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**North  
Northamptonshire  
Council**

Democratic Services  
The Corby Cube,  
George Street,  
Corby,  
Northants,  
NN17 1QG

## **Meeting:** Strategic Planning Committee

**Date:** Monday 14th June, 2021

**Time:** 7.00 pm

**Venue:** Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

## To members of the Strategic Planning Committee

Councillors Brackenbury (Chair), Bell (Vice-Chair), Dearing, Allebone, Thurland, Armour, Dalziel, Marks, Powell, Rielly, Smyth, Tebbutt and Waters

06	Close of Meeting		
	<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p><b>Proper Officer</b> <b>4<sup>th</sup> June 2021</b></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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Member Agenda Statements	A request from a Ward Councillor must be received by 12 Noon on the day before the meeting. The Member will be limited to speak for 5 minutes.	12 Noon Friday 11 <sup>th</sup> June 2021

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## North Northamptonshire Strategic Planning Committee 14/06/2021

<b>Application Reference</b>	KET/2020/0773
<b>Case Officer</b>	<b>Sean Bennett</b>
<b>Location</b>	<b>Gipsy Lane (land west), Kettering</b>
<b>Development</b>	<b>Approval of Reserved Matters: Erection of 340 dwellings of KET/2015/0551 (Residential development of up to 350 dwellings and associated access)</b>
<b>Applicant</b>	<b>Water Meadow Homes</b>
<b>Agent</b>	<b>Miss J Thomas Frampton Town Planning Ltd</b>
<b>Ward</b>	<b>St. Peters</b>
<b>Overall Expiry Date</b>	<b>01/03/2021</b>
<b>Agreed Extension of Time</b>	

### Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there are unresolved, material objections to the proposal and comes before the Strategic Committee for determination as it consists of a residential development over 249 dwellings

#### 1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions

#### 2. The Proposal

- 2.1 Approval of Reserved Matters: Erection of 340 dwellings of KET/2015/0551 (Residential development of up to 350 dwellings and associated access)

- 2.2 A comprehensive pre-application was submitted, and advice given last year with a great deal of work going into the landscape and layout of the proposal together with the design of the dwellings involving the input of Council instructed

Landscape and Urban Design Consultants. The proposal has come forward in a way that closely aligns with the pre-application advice given.

### **3. Site Description**

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- 3.1 The 16.92-hectare site is located on the western edge of Kettering within the established settlement boundary and comprises three arable fields. It is contiguous with existing areas of housing to the east, which front onto Gipsy Lane, and is adjacent to the approved West Hill development site to the south which has planning permission for housing together with a primary school, local centre and a care home and is currently a progressing development. Public Right of Way footpath VD34 runs east to west across the southern edge of the site.
- 3.2 The site slopes down 30 metres from a high point in the north eastern corner to a low point in the south-western corner beside the A14. The topography is varied with some parts of the site, especially around the hedgerow, which separates the northern and central fields being quite steep and includes a stream.
- 3.3 The western side of the site includes three existing pylons and high voltage 132 kv electricity cables. A high-pressure gas main runs north to south across the site with a no-build zone of 9 metres. There is also a gas main running along the southern boundary to a gas governor station. The A14 is to the west.
- 3.4 Existing housing to the east along Gipsy Lane consists predominantly of two-storey pitched roof dwellings, interspersed with bungalows, with an 'Avenue' of trees defining the character of the northern part of the road. Views of the application site are possible from rising ground to the west of the A14 (in the direction of Great Cransley) although it is partly obscured by trees and appears against the backdrop of the Town.

### **4. Relevant Planning History**

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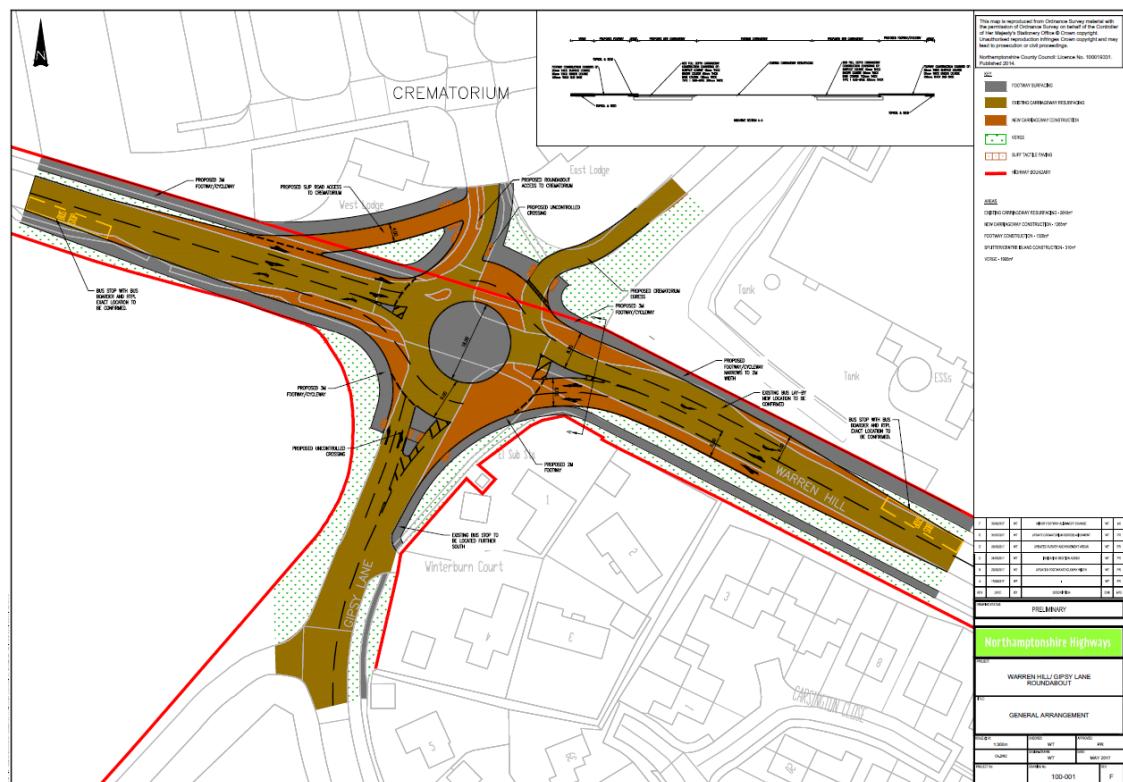
- 4.1 **KET/2015/0551 – Outline Application - Residential development of up to 350 dwellings and associated access – ALLOWED following an Appeal (APP/L2820/W/17/3177505) on non-determination 21/02/2018.**

The following conditions have been approved in association with the above Outline Permission:

<b>Condition reference</b>	<b>Outline condition number</b>	<b>Brief description</b>
AOC/0551/1501	5	Design Rationale (Code)
AOC/0551/1502	8	Contamination
	14	Surface Water Drainage
	15	Foul Water Strategy
	17	Badger Survey

	23	Noise Assessment
AOC/0551/1503	22	Construction Method Statement including routing
	29	Fire Hydrants
AOC/0551/1504	18	Ecological Management Plan

The Outline Permission, through its Section 106 requirements, secured provision of over £1.5m (to be provided incrementally as the development progresses – with all to be paid prior to first occupation) toward works required to improve the Gipsy Lane/Warren Hill (Rothwell Road) junction which will consist of a roundabout to the following General Arrangement specifications:



(Not to Scale)

The roundabout works shall be carried out at the direction of and by the Council with the developer contribution reflecting the amount required to directly off-set the impacts of the development with any additional funding required to be met by other available funding and the requirement for the Council to release adjacent land to the north (at the Crematorium) to provide the roundabout.

It would be expected that the Council would seek to provide the roundabout solution to coincide with the housing proposal as it progresses to ensure that it is delivered in good time to serve the development as well as deliver its wider benefit to traffic movements in the vicinity. The Appeal Inspector agreed this approach and saw no reason why the roundabout solution could not be delivered in the way secured through a collaborative approach involving the developer and the Council.

The expectation of the Council to deliver this roundabout solution is held on public record.

- 4.2 **KET/2020/0423** - Non-Material Amendment - KET/2015/0551 (Residential development of up to 350 dwellings and associated access): Amendment to condition 20 regarding landscaping timeframe – APPROVED – 08/07/2020
- 4.3 **NK/2021/0060** - Non-Material Amendment - KET/2015/0551 (Residential development of up to 350 dwellings and associated access): Amendment to condition 31 to include reference to drawing number 352A11\_PT-M\_A Accessibility Layout which identifies the Part M compliant plots – APPROVED – 15/02/2021

## **5. Consultation Responses**

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- 5.1 There have been several amendments which have been made during the application and re-consultation has taken place. The latest comments are below:
- 5.2 **North Northants Council (NNC) – Housing Strategy:** Say that they ‘support’ the proposal
- 5.3 **NNC – Environmental Protection:** Says the following:
- ‘The acoustic report identifies the need for acoustic earth bunds and enhanced glazing and ventilation in order to meet the required internal noise levels, and noise levels in external amenity areas. I would recommend a suitably worded condition to ensure that these measures are implemented and retained thereafter.’*
- ‘The Phase II ground investigation report categorises the site as low risk and does not recommend that further mitigation measures are necessary. However, it does identify that all dwellings on the site will require full radon protection measures. Again, I would recommend a suitably worded condition to ensure that these measures are implemented and retained.’*

- 5.4 **NNC – Highways:** No objection with the following summarised comments:

- The amendments address previous layout concerns with respect to private drives extending into adoptable turning heads and surfacing materials at ramp transition points
- The bus stop arrangements are acceptable although will need to be checked at Audit Stage
- The Swept Path Analysis Plan Single Deck Bus shows virtually no contact along its length – other than at junctions
- The Combined Footway/Cycleway should ideally connect in with the adjacent development to the north – a note should be applied recommending the developers to liaise on this matter
- A condition should be applied seeking detailed approval of highway works
- And if the highway is not to be offered for adoption a further condition is recommended requiring details of highway maintenance arrangements
- Notes shall be applied giving guidance on responsibilities associated with the site’s public footpath and any required diversions.

5.5 **NNC – Archaeology:** Says the following:

*'The Outline consent has conditions (no.s 12 and 13) securing a pre-commencement programme of archaeological investigation. The County Archaeological Advisor identified the area to be investigated, which comprises a small area in the southern field, the location of a circular ditched enclosure with two internal pits. The enclosure did not produce any datable finds in the evaluation; it is potentially the remains of a Bronze Age burial mound, or barrow, and there is also the likelihood of satellite burials external to the enclosure. The investigation area must therefore cover the enclosure and a buffer zone around it, sufficient to identify such burials if present.'*

*'The investigation in the southern field should be carried out prior to any development works in that area, but there is no constraint on works commencing elsewhere.'*

5.6 **NNC – Lead Local Flood Authority:** State that: '*the impacts of surface water drainage have been adequately addressed*' adding that the following informative should be added: '*It was agreed that car parks would be permeable paved. Such areas should be indicated on the drainage drawings.*'

5.7 **NNC – Ecology:** Indicate that the Badger Mitigation Survey provided and approved as part of the Outline permission is acceptable although a suitable safeguarding condition should be imposed requiring the necessary Natural England licences to be obtained prior to works taking place. The Same survey should also form part of the Construction Environmental Management Plan.

5.8 **Anglian Water:** Provide the following summarised comments:

- As there is Anglian Water Assets on site or close by a note should be added to inform the developer of this
- Foul sewerage arrangements are acceptable
- The surface water arrangements are outside of their remit for comment

5.9 **Northamptonshire Police – Crime Prevention Design Adviser:** Provide the following comments:

"

- *Plots 190,191 & 192,193 & 196,305: Even though these are gated from one side, there is still a concealed alleyway between these dwellings. These will be vulnerable to anti-social behaviour such as loitering, drug taking, graffiti and concealment. This will have an impact on the quality of life of the occupants. The applicants have added windows to these elevations; however, the windows do not provide any meaningful surveillance from active rooms and do not address the 'alleyway like feel' of these areas. This should be addressed. An additional gate could be added, however since there is no access into the apartments from the rear (where the car parking is located) This will be inconvenient as the occupants will need to open 2 gates to get to their front door.*

- *Plot 292 should have a gate at the opening of the rear access alleyway in line with the building frontage.”*

**Natural England:** State ‘no comments’ in response

5.10

**Highways England:** State ‘no comments’ in response

5.11

**Environment Agency:** State that they ‘do not wish to make comments’ in

5.12

response

5.13

**Neighbours:** Twelve third party letters of objection received from nearby residents; summarised grounds of objection:

- Queried the consultation exercise
- Note that the bus route is for a single decker – most buses are double decker, and the growth of public transport should be encouraged
- Query as to whether a ‘ransom strip’ issue has been resolved
- Unable to identify the housing mix from the information provided
- The houses are too near to the Gas Pumping Station – for safety reasons
- Querying the number of trees to be felled
- Unable to locate the Construction Method Statement in the submission
- The three storey apartments are not in-keeping with the street scene in Gipsy Lane
- Query the commencement of the Roundabout to serve the development
- Overlooking from the dwelling on plot 123 toward 126 Gipsy Lane opposite
- Query as to whether the hedgerow on the Gipsy Lane boundary is being retained
- Finish Floor Level heights provided but not ridge heights – which makes the impacts difficult to appreciate
- The Construction Management Plan should have full regard to highway safety
- Whilst the bungalows are welcomed – their design is poor with constrained access arrangements
- Earth has been delivered to the site – suggests that land reprofiling will be required
- The position of the proposed access would aggravate existing traffic problems and suggest an alternative access opposite Windermere Road, which will avoid traffic congestion with existing residents and have a traffic calming effect
- Concerns whether Gipsy Lane can absorb the increase in traffic – reference to the junction with Rothwell Road
- Loss of privacy, peaceful enjoyment, and light toward 98 Gipsy Lane because of the proposed apartments and would also have an overbearing impact
- The number of flats within the apartment blocks is excessive and would cause noise and disturbance issues and roadside parking in the vicinity
- The proposal conflicts with Policy 3 of the North Northamptonshire Joint Core Strategy (JCS) with respect to Landscape Character and Policy 8(d)

