6 'Policy EN31: Older people's housing provision' approaches the matter of specialist housing provision principally by seeking to secure a proportion of larger sites as suitable for older people. For major sites, 10% of the units are 'expected' to be suited for older people, whereas on schemes of 5 or more units, 20% will be the target. It notes the types of housing to meet this criteria, ranging from 'downsizing' units to residential and nursing care homes. In respect of the latter, part (d) notes that:

'Where the need for care homes has been identified, and is supported by Social Care and Health, these will be encouraged on strategic, allocated and windfall sites.'

7.2.7 The supporting text that precedes the Policy includes reference to the Council's Strategic Market Housing Assessment (SHMA) and the need us quantified including the following cited statistics:

- 20,100 specialist housing units to meet community need between 2011-2031 with the largest growth forecast within East Northamptonshire District;
- The 2015 toolkit update projects the number of older households requiring specialist housing in East Northamptonshire as 985 dwellings over the Plan period (up to 2031), which equates to 49 per annum;
- A separate study by the Northamptonshire Councils along with the Clinical Commissioning Groups (CCGs) cites an annual target figure of 103 dwellings per annum up to 2031;
- A third study by Sheffield Hallam University quantifies a greater need for specialist housing for older people of 598 units per annum across North Northamptonshire. It refers to a shortfall of 387 units in 2020, rising to 2,267 units by 2035. The below table is also included:

Table 20	Specialist older person's housing shortfall (East Northamptonshire)				
Year	2017	2020	2025	2030	2035
Cumulative shortfall	-207	-387	-1,202	-1,756	-2,267

7.2.8 In relation to care home provision, paragraph 8.67 notes the following:

'In addition a shortfall in care home provision has been identified within the County as a whole, along with the need for more specialist care to be provided to meet dementia patient requirement.'

7.2.9 The following paragraph turn to how the emerging policies seek to assist in providing supply to meet the need across the plan period. Within the contents of these paragraphs, there is no direct reference to the provision of care home spaces.

- 7.2.10 Within the March 2023 Main Modifications, the supporting text is shown modified to include 'residential and nursing care homes' at paragraph 8.71. The Policy wording of EN31 (d) remains) to refer to residential and nursing care homes across strategic, allocated and windfall sites.
- 7.2.11 In considering the contents, implications and significance of the emerging Part 2 Local Plan, it is necessary to identify that it is not adopted and is subject to change ahead of potential adoption. It is however relatively far progressed and was subject to hearings in 2022. The key matters of relevance for this application are the evidence base which set out a picture of the need for care home spaces, and the potential supply that may come forward in the coming years.

Evidence base of LPP2 - Need

- 7.2.12 The Part 2 Local Plan cites three measures of need for specialist housing for older people. Depending on the methodology used, the need for East Northamptonshire is cited as 985 units (49 per annum) (to 2031) ranging to 2,267 units, depending on whether the SHMA toolkit or the assessment by Sheffield Hallam University is applied. Between these two is the evidence of the Northamptonshire Councils along with the Clinical Commissioning Groups, citing a need for 103 dwellings per annum (interpreted also to include care bed spaces as well as other types).
- 7.2.13 The range from a need of 985 units to 2,267 units is relatively large. The evidence does indicate a under-supply which is growing as time passes. From this evidence, it is considered reasonable to conclude that there is an unmet need for specialist housing for older people, including care homes spaces. The text at 8.67 specifically cites the need for more specialist care spaces, including to meet dementia patient requirements.

Submitted Need Assessment

- 7.2.14 The submitted Planning Need Assessment provides further evidence on which to build the picture of care home need locally. The details submitted assess the need on the basis of both the market, defined as a 6 mile catchment area, as well as North Northamptonshire. It assessed need of both en-suite care bed need as well as dedicated dementia spaces. The submitted assessment analysed need and supply and found a market catchment need of 43 market elderly wetrooms and 1,064 across North Northants, by 2025. For specialist dementia, the need is shown as 24 and 531 respectively.
- 7.2.15 The submitted report makes a distinction between 'general' care homes and those specialising in dementia care. It notes that within the catchment area there is sufficient supply, as of 2025, but across the authority area the need would be 330 beds.
- 7.2.16 In terms of the planning assessment, the starting point for considering need is that of the authority area i.e. North Northamptonshire. The submitted evidence

indicates a shortage of care home spaces for North Northants of 1,064 (wetrooms) and 531 (dementia) by 2025. The need for such within six miles is less and actually indicates the supply is being met in terms of dementia bed spaces.