- and its Place Shaping Principles by failing to have regard to surrounding character and neighbour's amenity
- Loss of trees as a source of oxygen
  - No access to the footpath that leads under the A14
  - Fail to see the need for two accesses onto Gipsy Lane
  - The position of the bus stop on Gipsy Lane will inconvenience the occupiers of 102 Gipsy Lane
  - Harm to the treelined character of Gipsy Lane
  - Noise and pollution during construction and after
  - There should be a design uplift fronting Gipsy Lane with 'Arts and Craft' character houses considered to echo the style and character of housing in Gipsy Lane
  - The higher dense apartments should be positioned elsewhere and distributed throughout the site
  - The proposed 'building line' on Gipsy Lane is not respected and should be further from the road edge
  - The position of the bus stops along Gipsy Lane will increase the build up of emissions on that area and disrupt traffic flow
  - Loss of green space
  - Loss of Badger Setts and wildlife heavy hedgerow
  - Increase noise levels experienced from the A14

## **6. Relevant Planning Policies and Considerations**

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### **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) (2019)

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
8. Promoting health and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-design 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 (JCS) (2016)**

Policy 4 Biodiversity and Geodiversity

Policy 5 Water Environment

Policy 7 Community Services and Facilities

Policy 8 North Northamptonshire Place Shaping Principles

Policy 9 Sustainable Buildings

Policy 10 Provision of Infrastructure

Policy 30 Housing Mix and Tenure

6.4

#### Emerging Site-Specific Part II Local Plan

The Site-Specific Part 2 Local Plan (SSP2), when adopted (envisioned late summer 2021), will form part of the North Northamptonshire Development Plan. The Plan will cover the whole of Kettering Borough except for issues addressed in the North Northamptonshire Joint Core Strategy (JCS) and the Area Action Plan for Kettering Town Centre.

The SSP2 was submitted to the Secretary of State on 28 May 2020 for examination by a Planning Inspector and was followed by Examination in late 2020. As a result of that Examination the Council consulted on the proposed Main Modifications to the Site-Specific Part 2 Local Plan and on proposed changes to the Policies Map. The consultation ran from Friday 19<sup>th</sup> March 2021 to Friday 30<sup>th</sup> April 2021.

At the time of writing this report the SSP2 is an emerging document, however as it has progressed through Examination and was found to be sound, subject to the Modifications, it is considered to have significant weight. The proposal site is subject to Site Specific designation under its Policy KET4 for up to 350 dwellings and is thereby relevant to consideration of this proposal.

The Committee will be updated on the status of SSP2 if it progresses between the publication of this report and its determination.

7.

## Evaluation

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7.0

#### Preliminary Matters

The Outline Permission was granted in respect for the following description of development:

*Residential development of up to 350 dwellings and associated access*

All matters were reserved save for access.

This application for Reserved Matters indicates that it is seeking approval for the remaining Reserved Matters: Appearance, Landscaping, Layout and Scale associated with the applications description for the Erection of 340 Dwellings.

7.0.1

#### Reserved Matters – Law and Policy

Reserved Matters are details which come forward after an outline planning permission is granted. It adds detail to the principle of the development which has already been accepted.

Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 defines the 5 reserved matters as:

- ‘Access’ – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

***Access was determined at the outline stage and cannot be re-opened for debate as part of the current reserved matters – the submission accesses are identical to those approved***

- ‘Appearance’ – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour, and texture.
- ‘Landscaping’ – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- ‘Layout’ – the way in which buildings, routes and open spaces within the development are provided, situated, and orientated in relation to each other and to buildings and spaces outside the development.
- ‘Scale’ – the height, width and length of each building proposed within the development in relation to its surroundings.

It can be read thereby that technical aspects of the proposal such as ground contamination, drainage (surface and foul) and noise together with issues relating to construction and traffic generation are not defined as Reserved Matters – as they have been considered and dealt with when the Outline (including Access) was considered where the basic principle of development was established. The approved conditions provided in the Table toward the top of this agenda item details that these technical matters have already been satisfied and are acceptable and therefore do not require any further approval from the Local Planning Authority and cannot be re-opened for debate in this current application.

The key issues for consideration in this application are: -

- 7.0.3
1. Compliance with outline permission and principle
  2. Impact on character and appearance
  3. Impact on neighbour’s residential amenity
  4. Impact on future occupier’s residential amenity
  5. Impact on highway safety
  6. Impact on biodiversity, open space, and landscape management
  7. Sustainable buildings
  8. Housing mix
  9. Impact on the water environment
  10. Other matters

## 7.1 **Compliance with outline permission and principle**

- 7.1.1 The design code approved as part of the 2015 outline approval (condition 5) for the site set the general design parameters for the development and established

character areas. As such any reserved matters should align with the approved design code as a requirement of Outline condition 6.

- 7.1.2 In this case the application has come forward as a Reserved Matter application for the whole site, rather than being split into parts and has been accompanied by a comprehensive ‘Design and Access Statement’ to demonstrate that the Reserved Matter has come forward in a-way that is consistent with the approved Design Code or Rationale. In addition, the Outline permission (Condition 7) requires the Reserved Matters not to exceed more than 350 dwellings, which it does not and to be carried out in accordance with approved Access arrangements (a requirement of outline condition 4), which this proposal demonstrates compliance with.
- 7.1.3 The Outline permission also requires the Reserved Matters to be accompanied by a Landscape Plan with a tree/hedgerow retention and removal scheme, a Landscape Management (Strategy) Plan (including long term objectives) and Finished Floor Level Plans. To demonstrate compliance with these Outline requirements the application has been accompanied by ‘Tree Constraint Plans’, which also shows hedgerow, a Tree Schedule, Landscape Proposal Plans, a Maintenance Operations (Landscape and Habitat Management) document and lastly, Finished Floor Level and contour drawings.
- 7.1.4 In addition, and with respect to highway connectivity condition 25 of the Outline approval expects that the Reserved Matter proposal should provide vehicle connection with the progressing ‘Westhill’ housing development site to the south. The proposal does that.
- 7.1.5 As a result, the proposal is entirely compliant with the Outline Permission.
- 7.1.6 The principle of development has been established through the grant of the Outline Permission (KET/2015/0551) which is extant by virtue of this Reserved Matter being submitted within its required timeframes laid out in its condition 2. In addition, the principle is further re-enforced through the Emerging SSP2 which allocates the site for up to 350 dwellings in its Policy KET4.

## 7.2 Impact on character and appearance

- 7.2.1 As mentioned above the Design Rationale approved under condition 5 of the Outline sets the general design parameters that the development should look to adhere to including: street types, block structure, open spaces, landscapes & SuDs and character areas including building heights, building types, housing mix, setback, parking and materials. The proposal has been found to be in accordance with this Design Rationale.
- 7.2.2 Moreover, the Outline Permission (KET/2015/0551) included provision of an ‘Illustrative MasterPlan’ and whilst this layout was presented for indicative purposes it was a component of the Planning Appeal Inspectors deliberations and therefore the adherence of this scheme with the Outline Illustrative Masterplan will have a bearing in relation to the scheme’s acceptability. The proposal is broadly consistent with the general arrangements of the Outline Illustrative Masterplan.

- 7.2.3 Relevant Development Plan policies in this regard include Policy 8 (d) of the JCS, which consistent with chapter 12 of the NPPF seeks development to create a distinctive local character by responding to wider character and local context. Policy 3 of the JCS pursuant to Landscape Character is not considered to be relevant (as a third party suggests) as the principle of the site's development and the effective loss of the green space, and any wider landscape ramifications, has been accepted for housing.
- 7.2.4 The 16.92-hectare site is located on the western edge of Kettering and Gipsy Lane across three arable fields. The site slopes markedly down to the west toward the A14, which encloses the site's western edge. The loss of the site's openness and green characteristics and the contribution it makes to the area, in favour of housing, has already been established.
- 7.2.5 The land to the south has extant permission for housing together with associated services and facilities and is currently being built out and nearing the immediate site's southern boundary. To the north beyond Thorpe Lane is the progressing (Morris Homes) 75 dwelling housing development. The proposal site therefore is between these two adjacent parcels of developing housing sites with the A14 effectively forming a barrier to development further west.
- 7.2.6 To the east of the site is the established linear development fronting Gipsy Lane, which immediately opposes the site to the eastern side of Gipsy Lane and further south lines either side. Gipsy Lane consists of a variety of detached and semi-detached house types constructed at various times set on generous plots and with a consistent significant highway setback. Whilst there is no distinct vernacular character to the houses on Gipsy Lane, interspersed amongst modern and standard house designs are some dwellings of noteworthy character, which include prominent cat-slide front gables, high chimneys, and a mix of materials which emphasis architectural detailing. There is an 'Arts and Crafts' leaning to some of the Gipsy Lane dwellings as a third party and the submission recognises.
- 7.2.7 Gipsy Lane has a strong 'Avenue' character with wide grassed verges and mature highway trees which gives the Lane a pleasant verdant and open quality. Although some of this openness has been eroded somewhat over the years with the addition of large side extensions and in-filling. This quality is recognised in the emerging SSP2 which describes the south part of Gipsy Lane (to the south-east of the application site) as having a 'distinctive townscape character' in its Policy HOU1.
- 7.2.8 Turning to the proposal; the agreed approach for the development (in the approved Design Rationale) is to split the site into thirds with the split following the general alignment of the site's existing hedgerow. The divides will be formed by linear east-to-west areas of green open space including a meandering footpath and in the northern sub-division area provide the route for the existing stream which flows through the site. A significant portion of the site's western edge will form an area of landscaping which includes attenuation ponds, swales, mounds, and footpaths/cycleway and gives access to the A14 pedestrian underpass and a pedestrian link to the south. This eastern area is a non-build area due to the presence of significant over and under Utilities.

- 7.2.9 The site is also separated into character areas which shall run north-to-south these are referred to as (A) The Gipsy Land Frontage; (B) The Avenue; and (C) The Rural Edge and are described in the submission documents as follows:
- [A] The Gipsy Lane Frontage... which is designed to complement (but not replicate) those dwellings elsewhere in the street that are influenced by the Arts & Crafts movement. The dwellings contribute a robust frontage and interesting roof-scape reflecting the materials used in neighbouring buildings.*
- [B] The Avenue... which is designed to follow a suburban vernacular, providing a strong street frontage with verges and planting appropriate to the importance of the street and providing a visual link with the Gipsy Lane frontage.*
- [C] The Rural Edge... which responds to the soft edge to the linear park with references to the village vernacular exemplified by dwellings in Thorpe Malsor and Loddington.*
- 7.2.10 This approach was accepted in the Design Rationale approved under the Outline Permission and is a logical approach, particularly with respect to the Gipsy Lane frontage.
- 7.2.11 Looking at the interaction of the proposal with Gipsy Lane; the most conspicuous part of the proposals-built form and the aspect that would have the most potential to clash with the existing character and appearance of Gipsy Lane would be the proposed apartment blocks toward the site's south-east corner. These have been the subject of concern by third party objectors. The apartments would be opposite a row of detached 1960-70's house types. As such and whilst a storey taller given that the proposal is on the opposite side of the road the apartments would not have a dominating effect toward the existing opposing dwellings.
- 7.2.12 The closest existing residential dwelling to the site is 109 Gipsy Lane to the south, which is an attractive rendered semi-detached dwelling consisting of a front twin dual-pitched cat-slide roof element and is one of the notable character dwellings on Gipsy Lane. To acknowledge this relationship the closest proposed apartment block (APT-4) has been sited approximately 21m off the site's southern boundary, which together with an intervening gas compound access drive means that there is a gap of over 24m between the dwelling at 109 Gipsy Lane and the apartments together with boundary planting. Effort has also been made to reduce the perceived massing, scale, and overall heights of the apartments with the second floor being partially contained within a relatively low-pitched roof, use of render and gables including a catslide gable which nods to the features at 109 Gipsy Lane. See below a street-scene extract of the apartment with the block to the left closest to 109 Gipsy Lane - the spacing shown between the apartment and the site's southern edge is apparent:



- 7.2.13 Whilst it is acknowledged that the apartments will jar to a degree with the prevailing character of Gipsy Lane, their siting means that there is a significant gap between established houses and the apartments and together with the design attributes discussed would not have a harmful impact to the streetscapes visual amenity value. In addition, the apartments would be read as part of the new development and their position together with the obvious break in the built form will create a legible focal point of arrival at the access for the development. These house types are also important to ensure that the development provides an appropriate mix that includes smaller units and coincide with the illustrative masterplan that accompanied the Outline application.
- 7.2.14 Furthermore, and a point that would apply to much of the development frontage along Gipsy Lane (save for the creation of the accesses), the 'Landscaping Proposals' Plans indicate that the highway trees would be retained and that the existing substantial hedge would be retained and enhanced in the areas where accesses are proposed. These retentions mean that the proposal would benefit from instant landscape maturity and assist in its successful assimilation with Gipsy Lane and retain its verdant 'Avenue' character.
- 7.2.15 Elsewhere and to the north of the apartments on the Gipsy Lane frontage there will be a mix of house types including detached houses with large hipped roofs and high chimneys with some cat-slide roof features together with some more standard house types with contrasting materials and good separation between houses. These house types and differing designs and materials is indicative of the varied theme in Gipsy Lane and ties in with some of the house types on the 'Morris Homes' progressing development to the north. See below another Gipsy Lane street-scene extract taken from the northern part of the developments Gipsy Lane frontage where many of the features mentioned can be seen:



- 7.2.16 When considering the proposal and its interaction with Gipsy Lane; whilst some conflict with its character is acknowledged with respect to the apartments this is limited for the reasons discussed and as such the proposal, when taken as a whole,

integrates successfully with Gipsy Lane, whilst at the same time creating its own sense of place and streetscape interest.

- 7.2.17 Looking now at other areas of the proposal; the central spine character area of the proposal is labelled as 'The Avenue' and consists of a simpler design of dwellings, compared to those in the adjacent character areas lining the gently curving main distributor highway for the site and includes highway trees and grassed verges. These dwellings have an inoffensive design indicative of its lack of existing reference points and assist to marry up the two more clearly defined character areas either side.
- 7.2.18 An objector commented specifically on the design of the bungalows – whilst their design is unremarkable, they are inoffensive and offer a practical provision for dwellings of this type, which generally are under provided for and are acceptable.
- 7.2.19 The western part of the developed site overlooking the swathe of open space to the far west of the site is defined as the proposals 'Rural Edge' character area and takes a rural domestic vernacular approach to dwelling design including the provision of natural stone dwellings, window detailing, open porches, and chimneys. See the below streetscape extract for examples of the proposed house types in this area:



RURAL EDGE CHARACTER AREA

- 7.2.20 This design approach is correct and rightly provides a rural edge to this side of the development overlooking the open space with farmland beyond the A14 to the west and therefore will help to assimilate the development into any long-distance views of the development experienced from the far west and provide an attractive edge to this part of the Town.
- 7.2.21 Conditions shall be applied requiring approval of stone and brick sample panels to ensure that the stone/brickwork are suitable and a condition requiring approval of architectural detailing.
- 7.2.22 Turning to the layout: the meandering main distributor road feeds into a street layout that has managed to capture the characteristics of regular geometric layout with rear and side garden boundaries enclosing one another whilst also having a semblance of interesting irregularity because of their gently curving nature. The layout has a strong association with open spaces with frontages proposed onto the western swathe of open space, the two linear open spaces which divide the site and the various small Local Areas for Play. The layout also retains most of the Gipsy Lane hedgerow to give the proposal a verdant eastern edge whilst also having Avenue characteristics to the main estate road and areas of greenery around the apartment blocks. Further information of the proposals landscaping and

the positive impacts that this has to the ‘green’ credentials and visual amenity values of the proposal are discussed in more detail in section 6 below.

- 7.2.23 The proposal includes some parking courtyards, particularly associated with the apartments, however these are well overlooked and have been divided and therefore are not over-large. The parking areas serving houses are more akin to ‘home-zones’ as they also provide accesses rather than just being for the parking of cars. These layout arrangements are indicative of a street design that has taken every opportunity to provide a safe environment that has looked to plan out crime.
- 7.2.24 The Police, however, do have two residual points of concern in this regard, which will be discussed. Point 1 relates to plots 190, 191 and 192, 193 and 196 & 305 and specifically the created alley ways between those dwellings being vulnerable to anti-social behaviour. To overcome this issue, the applicant has gated the front end of the alleyway fronting Gipsy Lane and provided side windows to the dwellings either side of the alleyway and have also restricted access from the car parking serving the adjacent apartments. Nevertheless, and despite these arrangements the Police have retained their concerns. It is considered that as the critical Gipsy Lane frontage is effectively closed off with the initial cul-de-sac access to the alleyways well-overlooked and defensible that the potential for the alleyways to be used by people other than those that occupy the immediate area is significantly reduced and therefore would provide slight potential for anti-social behaviour. Point 2 of the Police relates to the re-positioning of a rear access gate that serves Plot 292, however in this case such a provision would result in the creation of an alleyway to the rear of a cycle store and therefore would not be advisable as it could have more severe potential for anti-social behaviour.
- 7.2.25 Consequently, the development comes forward in a planned way that has responded to the provisions of the approved Design Rationale which involved the input of Council instructed Landscape and Urban Design professionals and results in a high-quality layout and design that creates streetscape interest and has taken opportunities available to provide spaciousness and green streets fitting of its suburban location. The proposal therefore is acceptable in this regard.

### 7.3 Impact on neighbour's residential amenity

- 7.3.1 Policy 8 (e) of the JCS and Policy KET4 (a) of the Emerging SSP2, consistent with paragraph 127(f) of the NPPF seeks to protect the residential amenity of neighbouring property.
- 7.3.2 The closest neighbours to the proposal are those opposite on Gipsy Lane and those to the south at 107 and 109 Gipsy Lane together with future occupiers associated with residential development occurring to the south and north of the site. The occupiers of 98 and 126 opposite contest that the proposal would have an adverse impact to their residential amenity, including loss of privacy. The separation distance between the dwellings of the mentioned complainants and the opposing proposed dwelling/ apartments and any other existing facing dwelling in Gipsy Lane (and those of developments to the south and north) is at least 34m. In addition, the south facing elevation of the proposed apartment block (APT-4) closest to the boundary with 109 Gipsy Lane is 24m from the boundary, which also includes vegetation screening.

- 7.3.3 These separation distances and accounting for the Apartments consisting of three storeys is enough to ensure that the proposal would not cause adverse impact to neighbour's light or privacy and whilst the proposal would represent a change to their experienced views there would be no detriment to outlook due to overbearing.
- 7.3.4 In addition, third party objectors aver that the proposal would have an adverse impact to their amenity because of noise, pollution and disturbance caused by the development during construction and once occupied. Whilst a development associated with the construction of 340 homes would have some impact to neighbours this will be short-lived over the lifespan of the development with any significant detrimental impacts prevented through the provisions of a Construction Management Plan that has been approved under condition 22 of the Outline Consent. Provisions of the approved Construction Management Plan include:
- a routing plan that uses the Warren Hill junction to the north
  - hours of construction: 08.00 to 18.00 hours Monday to Friday, and 08.30 hours to 13.30 hours on Saturday and at no time on Sundays, Bank or Public Holidays
  - hours of deliveries: 10.00- and 16.00-hours Monday to Friday and 10.00 and 12.30 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
  - Wheel washing and road sweeping arrangements
- 7.3.5 There is no reason to suppose that the proposal would result in harmful levels of noise, disturbance or pollution, above normal domestic levels, when occupied.
- 7.3.6 The proposal therefore is considered to safeguard neighbour's residential amenity and is acceptable in this respect.

#### **7.4 Impact on future occupier's residential amenity**

- 7.4.1 Policy 8 (e) of the JCS, consistent with paragraph 127(f) of the NPPF seeks to ensure quality of life for future occupiers. Site specific Policy KET4(b) of the SSP2 seeks the development to include measures to mitigate noise impacts from the A14.
- 7.4.2 Looking at noise impacts first; the outline permission included a condition (23) which seeks approval of a noise mitigation scheme prior to commencement. This condition has been approved in favour of an acoustic report which stipulates the provision of noise attenuation bunds, garden fences and building acoustic measures to ensure that future occupiers would not experience adverse impacts because of noise. These measures and particularly the provision of the bunding would also likely have a lessening effect to noise experienced by existing residents from the A14, contrary to a third-party objector's view that the proposal would increase noise levels experienced from the A14.
- 7.4.3 The site is adjacent to a gas compound and includes overhead electricity pylons. The presence of these Utilities was not considered to cause an issue in the Outline considerations to future occupiers' amenity. The matter of the gas compound was raised by a third party as a concern in this regard, however there is no reason to

believe that the proximity of proposed property to it would have any safety ramifications especially as it is a comparable distance from existing residential property. There are no concerns raised by statutory consultees on this matter.

- 7.4.4 The requirements for internal space standards to accord with National Space Standards are met. Most of the dwellings (except apartments and maisonettes above ground floor) will be to M2(4) accessibility standards as stated in the applications supporting documents and through the provisions of condition 31 on the Outline permission, which was varied recently under NK/2021/0060.
- 7.4.5 Most of the houses have 10m long rear gardens, which equates to a back-to-back separation distance of 20m, this arrangement is appropriate to provide sufficient outside space suitable for families whilst also providing a good standard of privacy and access to light and outlook. The maisonettes will have access to a shared private rear amenity space, internal ground floor cycle arrangements and parking. The Apartments do not have access to a private garden although there are some incidental outside areas, that have a defensible boundary which could reasonably be expected to be used for informal use by occupiers and have access to secure cycle storage and car parking. The Apartments also have a small balcony available. The lack of significant areas of private outside space which serve the apartments is not determinative as these smaller dwelling types are not likely to be occupied by families.
- 7.4.6 These arrangements, together with the general relationships of dwellings within the proposal are such that they provide each new dwelling with good levels of residential amenity (avoiding harmful impacts to privacy, light, and outlook) and thereby secure acceptable living conditions for future occupiers of the scheme and therefore the application is acceptable in this regard.

## 7.5 Impact on highway safety

- 7.5.1 Policy 8 (i) of the JCS consistent with chapter 9 of the NPPF seeks to prioritise the needs of pedestrians, cyclists and public transport users and resist development that would prejudice highway safety.
- 7.5.2 To stress, matters relating to access and its safety together with traffic generation associated with the development has been dealt with under the provisions associated with the Outline approval – as discussed above. And consistent with the requirements of emerging site-specific Policy KET4(h) of the SSP2 includes suitable access(es) from Gipsy Lane and provides mitigation measures, through Section 106 requirements, to improve the junction of Warren Hill and Gipsy Lane, through the provision of a contribution toward a Council arranged roundabout. The proposal is in complete accordance with the Outline application and its approved accesses and therefore the matters relating to access and traffic generation shall not be revisited as part of this application, but instead focus on internal highway arrangements. Impacts to the local highway network because of construction has also been dealt with through the provisions of the Outline in association with its details approved under its condition 22 with respect to a Construction Method Statement.

- 7.5.3 In addition, and with respect to public transport provisions condition 27 on the Outline seeks the provision of a relocated bus stop and new northbound bus stop on Gipsy Lane prior to occupation of the development. And therefore, matters relating to the position of the bus stops on Gipsy Lane have already been considered and accepted. On the matter of Bus Stops on Gipsy Lane a third party opines that the position of a bus stop in the vicinity of 102 Gipsy Lane would inconvenience use of their access, however as no Bus Stops are being proposed in this location there shall be no impacts to continued use of 102 Gipsy Lane's access.
- 7.5.4 The proposal provides two points of primary vehicular access off Gipsy Lane (consistent with the Outline) together with the provision of a vehicular access off the southern boundary to link up with the adjacent Westhill development.
- 7.5.5 The road system proposed is simple to navigate and provides a safe and well-connected footpath and cycleway including linkages to surrounding development and established infrastructure as well as three bus stops within the development for local bus routes. The site will retain pedestrian access to the subway that passes under the A14 (to the south-west corner of the site) and gives access to rural pedestrian routes (query raised by a third-party commenter) with only minor changes to the current routing of PROW VD34 that passes through the site along its southern edge. The safety of the road and paths have been demonstrated including through the provision of swept-path analysis and tracking drawings and have been accepted by the Council's Highway Department.
- 7.5.6 As such the development's highway infrastructure is good quality and meets the requirement of the JCS Policy (8)i) as it is held to be safe and will deliver suitable infrastructure associated with sustainable forms of transport movements.
- 7.5.7 The development will provide one car parking space for the one-bed units, two spaces for the two-three bed units and three spaces for the larger units and a provision of 0.25 visitor spaces per dwelling (85). The parking bay and garage dimensions are consistent with highway standards, with the apartments including secure cycle storage arrangements and 10% of parking spaces shall be suitable for use by Electric Vehicles. This is sufficient provision and appropriate arrangements to ensure that vehicle parking associated with the development is contained within the site.
- 7.5.8 The Highway's Departments has recommended the provision of a condition requiring full details of the highway works; however, this is not considered to be necessary as these matters will be addressed through adoption processes. The applicant is intending to have the roads adopted together with the main foot/cycleways, however if this does not occur a condition shall be attached seeking approval of road maintenance arrangements as recommended by Highways and as a safeguarding mechanism should the roads not be adopted.
- 7.5.9 Consequently, and with no objection from the Highways department, the proposal has demonstrated that it will provide safe and connected street and pathways and therefore is acceptable in this regard.