- 7.2.17 Following the receipt of the comments from the Council's Adult Social Care Team, the Applicant submitted a response in April 2023. The submission highlights that, within a 2017 document by Northamptonshire County Council named '*Study of Housing and Support Needs of Older People (2017)*' which stated that 'an additional 909 care home beds are needed by 2030'. The submission cites other documents, including the former County Council's Accommodation Market Position Strategy (2018/19), that 88% of nursing care home residents are self-funders.
- 7.2.18 The submission raises questions about the consultation comments received from Adult Social Care in respect of supply. It also raises the matters of quality, care home closures, occupancy rates, Covid-19, and assessment of need as there is occasions of people seeking a care home outside of their authority area. The response indicates that occupancy levels are greater locally than pre-pandemic levels, indicating a high level of need for care bed spaces. It also states that it is part of the Council in its Market Sustainability Plan (2023) will seek to increase the number of nursing beds to meet the anticipated demand for increased acuity.
- 7.2.19 In considering the submitted evidence, the need for specialist care home spaces (wetrooms/ensuite) and dementia care spaces across the authority area is significant and unmet. The comments of Adult Social Care are considered separately.

Comments of Adult Social Care – Commissioning and Strategy

- 7.2.20 In March 2023 comments were received from the Council's Service Manager for Commissioning and Strategy. The comments firstly note that there have been enquiries to the Council for developing care beds in the next five years. It also then refers to the numbers of residential or nursing placements. It cites 12 referrals, 6 of which are within East Northamptonshire.
- 7.2.21 On the topic of supply of care homes in East Northamptonshire, the comments note that there are 14 offering services to people aged 65 or over with residential or nursing. An occupancy/unoccupancy rate is noted of 58 vacancies (11.5%) of the care home capacity of 501 people. It notes that of these, 177 are Council placements. The response then notes caution about the future sustainability of a care home based on population growth, anticipated demand and supply. Finally, the response expresses support for the provision of care for those with dementia.
- 7.2.22 In considering the response, it is considered reasonable to consider the matter of supply cited. The response refers to enquiries from potential developers of care home spaces, but no further details are provided on the locations,

planning status, quantum and so on. There are a number of reasons that may mean an enquiry about a potential care home development may not result in this occurring. Therefore, minimal weight can be given to the potential supply cited here.

7.2.23 The 'need' data cited gives an indication of the current involvement of the Council in providing funded care to people in care homes. The details show a current list of 6 people expressing a request for a space in East Northamptonshire. From this and the cited occupancy rates, the comments express caution about the ability for a care home to be occupied and sustainable.

7.2.24 It is appropriate to note that the submitted care home, specialising in dementia care, is proposed as being for self-funders (market). The context of the Adult Social Care comments is from a perspective of the data of Council funded places and the overall need and demand is not part of the consideration.

Summary of Need Evidence

7.2.25 The evidence available includes that cited in the submitted LPP2, the Applicant's documents and the comments from the Council's Adult Social Care Team. Based on the available information, there is an apparent significant unmet need for care home bed spaces for older people, particularly those designed for people with dementia. The evidence, including that which is in the LPP2, indicates the unmet need is growing significantly. Whether the need is 49, 103 or 598 units of specialist housing (all types amalgamated) for older people per annum, the need is considered substantial. On this basis, a contribution of care spaces toward this need should be afforded substantial weight.

Material Considerations – Appeal Decisions cited

7.2.26 The Applicant has cited a number of appeal decisions on the basis that these are applicable to the proposal. Taking these in turn, these include two applications for care homes/use. The first of which, appeal decision ref. 3281350, relates to a development of a 64 bedroom care home in the near Crawley in Mid-Sussex District Council, from April 2022. In reviewing this appeal decision, it is necessary to understand the physical and planning policy context of the site. Plans and further details of the application subject of the appeal were not provided with the submission and the review is based on the contents of the Appeal Decision.