## **7.6 Impact on biodiversity, open space, and landscape management**

- 7.6.1 Policy 4 of the JCS together with the provisions of Policy KET4(f)g) of the emerging SSP2, consistent with chapter 15 of the NPPF looks to protect and enhance biodiversity.
- 7.6.2 This matter was addressed by considerations associated with the Outline consent, which included an Extended Phase I Habitat Assessment, and which required approval of an Updated Badger Survey (Condition 17), Ecological Management Plan (Condition 18) and for this Reserved Matter to be accompanied by a landscaping scheme (including tree and hedgerow retention scheme) and a landscape management plan to include long-term objectives (Condition 1, 19 & 21).
- 7.6.3 The Badger Survey and The Ecological Management Plan have been approved.
- 7.6.4 The Council Ecologist has reiterated the acceptability of the Badger Mitigation Strategy in this application and has no other issues, however as a further safeguarding measure has recommended the provision of a condition requiring that certain works are not carried out (within 30m of sensitive areas) until an appropriate license has been granted by Natural England or that an ecologist's statement has been received saying that such a license is not required. This condition is applied. As such the proposal has effective arrangements in place to ensure that no harm is caused to protected species.
- 7.6.5 In addition, the provision of the approved Ecological Management Plan, which includes management regimes from years 1-20 in certain respects together with the retention of most of the Gipsy Lane established hedgerow and its trees ensures that a significant proportion of the site's habitat is retained. Furthermore, the existing course of the site's stream is unchanged and approximately 6000sqm (close to the area of a full-sized football pitch) is being retained as open space for the provision of planting and water habitat including a variety of native trees and shrubs, rough grassland for pollinators and wet meadow areas. This area will be connected to the existing habitat hedgerow along its Gipsy Lane edge by the two linear areas of open space and to the open space to the south on the adjacent site and therefore makes provision for ecological corridors. All these arrangements together result in an unusually high net gain in biodiversity, which has been able to be achieved due to the no-build constraints imposed by existing Utilities that pass through the site.
- 7.6.6 Further-still and within the development area of the site the landscape plan proposed show the provision of small areas of amenity grass that form verge and useable areas of open space which include small seating areas and natural areas for younger children to play. The planting of trees and hedgerow is also proposed along the linear areas of open space, around its margin's and along the main 'Avenue' to create an attractive tree-lined through-road. The proposal also includes a Local Equipped Area for Play which will have a pleasant green setting and is conveniently located toward the centre of the site. The landscape plans are also backed up by a 5-year landscape and habitat management plan for the non-private areas of planting.

7.6.7 As a result, the submission, together with provisions associated with the Outline permission has demonstrated that it would provide a very high-quality landscaped development that protects existing biodiversity whilst also resulting in significant ecological gain. This in turn means that together with the various informal and formal play areas that have been created that the proposal will result in an attractive and enjoyable place for future occupiers to live.

## 7.7 **Sustainable buildings**

- 7.7.1 Policy 9 of the JCS looks for new residential development to limit water usage to no more than 105 litres/person/day. This provision has already been secured by condition 30 of the Outline.
- 7.7.2 In addition, and a requirement of Policy 30(c), a high proportion (270) of the development will meet Category 2 of the National Accessibility Standards and there will also be a small number (7) that meet Category 3 (wheelchair accessibility). These provisions have already been approved and secured under condition 31 on the Outline.
- 7.7.3 The Outline application also included approval of an 'Energy and Sustainability Statement' which includes a commitment to attain Code 4 of the Code for Sustainable Homes. Whilst the requirement to attain Code 4 related to provisions in the North Northamptonshire Core Spatial Strategy (2008) that was replaced by the JCS as a Policy document and did not include the same requirement, it nevertheless remains part of the Outline Approvals commitment and the applicant has not suggested that such provision is not attainable. Each dwelling will have access to cycle secure storage facilities including the maisonettes and apartments, together with 10% of the parking spaces being available for electric vehicles.
- 7.7.4 As a result, and together with its sustainable location and access to public transport the proposal has good sustainability credentials, is consistent with the Outline on such matters and the mentioned policies above and therefore is acceptable in this regard.

## 7.8 **Housing mix**

- 7.8.1 Policy 30 (d) of the JCS seeks development in the Town to provide 30% of its total as affordable homes. This was secured in the Section 106 associated with the Outline permission with a tenure mix of 70% social or affordable rent and 30% shared ownership. This application reflects that Section 106 commitment and specifies (and shows the locations) of the 30% equivalent 102 affordable units. These have a reasonable distribution throughout the site, are tenure blind in design and appearance and include a mix of 1-4 bed homes (including 2 bungalows) with a variety of person occupancy.
- 7.8.2 The 238 market homes also include a variety of 1-4 bed homes in a range of sizes including 5 bungalows (7 overall).
- 7.8.3 This housing mix and tenure and particularly the overall provision of a significant proportion of small and medium sized dwellings is consistent with Policy 30 (a) of

the JCS which seeks to provide an appropriate mix to assist in the creation of sustainable mixed and inclusive communities.

- 7.8.4 As such and as the Council's Strategic Housing Department support the proposal the application is acceptable on this matter.

## 7.9 Impact on the water environment

- 7.9.1 Policy 5 of the JCS and criteria (c), (d), (e) & (i) of Policy KET4 of the emerging SSP2 seeks development to contribute towards reducing the risk of flooding and to protect the quality of the water environment including the demonstrable provision of water supply and wastewater.
- 7.9.2 The Outline permission included two relevant conditions in this respect and was accompanied by a 'Flood Risk Assessment and Surface Water Drainage Strategy' that was approved. The relevant conditions on the Outline are 14 pursuant to detailed surface water drainage works (including its management and maintenance) and 15 with respect to Foul arrangements. The conditions have been approved and thereby the proposal's water environment arrangements, which include a sustainable urban drainage system with the provision of attenuation basins, swales, an unchanged route for the site's existing stream (albeit culverted under the site's main roadway), permeable car park paving and a foul pumping station.
- 7.9.3 The Lead Local Flood Authority department and Anglian Water have no issues and the Environment Agency return a 'no comment' response. The proposal therefore is acceptable in this respect.

## 7.10 Other matters

- 7.10.1 Matters relating to ground contamination and archaeology are dealt with through provisions associated with the Outline permission and its conditions 8-10 & 12, respectively.
- 7.10.2 The site's existing Utilities infrastructure including the gas compound, its associated pipelines and the overhead power lines are unhindered by the development with suitable access to these Utilities retained.
- 7.10.3 The various third-party reasons for objection to the proposal have been discussed above save for the assertion that the planning application was not published in the correct manner. On that issue, the application was published in total accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 and included consultation letters to neighbours that share a boundary with the site, a site notice, and a local press notice. As such the application processes have been carried out in accordance with the correct legislation. A third party also queried the possibility of a 'ransom strip' – this matter is a civil issue for the developer to deal with in association with land ownership issues and therefore is not a material planning consideration for this application.

## **8. Conclusion / Planning Balance**

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- 8.1 Thus, and consistent with the view of the Appeal Inspector who allowed the Outline application the provision of up to 340 houses at an accessible location would contribute significantly toward housing supply. Furthermore, the provision of 30% of the housing as affordable, would be a substantial social benefit and together with the proposal's economic benefits associated with the delivery of additional housing, in combination, are noteworthy benefits of the scheme to which are assigned significant weight.
- 8.2 All in all, therefore, any minor adverse impacts identified would not significantly and demonstrably outweigh the considerable benefits associated with the proposal when assessed against the policies in the Framework when taken as a whole. Consequently, the proposal would benefit from the presumption in favour of sustainable development as defined in the Framework, and material considerations indicate that planning permission should be granted for development that is in accordance with the development plan.
- 8.3 For that reason, the proposal consists of the right type of sustainable development, in the right place and comes forward at the right time in a way that is plan led consistent with development plan policies including the emerging SSP2. The application therefore has a presumption in its favour and is recommended for approval subject to imposition of the conditions laid out.

## **9. Recommendation**

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- 9.1 That planning permission be GRANTED subject to the following conditions:

## **10. Conditions**

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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 interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
2. No works shall take place above slab level until full details of all windows, doors (including their surrounds), verge detailing, porches, rainwater goods and chimneys have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out other than in accordance with the approved details.  
REASON: In the interests of visual amenity and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
3. The external stone/brick walls associated with the dwellinghouses, garages and boundary walls hereby approved shall not be laid, coursed or pointed other than in accordance with sample panels which shall have been constructed on site and approved in writing by the Local Planning Authority prior to the commencement of construction of any such external walls. As approved, the sample panel shall be retained on site and kept available for re-inspection throughout the construction period.

**REASON:** In the interests of visual amenity and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. No works shall take place within 30m of the site's Badger Setts detailed in the 'Updated Badger Survey Report' compiled by Griffin Ecology Ltd. dated 31st August 2020 and approved under AOC/0551/1502 in association with condition 17 of Outline Planning Permission KET/2015/0551 until the local planning authority has been provided with and approved in writing either:

- a) A licence issued by Natural England pursuant to section 10 of The Protection of Badgers Act 1992 authorising the specified activity/development to go ahead; or
- b) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

The development shall be carried out in accordance with the approved details.

**REASON:** In the interests of protected species in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

5. If any of the streets associated with the proposed development hereby approved are not proposed for adoption as public highway, the following details shall be provided to and approved in writing by the local planning authority prior to first occupation:

- a) Details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, will be submitted to the planning authority and agreed in writing prior to the commencement of development.
- b) The streets will in any event be required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling.
- c) That prior to first occupation of any dwelling a legal undertaking is provided by the developer that the streets will not be put forward for adoption and will remain private in perpetuity; and,
- d) That the streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway (to be placed within the site).
- e) Prior to commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle cross-overs.

The development shall be carried out in accordance with the approved details.

**REASON:** In the interest of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## **11. Informatics**

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Positive/Proactive – amendments

Applicant to contact neighbouring developers to ensure connectivity

ARM to be read with outline planning permission

Radon - Protection of Dwellings Informative

Permeable car park surfacing

Public Rights of Way

Anglian Water

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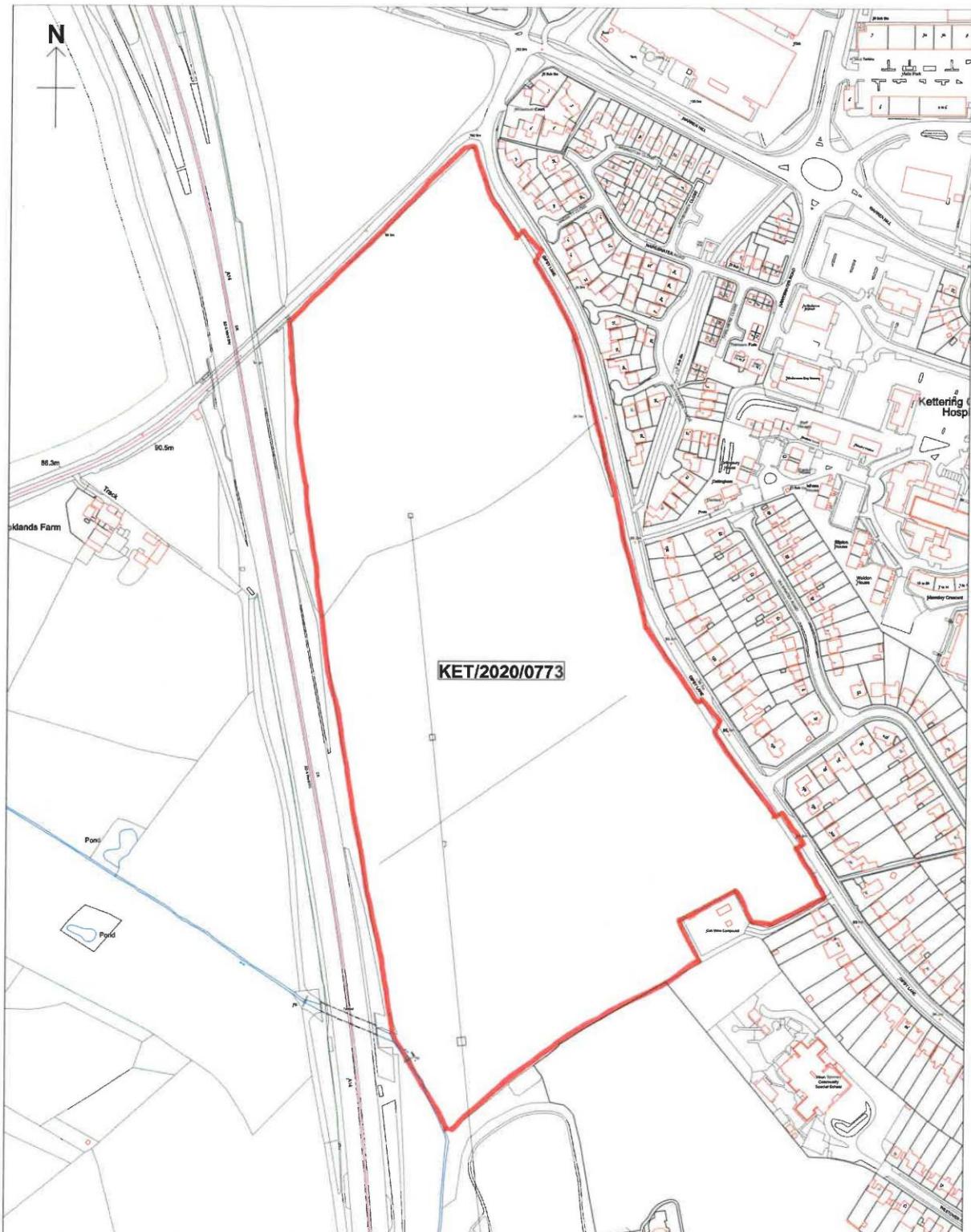
11.1 List of plans

Title	KET Ref.	Agent's Ref	Received Date	Status
Proposed floor plans		1B&1C-1 Rev B	19/03/21	APPROVED
Proposed elevations		1B&1C-1.A1	04/11/20	APPROVED
Proposed elevations		1B&1C-1.G1 Rev B	19/03/21	APPROVED
Proposed elevations		1B&1C-1.G2 Rev B	19/03/21	APPROVED
Proposed elevations		1B&1C-1.R1	04/11/20	APPROVED
Proposed floor plans		1B&1C-2.1B2P	04/11/20	APPROVED
Proposed elevations		1B&1C-2.A1B	04/11/20	APPROVED
Proposed elevations		1B&1C-2.R1	04/11/20	APPROVED
Proposed floor plans		2B-1.2B4P	04/11/20	APPROVED
Proposed elevations		2B-1.A1	04/11/20	APPROVED
Proposed floor plans		2B-2.2B4P	04/11/20	APPROVED
Proposed elevations		2B-2.A1	04/11/20	APPROVED
Proposed floor plans		2B-3.2B4P	04/11/20	APPROVED
Proposed elevations		2B-3.A1	04/11/20	APPROVED
Proposed floor plans		2C-1.2B3P	04/11/20	APPROVED
Proposed elevations		2C-1.A1	04/11/20	APPROVED
Proposed elevations		2C-1.A2	04/11/20	APPROVED
Proposed floor plans		2D-1 Rev B	19/03/21	APPROVED
Proposed elevations		2D-1.A1	04/11/20	APPROVED
Proposed elevations		2D-1.G1 Rev. B	19/03/21	APPROVED
Proposed elevations		2E-1.A1	04/11/20	APPROVED
Proposed floor plans		2E-1.2B4P	04/11/20	APPROVED
Proposed floor plans		2F-1.2B3P	04/11/20	APPROVED
Proposed elevations		2F-1.A1	04/11/20	APPROVED
Proposed elevations		2F-1.A2	04/11/20	APPROVED
Proposed floor plans		3A-1.3B4P	04/11/20	APPROVED
Proposed elevations		3A-1.A1	04/11/20	APPROVED
Proposed elevations		3A-1.G1	04/11/20	APPROVED
Proposed floor plans		3B-1.3B5P	04/11/20	APPROVED
Proposed elevations		3B-1.A1	04/11/20	APPROVED
Proposed elevations		3B-1.A2	04/11/20	APPROVED
Proposed elevations		3B-1.R1	04/11/20	APPROVED
Proposed floor plans		3C-1.3B5P	04/11/20	APPROVED
Proposed elevations		3C-1.A1	04/11/20	APPROVED
Proposed floor plans		3D-1.3B5P	04/11/20	APPROVED
Proposed elevations		3D-1.A1	04/11/20	APPROVED
Proposed elevations		3D-1.A2	04/11/20	APPROVED
Proposed elevations		3D-1.R1	04/11/20	APPROVED
Proposed elevations		3D-1.R2	04/11/20	APPROVED
Proposed floor plans		3D-2.3B5P	04/11/20	APPROVED
Proposed elevations		3D-2.A1	04/11/20	APPROVED
Proposed floor plans		3D-3.3B5P	04/11/20	APPROVED
Proposed elevations		3D-3.A1	04/11/20	APPROVED
Proposed elevations		3D-3.A2	04/11/20	APPROVED
Proposed elevations		3D-3.A3	04/11/20	APPROVED
Proposed elevations		3D-3.G1	04/11/20	APPROVED
Proposed elevations		3D-3.R1	04/11/20	APPROVED
Proposed floor plans		3D-4.3B5P	04/11/20	APPROVED
Proposed elevations		3D-4.A1	04/11/20	APPROVED

Proposed elevations		3D-4.A2	04/11/20	APPROVED
Proposed elevations		3D-4.R1	04/11/20	APPROVED
Proposed elevations		3D-4.R2	04/11/20	APPROVED
Proposed floor plans		3D-5.3B5P	04/11/20	APPROVED
Proposed elevations		3D-5.G1	04/11/20	APPROVED
Proposed elevations		3D-5.G2	04/11/20	APPROVED
Proposed floor plans		3D-6.3B5P	04/11/20	APPROVED
Proposed elevations		3D-6.G1	04/11/20	APPROVED
Proposed floor plans		3D-7.3B5P	04/11/20	APPROVED
Proposed elevations		3D-7.G1	04/11/20	APPROVED
Proposed floor plans		3E-1.3B6P	04/11/20	APPROVED
Proposed elevations		3E-1.A1	04/11/20	APPROVED
Proposed elevations		3E-1.G1	04/11/20	APPROVED
Proposed elevations		3E-1.R1	04/11/20	APPROVED
Proposed floor plans		3E-2.3B6P	04/11/20	APPROVED
Proposed elevations		3E-2.A1	04/11/20	APPROVED
Proposed elevations		3E-2.R1	04/11/20	APPROVED
Proposed floor plans		3F-1.3B5P	04/11/20	APPROVED
Proposed elevations		3F-1.G1	04/11/20	APPROVED
Proposed elevations		3F-1.G2	04/11/20	APPROVED
Proposed floor plans		3G-1.3B5P	04/11/20	APPROVED
Proposed elevations		3G-1.A1	04/11/20	APPROVED
Proposed elevations		3G-1.G1	04/11/20	APPROVED
Proposed elevations		3G-1.R1	04/11/20	APPROVED
Proposed floor plans		3H-1.3B6P	04/11/20	APPROVED
Proposed elevations		3H-1.A1	04/11/20	APPROVED
Proposed elevations		3H-1.A2	04/11/20	APPROVED
Proposed floor plans		4A-1.4B5P	04/11/20	APPROVED
Proposed elevations		4A-1.A1	04/11/20	APPROVED
Proposed elevations		4A-1.R1	04/11/20	APPROVED
Proposed floor plans		4B-1.4B6P	04/11/20	APPROVED
Proposed elevations		4B-1.A1	04/11/20	APPROVED
Proposed elevations		4B-1.R1	04/11/20	APPROVED
Proposed elevations		4B-1.R2	04/11/20	APPROVED
Proposed floor plans		4B-2.4B6P	04/11/20	APPROVED
Proposed elevations		4B-2.A1	04/11/20	APPROVED
Proposed elevations		4B-2.A2	04/11/20	APPROVED
Proposed elevations		4B-2.A3	04/11/20	APPROVED
Proposed elevations		4B-2.G1	04/11/20	APPROVED
Proposed elevations		4B-2.G2	04/11/20	APPROVED
Proposed elevations		4B-2.R1	04/11/20	APPROVED
Proposed elevations		4B-2.R2	04/11/20	APPROVED
Proposed floor plans		4B-3.4B6P	04/11/20	APPROVED
Proposed elevations		4B-3.G1	04/11/20	APPROVED
Proposed elevations		4B-3.G2	04/11/20	APPROVED
Proposed floor plans		4B-4.4B6P	04/11/20	APPROVED
Proposed elevations		4B-4.A1	04/11/20	APPROVED
Proposed elevations		4B-4.R1	04/11/20	APPROVED
Proposed floor plans		4B-5.4B6P	04/11/20	APPROVED
Proposed elevations		4B-5.G1	04/11/20	APPROVED
Proposed floor plans		4B-6.4B6P	04/11/20	APPROVED
Proposed elevations		4B-6.G1	04/11/20	APPROVED
Proposed elevations		4C-1.G1	04/11/20	APPROVED
Proposed floor plans		4C-1	04/11/20	APPROVED

Proposed site layout		352A11-100J	19/03/21	APPROVED
Proposed site layout Northfield		352A11-101J	19/03/21	APPROVED
Proposed site layout Centerfield		352A11-102J	19/03/21	APPROVED
Proposed site layout West Hill North		352A11-103J	19/03/21	APPROVED
Street scenes		352A11-SS-01	04/11/20	Information
Street scenes		352A11-SS-02	04/11/20	Information
Tree constraints plan		10649-TCP-01-1	04/11/20	APPROVED
Tree constraints plan		10649-TCP-01-2	04/11/20	APPROVED
Tree constraints plan		10649-TCP-01-3	04/11/20	APPROVED
General arrangement		49292-2001-001B	22/01/21	APPROVED
Junction & forward visibility		49292-2001-002B	22/01/21	APPROVED
Adoption plan		49292-2001-003C	23/02/21	APPROVED
Swept path analysis		49292-2001-004B	22/01/21	APPROVED
Swept path analysis		49292-2001-005B	22/01/21	APPROVED
Swept path analysis		49292-2001-006C	23/02/21	APPROVED
Single deck bus swept path analysis		49292-2001-007C	22/03/21	APPROVED
Large Car Opposing Refuse Vehicles Swept Path		49292-2001-008	22/01/21	APPROVED
Large Car Opposing Refuse Vehicles Swept Path		49292-2001-009	22/01/21	APPROVED
Swept Path Analysis – Single deck bus		49292-2001-010	23/02/21	APPROVED
Drainage strategy		49292-2001-500A	04/11/20	APPROVED
Drainage strategy		49292-2001-501A	04/11/20	APPROVED
Contours sheet 1 of 2		49292-2001-600- 001B	22/01/21	APPROVED
Contours sheet 2 of 2		49292-2001-600- 002B	22/01/21	APPROVED
Finished floor levels sheet 1 of 2		49292-2001-600- 003D	22/01/21	APPROVED
Finished floor levels sheet 2 of 2		49292-2001-600- 004D	22/01/21	APPROVED
Long sections sheet 1 of 2		49292-2001-600-005	22/01/21	APPROVED
Long sections sheet 2 of 2		49292-2001-600-006	22/01/21	APPROVED
Apartment block 1 proposed floor plans, cycle & refuse store		APT1-1	04/11/20	APPROVED
Apartment block 1 proposed elevations		APT1-2B	04/11/20	APPROVED
Apartment block 2 proposed elevations		APT2-2 Rev. C	22/03/21	APPROVED
Apartment block 2 proposed floor plans		APT2-1 Rev. B	22/03/21	APPROVED
Apartment block 3 proposed floor plans		APT3-1	04/11/20	APPROVED
Apartment block 3 proposed elevations		APT3-2B	04/11/20	APPROVED
Apartment block 4 proposed floor plans, cycle & refuse store		APT4-1B	22/01/21	APPROVED
Apartment block 4 proposed elevations		APT4-2C	22/01/21	APPROVED
Apartment block 5 proposed floor plans		APT5-1	04/11/20	APPROVED

Apartment block 5 proposed elevations		APT5-2B	04/11/20	APPROVED
Apartment block 6 proposed floor plans, cycle & refuse store		APT6-1	04/11/20	APPROVED
Apartment block 6 proposed elevations		APT6-2B	04/11/20	APPROVED
Apartment block 7 proposed floor plans & refuse store		APT7-1B	04/11/20	APPROVED
Apartment block 7 proposed elevations		APT7-2B	04/11/20	APPROVED
Garage 1 proposed elevations & floor plans		352A11-G1C	19/01/21	APPROVED
Garage 2 proposed elevations & floor plans		G2	04/11/20	APPROVED
Garage 3 proposed elevations & floor plans		G3	04/11/20	APPROVED
Design & access statement part 1		352A11-RMA	04/11/20	APPROVED
Design & access statement part 2		352A11-RMA	04/11/20	APPROVED
Tree schedule		10649-TS-01	04/11/20	APPROVED
Drainage strategy		45627-2004-001C	19/01/21	APPROVED
Badger mitigation strategy		11543362-2018	04/11/20	APPROVED
Acoustic report		492923001-R0	04/11/20	APPROVED
Phase 2 ground investigation report		492923501-R00	04/11/20	APPROVED
Pre-Planning Addendum Report		PPE-0087669	04/11/20	Information
Cover letter		JTPF10394	04/11/20	Information
Boundary Treatment Details		352A11-BT-001	19/01/21	APPROVED
Boundary Treatment Details		352A11-BT-002	19/01/21	APPROVED
Bus Stops		49292-2001-1200-001C	22/01/21	APPROVED
Drainage Works – Construction Details		49292/2004/500/003	19/01/21	APPROVED
Covering letter		JTPF10394 dated 15 <sup>th</sup> January 2021	19/01/21	Information
DRAFT – Construction Management Plan		Jan 2021 PF/10394	19/01/21	Information
Preliminary Landscape Proposals		2143-PL001-1A	19/03/21	APPROVED
Preliminary Landscape Proposals		2143-PL001-2A	19/03/21	APPROVED
Preliminary Landscape Proposals		2143-PL001-3A	19/03/21	APPROVED
Preliminary Landscape Proposals		2143-PL001-4A	19/03/21	APPROVED
Applicant/Agent Covering letter dated 19th March 2021		JT-PF-1397	19/03/21	Information
Maintenance Operations (Landscape and Habitat) as compiled by JB Landscape Associates		Dated November 2020	19/03/21	APPROVED



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## North Northamptonshire Strategic Planning Committee 14/06/2021

Application Reference	NC/21/00064/REM
Case Officer	Edward Oteng Farjana Mazumder
Location	Cowthick Plantation, Stamford Road, Stanion.
Development	Approval of reserved matters of access, appearance, landscaping, layout and scale for site preparation works including remediation, development platform creation, drainage and service infrastructure provision, initial estate road construction, ecological mitigation and perimeter landscaping.
Applicant	Mulberry Commercial Developments Limited
Agent	Pegasus Group
Ward	Stanion And Corby Village
Overall Expiry Date	26 <sup>th</sup> May 2021
Agreed Extension of Time	18 <sup>th</sup> June 2021

### List of Appendices

**Appendix 1** – Secretary of State's decision

**Appendix 2** – Update Report (10.11.2020)

### Scheme of Delegation

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

#### **1. Recommendation**

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1.1 That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

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2.1 The proposal seeks the approval of the reserved matters for the access, appearance, landscaping, layout and scale for the undertaking of site

preparation works including remediation, development platform creation, provision of drainage infrastructure, initial estate road construction, creation of ecological mitigation areas and provision of perimeter landscaping.