7.2.27 It is apparent that the site of the proposal was outside of a settlement as defined by the local development plan and that it was not allocated. The Inspector applied a balancing exercise in and found that the development did cause a limited extent of harm to the landscape character of the site and that it was contrary to adopted policy in terms of its spatial strategy. In paragraph 86 of the Appeal Decision, the Inspector noted the following:

'The proposed development would however contribute towards what I have found to be a significant unmet need for registered care homes in Mid Sussex, more so in relation to provision for bedrooms that have at least the minimum ensuite facilities, causing me to afford substantial weight to the benefit of adding to the local supply with the proposed care home. I have also found that that benefit is strengthened by the circumstances whereby there is an operator committed to the proposal subject to gaining planning permission, indicating a likelihood of relatively short term implementation, and given the intended provision for full wetroom ensuite facilities, thereby exceeding what was agreed to be the minimum requirement. There would also be the likelihood of added local economic benefits associated with the jobs generated by the proposed development, both during its construction in the shorter term and once operational in the longer term.'

- 7.2.28 The Inspector went on to note that they found that the proposal did not comply fully with the development plan. The balancing exercise found however that material considerations indicated that planning permission should be granted. Paragraphs 44 to 61 of the decision address the matter of 'need' which was an apparent significant factor in the balancing exercise. The Inspector also cited the type of appeal bed spaces, including reference to those existing that do not have ensuite facilities, including a wetroom. The Inspector in that case found a significant unmet need for registered care homes in the authority area, particularly those with wetroom facilities. 'Substantial weight was attributed to the benefit of adding to the local supply.
- 7.2.29 From this appeal decision, it is noted that the Inspector allowed the appeal for the scheme which was contrary to the development plan in terms of its special strategy, but material considerations, particularly the extent of need for care home spaces, outweighed the harm identified.
- 7.2.30 The second appeal decision cited was for 222 extra-care units in Walton on Thames. The proposal differs in various ways to that subject of current consideration, but is presented for its relevance in terms of the weight to be attributed to the supply towards meeting the need for care-bed spaces.
- 7.2.31 A final Appeal Decision is presented which was for 10 dwellings in Horley. The significance of this is not apparent and it does not appear to have implications for the current scheme.
- 7.2.32 Based on the first two appeal decisions presented, it is considered that these demonstrate the Planning Inspectorate can and do place significant or substantial weight towards proposals toward meeting an unmet need. It also demonstrates that, depending on the various circumstances, it is possible for the benefits toward meeting an unmet need to outweigh adopted development plan policy. These considerations are considered applicable, but the appeal decisions are considered on their own merits which are clearly distinct from that subject of the application. The general basis and principle however, of weight being attributed to supply of care bed spaces, is a material consideration.

Supply of care bed spaces

- 7.2.34 The JCS does not set out either a need or supply breakdown of care bed spaces, or specialist older person's accommodation in general. The LPP2 does not provide details of the expected supply to come forward by 2031. Policy EN31 expresses Policy support/requirement for the inclusion of specialist older person's housing, but it does not set a breakdown of the different types and further details of how these would be provided. Reference to extra-care schemes of specific sites is made, but these differ to the proposal. The part (d) places an encouragement of for care homes where a need is identified, but no further specific details.
- 7.2.35 In terms of supply, the comments from Adult Social Care did not express details of supply coming forward. Aside from this, the planning department has reviewed recent permission across the authority area. Since 2017, the review located a permission for a 66 bedroom care home in Corby (ref. 19/00244/DPA) permitted in 2019, a 'loss' of a 9 bedroom care home in Barton Seagrave through change of use (ref. NK/2021/0739) and an extension of a care home in Kettering. A further care home extension for 20 beds was permitted in Corby in 2016 (ref. 16/00305/DPA). The review of planning permissions indicate a total of 133 bed spaces in new care homes across the two permissions cited, since 2017. From this review, the supply coming forward through new planning permission is relatively limited in the context of the evidence of need.

Summary of Need and Supply

- 7.2.36 The evidence available indicates there is a limited supply of new care bed spaces being developed across North Northamptonshire. When comparing the supply that has received planning permission since 2017, a net additional number of care beds is less than 150 bed spaces. When comparing this against the stated need in the LPP2 and the Applicant's submission, there is an apparent significant unmet need for specialist housing for older people in general, and for care home spaces, including those suited for dementia care.
- 7.2.37 From the contents of the LPP2 and other available information, there is an absence of sites allocated for care homes. It is unclear how or where care homes will be developed across the plan period. The approach would appear reliant on 'windfall' sites of care homes coming forward. Therefore, it is concluded that the evidence indicates a substantial unmet need for care home spaces across North Northamptonshire. The proposal for 68 beds towards this is attributed substantial weight.