- 2.2 The works would involve the remediation of the existing soils and their subsequent repositioning and reprofiling of the site to create the initial development platforms for the future built phases.
- 2.3 The reprofiling would be undertaken by way of a series of cut and fill operations, to create plateaux at a level just below final floor levels.
- 2.4 The cut and fill will be predominantly the relocation of soil from the north eastern corner of the site to the south eastern corner with low key relocation in the centre of the site. Excess soil from this operation will then be utilised in the creation of the bund along the A43 boundary.
- 2.5 The translocation / mitigation of protected species, previously identified in the south eastern corner would be undertaken under the control of a relevant licence from Natural England.
- 2.6 The principal drainage infrastructure will be installed along the primary routes of the site, to facilitate future connections to subsequent build phases. These drainage works will involve the creation of an attenuation pond making use of the topography of the former railway cutting to the far south of the site.
- 2.7 The proposals also involves the provision of the initial sections of the internal estate road. This road will link directly to the new internal roundabout to the north west of the site and extend eastwards so as to facilitate connections to future plots.
- 2.8 The proposal would also involve the provision of the primary substation and pumping station compounds on the land to the north of the site which would be served from the new internal estate road.
- 2.9 It is proposed that the perimeter landscaping will take the form of extensive areas of woodland planting along the northern and eastern boundary, together with the creation of the new ecological mitigation area to the far southern eastern corner.
- 2.10 To the western boundary, with the A43, a landscaped bund will be created incorporating a pedestrian footpath linking around the site and tying in with the landscape proposal for the new access roundabout.

### **3. Site Description**

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- 3.1 The site lies to the East of the A43 (Stamford Road). The southern end includes Cowthick Plantation, which is located adjacent to the A6116 (Brigstock Road) and the village of Stanion. To the east/north of the site is a landfill site and recycling centre. The land lies on the edge of the town. The application site excludes Fircroft Park to the south-west which has prior consent for a roadside service area and lorry park.

- 3.2 The land use of the site and its surroundings has historically been a mix of industrial and commercial uses, with multiple uses and nearby ironstone quarries, supplying the steel yard/works. Another notable feature is a timber yard that from the beginning of the 20th century until the 1950s used to be present immediately to the southwest of the site.
- 3.3 The application site extends to approximately 162.5 hectares, with the developable area of approximately 81.8ha. The site adjoins a SSSI. The land is located within an area of high landscape sensitivity being close to Stanion and includes a significant area of woodland. The application site is located within flood zone 1 and is at low risk of flooding. Harpers Brook lies south of the site and is a tributary to the River Nene.
- 3.4 It is also noted that there is substantial variation in the natural ground level and the site boundary is well enclosed by the vegetation buffers.
- 3.5 The site is not a rural idyll it demonstrates urban features although not features with a sharp urban edge; these features exist in part due to the nature of previous uses on the site and adjoining existing uses such as the recycling centre to the north of the site and the disused quarry to the east of the site. The site exhibits attributes that would allow it to be considered as the “urban fringe”.

#### **4. Relevant Planning History**

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- 4.1 The records indicate that The Planning Inspectorate granted planning consent on the 4th May 1982 for Tipping operations and land restoration for agricultural purposes.
- 4.2 15/00283/DPA: Upgrading the surface of an existing hard track and creation of a new lorry turning point. Application permitted on 13.10.2015.
- 4.3 18/00817/OUT: Development of land for employment use (Use Classes B1/B2 and B8) together with ancillary parking, highway infrastructure, engineering works, landscaping and ancillary works. Application permitted on 17.12.2020.
- 4.4 NC/21/00057/CON: Discharge of conditions 7 (Part A only), 10 and 27 of Outline Planning Permission 18/00817/OUT. Pending consideration.
- 4.5 NC/21/00058/CON: Discharge of conditions 4, 11, 12, and 34 in respect of Site Preparation Phases 1a, 2a and 2b of Outline Planning Permission 18/00817/OUT. Discharged on 12.05.2021.
- 4.6 NC/21/00059/CON: Discharge of conditions 29, 30, 31 and 35 of Outline Planning Permission 18/00817/OUT. Discharged on 20.05.2021.
- 4.7 NC/21/00063/REM: Approval of reserved matters of access, appearance, landscaping, layout and scale for principal site access and associated realignment of A43 / Stamford Road junction. Pending consideration.
- 4.8 NC/21/00080/CON: Discharge of condition 16.1 in respect of the scope for the Phase 1 Transport Assessment of Outline Planning Consent 18/00817/OUT. Discharged on 20.05.2021.

- 4.9 NC/21/00197/CON: Discharge of condition 16.1 in respect of the Transport Assessment for Phase 1 of Outline Planning Permission 18/00817/OUT. Pending consideration.
- 4.10 NC/21/00230/CON: Details pursuant to Condition 7 (Part- A) (Ground Condition and Remediation) and 10 (Biodiversity Monitoring Strategy) of Planning Permission 18/00817/OUT. All Phases. Pending consideration.
- 4.11 NC/21/00240/CON: Details pursuant to Condition 25 (CTMP), 28 (Materials Management Plan), 32 (CEMP) and 36 (Construction Lighting Strategy) of Planning Permission reference 18/00817/OUT (Cowthick Plantation) relating to Site Separation Phases - 1a, 2a and 2b. Pending consideration.

*Background*

- 4.12 On 29 June 2020, Members of the Corby Borough Council Planning Committee unanimously resolved to approve the Outline Application pursuant to the following recommendation:

*Recommendation*

*Approve subject to delegated authority being given to the Head of Planning and Environmental Services to determine the application subject to the conditions set out in this report and satisfactory completion of a Section 106 Agreement on the basis of the Heads of Terms set out in the Second Addendum Report*

- 4.13 Prior to resolving to approve the Outline Application, Members of the Corby Planning Committee were advised of the need to consult the Secretary of State on the Outline Application under the Town and Country Planning (Consultation) (England) Direction 2009 (the "**Direction**"). Under paragraph 5(1) of the Direction, the Secretary of State is required to be consulted in respect of development which includes office use and which:
  - a) is to be carried out on land which is edge-of-centre, out-of-centre or out-of town;
  - b) is not in accordance with one or more provisions of the development plan in force in relation to the area in which the development is to be carried out; and
  - c) consists of or includes the provision of a building or buildings where the floorspace to be created by the development is 5,000 sqm or more.

As explained to Members of the Committee, on 29 June 2020, the development which was the subject of the Outline Application met the above criteria under the Direction.

- 4.14 On 2 October 2020, the Secretary of State was provided with a full suite of information under paragraph 10 of the Direction, namely: (a) a copy of the Outline Application (including copies of any accompanying plans, drawings and any appropriate flood risk assessment) and supporting information; (b) a copy of the requisite notice (as detailed above); (c) a copy of any representations made to the authority in respect of the application; (d) a copy of the Committee Reports; and (e) a statement of the material considerations which the authority consider indicate a departure application (i.e. an application to which the

Direction applies) should be determined otherwise than in accordance with s.38(6) of the Planning and Compulsory Purchase Act.

- 4.15 On 14 October 2020, the Secretary of State confirmed his decision not to call in the application. A copy of the Secretary of State's decision letter is appended to this Report as **Appendix 1**.
- 4.16 The former Corby Planning Committee Members are then asked to consider the original June 2020 decision, in light of the Secretary of State's decision. The Committee agreed with the original recommendation which resulted in the means that the Council may now proceed to final determination the Outline Application on the 17 December 2020 (following the signing and engrossing of the S.106).

## **5. Consultation Responses**

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### **Internal**

- 5.1 **Environmental Health:** (10.03.2021) The Environmental Health Officer was consulted in regard to the proposal and has commented as follows:

*I have no objection and no comments to make, as these reserved matters appear to be outside my remit.*

(10.05.2021) No comments/objection.

- 5.2 **Highway Officer:** (11.03.2021) The Highway Officer was consulted in regard to the proposal and has commented as follows:

*In order to recommend the layout for approval on such a strategic piece of infrastructure, the LHA will require the applicant to submit a copy of the Highways Audit Technical Approval Letter. In order to gain this the applicant is required to submit their technical package for S278 / 38 to the LHA Audit Team.*

*In order to assist this, the LHA have the following comments;*

1. *The internal road would remain private as it has no public utility, the boundary with the public highway would probably be the back of the splitter islands.*
2. *HGV and bus tracking will be required on all internal roads (in opposition) and the roundabout.*
3. *Evidence is required to prove that the roundabout is the correct size.*
4. *An RSA is required, no RSA scope has been submitted for approval for the RSA to be carried out.*
5. *A 2m Highway margin is required around the north side of the roundabout if no footway or CFC is proposed. If none is proposed, the LHA will require evidence as to NMU connectivity to crossings of the A43.*
6. *Footway should be extended from the site to connect to the existing provision on Stamford Road.*
7. *Visibility splays are not evidenced in line with DMRB for 85th percentile road speeds over 37mph, or MfS for road speeds below 37mph.*

*The application site is affected by a Public Right of Way.*

(17.05.2021) Additional information has been provided by the applicant to address highways concern and applicant has responded back to Highways officer providing the following response to further clarify the matters :

*Following our recent discussions, I am emailing to clarify the nature of the highway works proposed under reserved matters application 21/00064/REM for Cowthick Plantation.*

*Application 21/00064/REM seeks approval for the site preparation works and construction of the initial internal infrastructure required to facilitate the future construction of the main logistics park. The application has been submitted alongside a corresponding one, reference 21/00063/REM, which seeks approval for the new roundabout on the A43 which will serve the site.*

*In this regard, the estate road and highway works covered by application 21/00064/REM, relate solely to the construction of private internal roads, which fall outside of any adoptable highway works and associated S.278 agreements. All of the works to the public highway which are subject to the relevant highway technical approval process are contained within application 21/00063/REM. Whilst the drawings within application 21/00064/REM may indicate the adjacent A43 roundabout and junction works, this is done on a contextual basis and do not affect the clear distinction between application 21/00064/REM being private works and 21/0063/REM being public works.*

The Highway Officer reverted further, stating:

*Thank you for the clarification relating the parameters of the above application and confirmation that matters relate solely to the construction of private internal roads, which fall outside of any adoptable highway works and associated Section 278 agreements.*

*I can confirm that the site layout generally accords with the requirements of the Local Highway Authority, however as the Transport Assessment has not been fully considered at this time it may be premature to set the number of layover spaces prior to establishing the predicted traffic figures and the impact that these will have on the require infrastructure. I therefore ask that the Local Planning Authority satisfy themselves that there is sufficient information to recommend approval of this application.*

**5.3 Local Plan Section (Corby):** No comments received.

**5.4 Sustainability Officer:** No comments received.

**5.5 Built & Natural Environment:** No comments received.

**5.6 Surface Water Drainage Assessment Team:** (26.02.2021) The Surface Water Drainage Assessment team were consulted on this application. They responded have to the submission as follows:

*Having reviewed the applicant's submitted documents, we would like to advise that in the absence of a Drainage Strategy incorporating a detailed drainage design cross referenced to supporting calculations, we are unable to comment*

*on Surface Water Drainage matter. Hence the impacts of surface water drainage have not been adequately addressed at this stage for this Reserved Matters application.*

*We request that we are to be consulted again when there is a submission of Detailed Surface Water Drainage Information. In the meantime, no development shall take place until full details of the surface water drainage scheme for the site is 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.*

*Please also note that our comments only cover the surface water drainage implications of the proposed development. In view of the above, should you require any further information, or wish to discuss these matters further, please do not hesitate to contact us.*

(17.05.2021) Additional information has been provided by the applicant and the drainage team provided the following comments:

*Having reviewed the applicant's submitted documents located within*

- 1) Drainage Strategy (In Support of Conditions 29, 30 and 31 of the Reserved Matters Application) ref R10.3 rev 3 dated 30th April 2021 prepared by Fairhurst.*
- 2) MicroDrainage File 2021.04.29 SWALES\_FINAL.MDX dated 14th May 2021*

*We would advise sufficient information has been submitted to discharge Condition 29 of 18/00817/OUT to which this Reserved Matters application refers and that surface water drainage has been addressed.*

## **5.7 Tree Officer:** (21/05/2021) The Tree officer provided the following comments:

*The Master plan and all associated plans, Landscape Design statement is through, professional in presenting the Scheme, its long-term benefits to the surrounding Ecology, Amenity and Visual soft Landscape and character can only in my professional opinion be beneficial, as a Green spine, offering well though out structure and Landscape Architecture.*

*The scheme offers native species selection and buffering and screening, to give an Instant Impact effect, planting Larger more visible extra Heavy Standard Trees.*

*Through planting schedule, lot of detail on species choice to support existing wildlife in green spine connectivity.*

*Tree supporting methods extra heavy double staking tying crossbar methods and aeration, watering included to extra heavy standard trees to ensure successful establishment.*

*Ecological enrichment, ponds for potential Newt activity.*

*Edge planting woodland planting native planting Enrichment, planting, beating up of exiting hedgerows.*

*Extra heavy standard tree., impact planting.*

*I would however assume all species to be planted meets the National Plant specification, (NPS), Standard and BS 3936, British Standard for Nursery Stock.*

*Also, I would assume once scheme is approved a Maintenance Schedule Method statement is to be produced.*

- 5.8** **Ecological Advisor:** (24.05.2021) The ecological advisor has been consulted in relation to this application and provided the following observation:

*I'm writing in response to your consultation on the above application for reserved matters at Cowthick Plantation, Stamford Road. I had been expecting more ecological information to be included, however I note that there isn't much more in this additional information beyond some changes to the soft landscaping plan. In my view the soft landscaping needs to be designed with the input of both the Wildlife Trust and myself to ensure that the new planting reflects the existing Local Wildlife Site and what had been lost to make way for the development. The proposed mixes include a range of species not naturally found in this part of the county, and given the location on a former LWS and its location within a network of designated sites it's important that the planting mixes on this site are ecologically appropriate.*

*As it stands I'm unable to recommend approval of the submitted details. I'd be happy to work with the applicant and the Wildlife Trust to come up with something more suited to the setting.*

(26.05.2021) At the time of writing this report, Council's ecological officer and Wildlife Trust's Conservation Officer has confirmed by way of an email that they will meet with the project's ecologist to discuss the proposed landscaping species mixes. They have considered that the applicant could 'fit' the area better with a few changes. A general update regarding the other conditions/ availability of relevant documents have also been sought from applicant's team.

#### **External**

- 5.9** **Anglian Water:** (11.03.2021) Anglian Water was consulted on this application, and has raised no objection to the application. They have responded as follows:

*Anglian Water would ask that the following text be included within your Notice should permission be granted.*

*Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.*

### Foul Water

We have reviewed the applicant's submitted foul drainage strategy and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage.

### Surface Water

We have reviewed the applicant's submitted surface water drainage information (Drainage Strategy) and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible.

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

- 5.11 **Northamptonshire Wildlife Trust:** (16.03.2021) The Conservation Officer has provided the following response:

*Thank you for the reserved matters applications for the Cowthick Plantation application (NC/21/00064/REM & NC/21/00063/REM). As it includes a Local Wildlife Site we are keen to ensure that biodiversity is protected and enhanced as much as possible. I couldn't see any of the ecological documents on the website. I just wanted to check if they are part of one of these reserved matters application or are expected at a later date. The landscaping plans which are included show just how squeezed the green space elements of this application are and I continue to be concerned about the drainage so I didn't want to miss something.*

(26.05.2021) At the time of writing this report, Council's ecological officer and Wildlife Trust's Conservation Officer has confirmed by way of an email that they will meet with the project's ecologist to discuss the proposed landscaping species mixes. They have considered that the applicant could 'fit' the area better with a few changes. A general update regarding the other conditions/ availability of relevant documents have also been sought from applicant's team.

- 5.12 **North Northants JPU:** No comments received.

- 5.13 **Northamptonshire County Council County Archaeologist:** (17.03.2021) No comments/objection.

- 5.14 **Historic England:** (09.09.2021) No comments/objection.

- 5.15** Natural England: (05.03.2021) No comments/objection.
- 5.16** Environment Agency: (17.03.2021 and 25.05.2021) Environment Agency was consulted on this application. The Agency have confirmed that they have no objection to the application as submitted.
- 5.17** Police Authority: (10.03.2021) The Crime Prevention Officer has responded, stating that they have:

*...no objection or comment to the scheme as proposed. I understand this application to be reserved matters solely for access including initial estate road construction and associated works and I will comment in regard to designing out crime and anti-social behaviour when further reserved matters applications are submitted e.g. building form, boundary treatment, Lighting etc.*

- 5.18** Little Stanion Parish Council: (17.03.2021) The Parish Council have responded to the application consultation stating the following:

*Little Stanion Parish Council wishes to formally raise objections to the plans for this development; Councillors and residents having attended the consultation meetings here in the village and elsewhere.*

*Notwithstanding the amendments to the application, statutory consultee responses and the possible mitigating effects of proposed changes, the Parish Council remains extremely concerned regarding the profound negative impacts of the proposed development.*

*A major concern is the considerable increase of HGV traffic in the local area, particularly when seen in conjunction with the already considerable HGV traffic and other motor traffic generated by the Midlands Logistics Park [aka Stanion Park] and the new development at Firecroft Nursery. The combined increase in traffic will almost certainly have an impact on this area of Corby and its nearby villages including Little Stanion, as well the hundreds of workers travelling to and from Corby for work, shopping, and other reasons.*

*The A6116 from Stanion through to junction 12 of the A14 is in our opinion in a very serious state of repair with numerous potholes that are a danger to cyclists and motorists. With the increased HGV traffic created by the Cowthick and the Firecroft Nursery development with drivers cutting the corner to get to the A14, A1 and beyond, this situation is going to get worse. It will also be detrimental to the living conditions of those in the villages on route. A great number of the roads in the surrounding area are also suffering, especially Geddington Road. These roads were not designed to support the volume of HGV's that are now on them.*

*Of particular concern to residents of Little Stanion is the congestion that will be created at the A6116/A43/Longcroft Road roundabout, which is already a traffic congestion spot, exacerbated by the Euro Hub traffic of HGVs which contributes to a large traffic flow in this area. It will make travelling to and from Little Stanion intolerable. We are informed by the developer's agent that both sites are geared to 24-hour operations, thousands of HGV and staff car movements a week. When fully operational, the traffic volume and road damage will become unacceptable. Also, we object on the grounds of congestion, noise and*

*increased air pollution caused by this excessive traffic. This roundabout is becoming a hot spot for road traffic accidents. Little Station Parish Council has a forthcoming site meeting with NCC highways department when COVID-19 restrictions allow to discuss and try and remedy this subject.*

*It appears, that the traffic survey/model provided by the developer is both out of date and inaccurate. It was produced before the Midland Logistics park was fully operational and with the extra traffic that will be created by the new development at the Firecroft Nursery site including the drive through coffee establishment. We ask that any further development is placed on hold until a proper and up to date traffic survey/model has been produced and submitted to the highways department.*

*It is also noted, that the developer has not made any plans with regard to public transport for anyone coming from Corby town, there is no direct public transport access. This if not corrected it will lead to more cars on the roads. Furthermore, on roads such as Geddington Road for example, no provision has been made for the use of green transport, cyclist's without a proper cycle path being asked to use some of the main approach roads to the site.*

- 5.19 **Stanion Parish Council:** No comments received.
- 5.20 **Brigstock Parish Council:** (24.05.2021) No objection.
- 5.21 **Weldon Parish Council:** (17.05.2021) Weldon Parish Council has contacted the case officer for an extension of time in order to provide their response. No comments have been received at the time of writing this report.
- 5.22 **Sudborough Parish Council:** No comments received.
- 5.23 **East Northamptonshire Council (ENC):** No comments received from the former ENC,
- 5.24 **Neighbours-** Letters were sent to 194 neighbouring units on 12.03.2021 and 07.05.2021. LPA have received 1 letter of objection. The main objections to the proposal can be summarised as follows:
- Detriment to the visual amenity
  - Increase in traffic
  - Over development of site
  - Parking
  - Possible damage to the local environment
  - Possible pollution implications
  - Possible problems with noise
  - Privacy

## **6. Relevant Planning Policies and Considerations**

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- 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 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 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 12 (Town Centres and Town Centre Uses)
- Policy 13 (Rural Exceptions)
- Policy 15 (Well-connected Towns, Villages and Neighbourhoods)
- Policy 18 (HGV Parking)
- Policy 22 (Delivering Economic Prosperity)
- Policy 23 (Distribution of New Jobs)
- Policy 24 (Logistics)
- Policy 25 (Rural Economic Development and Diversification)

## **6.4 Emerging Part II Local Plan**

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

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development;
- Site Preparation
- Landscaping and Ecology;
- Highways;
- Drainage.

### **7.1 Principle of Development**

- 7.1.1 The application site received outline planning permission (LPA reference: 18/00817/OUT) approved on the 17 December 2020. Thus the principle of development on the site for the following has been agreed:

*Development of land for employment use (Use Classes B1/B2 and B8) together with ancillary parking, highway infrastructure, engineering works, landscaping and ancillary works.*

- 7.1.2 This submission relates to the consideration of a number of the details which were reserved at the outline determination stage. The items which are relevant in relation to this matter are access, appearance, landscaping, layout and scale.

## **7.2 Site Preparation**

- 7.2.1 The proposed development includes conduction of limited on site remediation of the existing soils and their subsequent repositioning and reprofiling of the site to create the initial development platforms for the future built phases. Submitted documentation demonstrates that, this reprofiling would be undertaken by way of a series of cut and fill operations, to create plateaux at a level just below the final floor levels set out on the parameter plan.
- 7.2.2 In accordance with Condition 7 of the Outline consent (18/00817/OUT), applicant requires to submit a comprehensive ground investigation report. The Planning Statement states that this report has not identified any key contaminants requiring bespoke remediation and / or verification which will prevent the site coming forward for the proposed commercial use. However, it should be noted that this report will be more appropriately considered by way of a relevant discharge of condition application (NC/21/00230/CON).
- 7.2.3 No objection/concern has been raised by Council's Health Officer and Environments agency in regards to the proposed work.
- 7.2.4 Moreover, the level of reprofiling and the resultant ground levels, accords with the future finished floor levels for the individual zones set out and controlled by the approved parameter plan.

## **7.3 Landscaping and Ecology**

- 7.3.1 Cowthick Plantation contains two designated LWSs comprising a range of habitat types including coniferous plantation, mixed semi-mature woodland and regenerating broad leaved semi-natural woodland.
- 7.3.2 The proposed landscaping elements, include native shrub planting to the site periphery, around woodland edges and in areas of amenity space which require a more robust treatment. The proposed plant selection is based on enhancing wildlife value.
- 7.3.3 It is proposed to plant trees along the main spine road leading to the central amenity area within the site.
- 7.3.4 Council's Ecology Officer and Wildlife Trust have raised concerns in regards to the soft landscaping and planting schedule, specifically in relation to the

proposed species. The applicant has been advised in regard to this matter and is currently agreeing a more suitable schedule with the Ecology Officer in order to further enhance the ecology offer from the site, in terms of tree and landscape coverage.

- 7.3.5 Council's Ecological Officer has confirmed by way of an email that the substitute planting has been agreed and acceptable in this instance to address their concern.

#### **7.4 Highways**

- 7.4.1 The Highway Engineer originally raised concerns to this proposal. However, following additional clarification in regard to the submission the officer commented as follows:

*Thank you for the clarification relating the parameters of the above application and confirmation that matters relate solely to the construction of private internal roads, which fall outside of any adoptable highway works and associated Section 278 agreements.*

*I can confirm that the site layout generally accords with the requirements of the Local Highway Authority, however as the Transport Assessment has not been fully considered at this time it may be premature to set the number of layover spaces prior to establishing the predicted traffic figures and the impact that these will have on the require infrastructure. I therefore ask that the Local Planning Authority satisfy themselves that there is sufficient information to recommend approval of this application.*

- 7.4.2 In regard to the Transport Assessment (TA), this document for the first phase of the development (which is permissible by virtue of the conditions on the outline consent) has been received by the Council and is currently with the Highway Officers for their consideration (NC/21/00197/CON).
- 7.4.3 It is considered that the formal comments to the TA will be received shortly before the Strategic Planning committee. However, given that the TA responds to the movement of vehicles to and from the development site it is considered that details under consideration are acceptable for this application and that sufficient information exists to consider the submission acceptable.
- 7.4.4 In terms of the objection received from Little Stanion Parish Council, the concerns revolve around and relate to the outline consent and the vehicular movements to the site. PC COMMENTS WERE duly noted.

#### **7.5 Drainage**

- 7.5.1 The Lead Local Flood Authority (LLFA) have not raised any issue with the details submitted nor have Anglian Water raised any form of issue with the details.
- 7.5.2 The Environment Agency have also responded and raised no issue with the proposal.

7.5.3 It is considered, therefore, that the proposal provides appropriate site drainage and will not increase flood risk.

## **8. Conclusion/Planning Balance**

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8.1 The reserved matters application is considered acceptable. The details hereby 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. The proposal is therefore considered in accordance with Policies 1, 3, 4, 5, 8, 9, 10, 11, 12, 13, 15, 18, 22, 23, 24 and 25 of the North Northamptonshire joint Core Strategy, National Planning Policy Framework and 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.

## **9. Recommendation**

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9.1 It is therefore recommended that the application be Approved subject to conditions as set out below.