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ARCHITECTS

Project
 434 Olive Grove, Oundle
 PE8 5LQ

Drawing Number
 434_PL_01_100

Revision
 B

Drawing
 Existing Site Location Plan

Scale
 1:1250 @ A3

Drawing Category
 General arrangement drawing

Drawing Status
 PLANNING

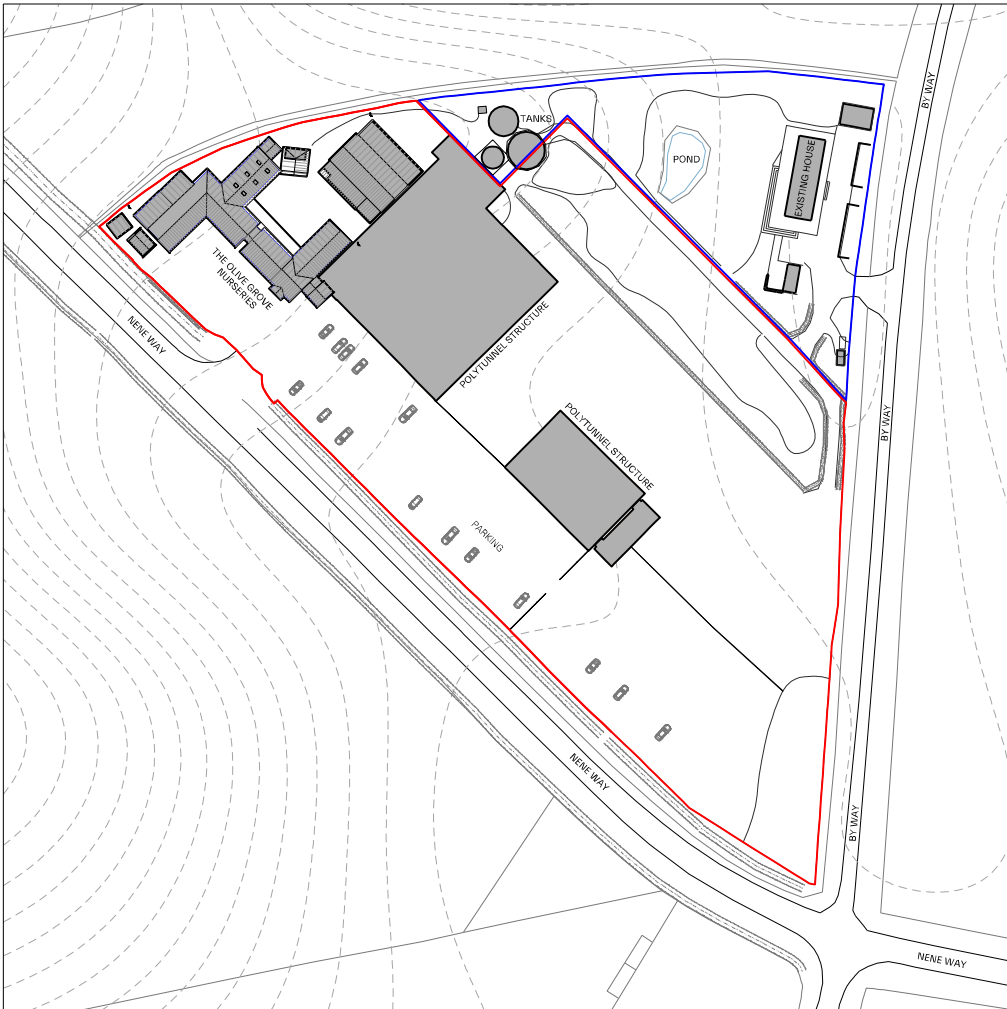
Revision	Date	Drawn	Approved
-	16.03.22	AR	JP
Notes For Information			
A	14.04.22	JP	JP
Notes Planning			
B	12.10.22	CP	JP
Notes Planning			



Do not scale. Use figured dimensions only.
 Confirm all dimensions on site

Key

	Application boundary
	Ownership boundary



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