## **10. Conditions**

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1. 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:

- Location Plan, Dwg. No.- 4345-035 Rev.P2
- Topographical Survey, Dwg. No.- 24561\_T\_Phase\_2 Rev.0
- Primary Sub-Station & Foul Pump Station, Dwg. No.- 4345-028 Rev.P8
- Indicative Primary Sub-Station
- Site Preparation Plateaus- Layout and Levels - Option 2, Dwg. No.- 127144/0252 Rev.G
- Site Preparation Plateaus- Earthworks Isopachyte- Option 2, Dwg. No.- 127144/0253 Rev.E
- Constraints Plan, Dwg. No.- 127144/0254 Rev.B
- Advanced Works- Drainage Strategy, Dwg. No.- 127144/0255 Rev.F
- Sub-Station & Pump Station Compounds Access Road G.A, Dwg. No.- 127144/0260 Rev.A
- Site Sections (Sheet 1), Dwg. No.- 127144/0261 Rev.B
- Site Sections (Sheet 2), Dwg. No.- 127144/0262 Rev.B
- Railway Cutting Sections & Details (Sheet 1), Dwg. No.- 127144/0263
- Railway Cutting Sections & Details (Sheet 2), Dwg. No.- 127144/0264
- Planting Matrix & Schedules, BMD.18.023.SP.P003 Rev.B
- Overall General Arrangement, BMD.18.023.DR.P100 Rev.C
- General Arrangement 1 of 9, BMD.18.023.DR.P101 Rev.C
- General Arrangement 2 of 9, BMD.18.023.DR.P102 Rev.C
- General Arrangement 3 of 9, BMD.18.023.DR.P103 Rev.B
- General Arrangement 4 of 9, BMD.18.023.DR.P104 Rev.B
- General Arrangement 5 of 9, BMD.18.023.DR.P105 Rev.B
- General Arrangement 6 of 9, BMD.18.023.DR.P106 Rev.C
- General Arrangement 7 of 9, BMD.18.023.DR.P107 Rev.B

- General Arrangement 8 of 9, BMD.18.023.DR.P108 Rev.B
- General Arrangement 9 of 9, BMD.18.023.DR.P109 Rev.B
- Planting Plan 1 of 5 BMD.18.023.DR.P301 Rev.C
- Planting Plan 2 of 5 BMD.18.023.DR.P302 Rev.C
- Planting Plan 3 of 5 BMD.18.023.DR.P303 Rev.B
- Planting Plan 4 of 5 BMD.18.023.DR.P304 Rev.B
- Planting Plan 5 of 5 BMD.18.023.DR.P305 Rev.B
- Sections 1 of 3 BMD.18.023.DR.P401 Rev.A
- Sections 2 of 3 BMD.18.023.DR.P402 Rev.A
- Sections 3 of 3 BMD.18.023.DR.P403 Rev.A
- Tree Pit Details 1 of BMD.18.023.DR.P601 Rev.A
- Tree Pit Details 2 of 4 BMD.18.023.DR.P602 Rev.A
- Tree Pit Details 3 of 4 BMD.18.023.DR.P603 Rev.A
- Tree Pit Details 4 of 4 BMD.18.023.DR.P604 Rev.A
- Soft Landscape Details BMD.18.023.DR.P605 Rev.A
- Landscape Design Statement BMD.18.023.SP.P002 Rev.A
- Indicative Site External Lighting Layout 18-096-EX-001 Rev.T4
- External Artificial Lighting Assessment Report 18-096 Revision P2.

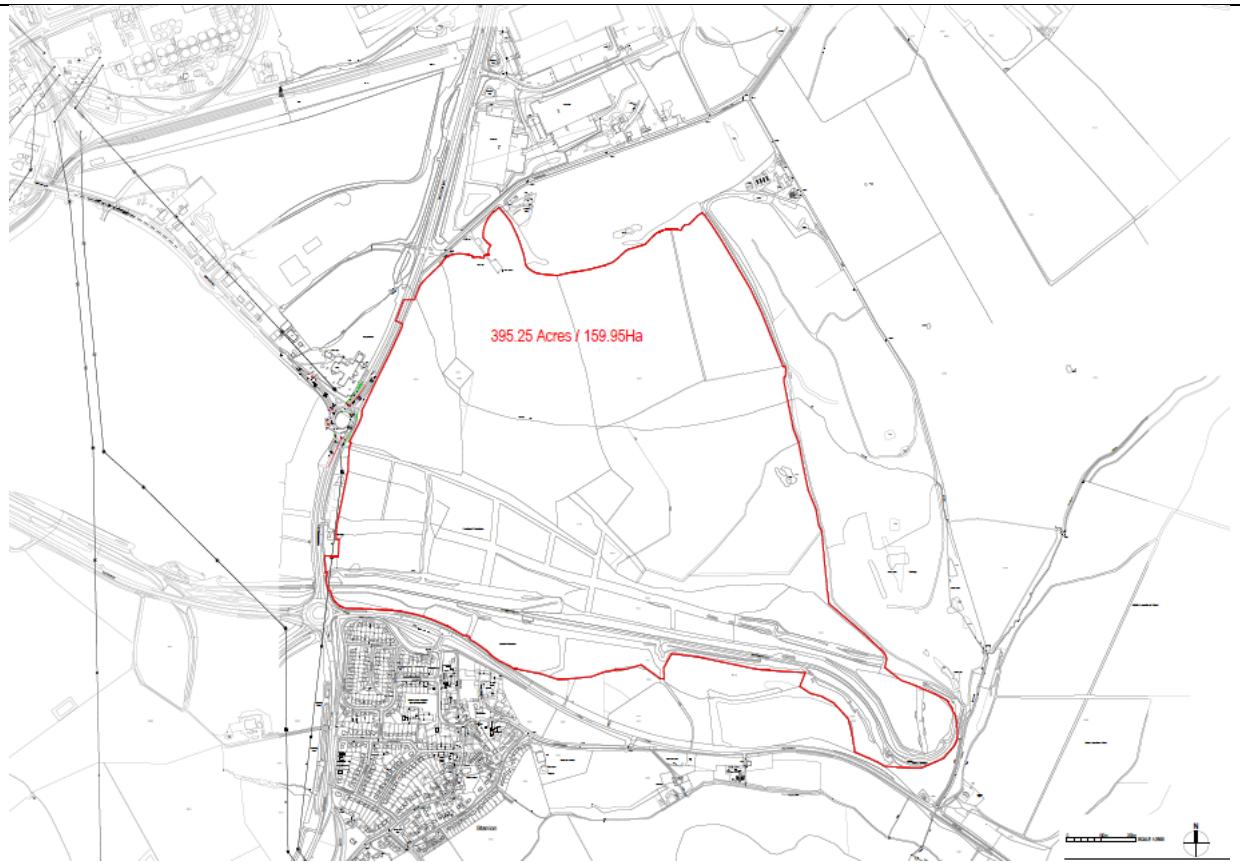
Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy 2016.

## **11. Informatics**

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- 11.1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework 2019 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, 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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**Cowthick Plantation, Stamford Road, Stanion, Northamptonshire,  
Planning Application Reference: NC/21/00064/REM  
Planning Committee Date: 14/06/2021**

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## Ministry of Housing, Communities & Local Government

Mr Iain Smith  
Head of Planning & Environmental Services  
Corby Borough Council

Sent via e-mail only to:  
[iain.smith@corby.gov.uk](mailto:iain.smith@corby.gov.uk)

Please ask for:  
Tel: 0303 44 48041  
Email: [Maria.bowen@communities.gov.uk](mailto:Maria.bowen@communities.gov.uk)

Your ref: 18/00817/OUT  
Our ref: PCU/CONS/U2805/3260512  
PCU/RTI/U2805/3256276

Date: 14 October 2020

Dear Mr Smith

### **The Town and Country Planning (Consultation) (England) Direction 2009**

**Application by Greatline Developments Limited for the development of land for employment use (Use Classes B1/B2 and B8) together with ancillary parking, highway infrastructure, engineering works, landscaping and ancillary works.  
ALL MATTERS RESERVED at Land at Cowthick Plantation, Stamford Road, Stanion, Northamptonshire. Planning Application no. 18/00817/OUT.**

I refer to your letter of 30 September 2020 referring to the Secretary of State for Housing, Communities and Local Government ("The Secretary of State") an application for planning permission for the above development.

The Secretary of State has carefully considered the case against call-in policy, as set out in the Written Ministerial Statement by Nick Boles on 26 October 2012. The policy makes it clear that the power to call in a case will only be used very selectively.

The Government is committed to give more power to councils and communities to make their own decisions on planning issues and believes planning decisions should be made at the local level wherever possible.

In deciding whether to call in this application, the Secretary of State has considered his policy on calling in planning applications. This policy gives examples of the types of issues which may lead him to conclude, in his opinion that the application should be called in. The Secretary of State has decided not to call in this application. He is content that it should be determined by the local planning authority.

In considering whether to exercise the discretion to call in the application, the Secretary of State has not considered the matter of whether the application is EIA Development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The local planning authority responsible for determining these applications remains the relevant authority responsible for considering whether these Regulations apply to these proposed developments and, if so, for ensuring that the requirements of the Regulations are complied with.

Yours sincerely

*Maria Bowen*

Maria Bowen  
Planning Officer

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## **UPDATE REPORT**

### **Application for Outline Planning Permission**

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18/00817/OUT	Development of land for employment use (use classes B1 / B2 and B8) with ancillary parking highway infrastructure engineering works (ALL MATTERS RESERVED) at Cowthick Plantation, Stamford Road, Stanion, Corby (the "Outline Application")
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#### **EXECUTIVE SUMMARY**

This report (the "**Update Report**") summarises the steps taken by Corby Borough Council since Members originally considered and resolved to approve the Outline Application on 29 June 2020. It is being presented to Committee to ask Members to reconfirm the resolution to grant permission on 29 June 2020 in accordance with the recommendation set out below, having regard to: (i) the additional publicity after Committee on 29 June 2020; (ii) the representations received by the Council in response to this publicity; (iii) officers' response to these representations as set out in this Update Report; (iv) the information contained in the referral submission to the Secretary State; (v) the Secretary of State's decision not to call-in the application; and (vi) the updated planning conditions and s106 obligations set out in this Update Report.

#### **TERMINOLOGY AND BACKGROUND**

In this Update Report the previous reports to Committee are referenced as follows:

Term used in this Update Report	Officer Report
Main Report	Officer Report to Committee dated 23 June 2020
Addendum 1	First Addendum Report to Committee
Addendum 2	Second Addendum Report to Committee

Collectively, the above reports shall be referred to as "**Committee Reports**".

Members will recall that Committee was originally called to consider the Outline Application on 23 June 2020 (postponed from 23 March 2020 due to Covid 19) but this meeting was adjourned to 29 June 2020 to allow Members to fully consider representations received in the run up to Committee on 23 June 2020, as considered by officers in Addendum 2. Consideration of the Outline Application by Committee followed extensive public consultation, as follows:

TYPE	DATE	VENUE	LPA/APPLICANT
Public Consultation Event	17.10.2018	The Holiday Inn, Geddington Road, Corby, Northampton, NN18 8ET	Applicant
Site Notice, Neighbour letter and Evening Telegraph Notice (ET)	10.01.2019	N/A	LPA
Neighbour Letter	10.07.2019	N/A	LPA
Workshop Event	13.01.2020	Stanion Village Hall, 10 Brigstock Road, Stanion, NN14 7BU	Applicant
	14.01.2020	Subborough Village Hall / Main Street, Sudborough, NN14 3BX	Applicant

	15.01.2020	St Mary's Church, Church Street, Weldon, NN17 3JY	Applicant
	16.01.2020	Welcome Centre, Roman Road, Corby, NN18 8FZ	Applicant
Site Notice and ET Notice	23.07.2020	N/A	LPA

## CHRONOLOGY

### Resolution to Approve

On 29 June 2020, Members unanimously resolved to approve the Outline Application pursuant to the following recommendation, as set out in paragraph 13 of Addendum 2:

#### *11. Recommendation*

*Approve subject to delegated authority being given to the Head of Planning and Environmental Services to determine the application subject to the conditions set out in this report and satisfactory completion of a Section 106 Agreement on the basis of the Heads of Terms set out in the Second Addendum Report*

### Direction

Prior to resolving to approve the Outline Application, Members were advised of the need to consult the Secretary of State on the Outline Application under the Town and Country Planning (Consultation) (England) Direction 2009 (the "**Direction**"). Under paragraph 5(1) of the Direction, the Secretary of State is required to be consulted in respect of development which includes office use and which:

- a) is to be carried out on land which is edge-of-centre, out-of-centre or out-of town;
- b) is not in accordance with one or more provisions of the development plan in force in relation to the area in which the development is to be carried out; and
- c) consists of or includes the provision of a building or buildings where the floorspace to be created by the development is 5,000 sqm or more.

As explained to Members at Committee on 29 June 2020, the development which is the subject of this Outline Application meets the above criteria under the Direction. Further analysis of the application of the Direction is contained in the Council's statement of material considerations which is appended as **Appendix 4** –see further below.

### Additional Publicity

Following resolution to approve the Outline Application on 29 June 2020, a site notice and a press notice complying with the formalities for the "requisite notice" under paragraph 10 of the Direction were published, on 23 July 2020. These notices, made under Schedule 3 of The Town and Country Planning (Development Management Procedure) Rules 2015, identified the Outline Application as one accompanied by an Environmental Statement and one which is not in accordance with one or more provisions of the development plan. The notices provided 30 days for representations.

### Further Representations and Responses

Further representations in response to the additional publicity were received and reviewed by officers prior to consultation with the Secretary of State under the Direction. These representations are appended as **Appendix 1** to this Update Report so Members are afforded the opportunity to review the representations in full. Appendix 1 also contains officers' summary response to these representations. In short, the representations are not considered by officers to raise novel planning considerations which were not already considered by Members in arriving at their decision on 29 June 2020. Nevertheless, Members are asked to consider the representations and responses, in full.

## **Updated planning conditions and s106 obligations**

### Section 106 Agreement

Following resolution to approve the Outline Application on 29 June 2020, officers also engaged proactively with the applicant and the Local Highway Authority to progress the s106 planning obligations, in accordance with the Heads of Terms set out in Addendum 2.

The draft Section 106 Agreement is appended as **Appendix 2** to this Update Report so Members are afforded with the opportunity to consider the planning obligations, in full. Appendix 2 also contains a headline summary of the obligations and officers' "CIL Reg 122 Compliance Statement" which sets out how the obligations are considered to achieve compliance with the requirements of Reg 122 of the Community Infrastructure Levy Regulations 2010. As Members will be aware, Reg 122 provides that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. Officers are satisfied that these criteria are met here but Members are asked to consider the tests against the obligations, in full.

### Planning Conditions

Officers have agreed some updates and enhancements to the planning conditions set out in the Main Report (as amended in Addenda 1) with the applicant and the Local Highway Authority. These updates have been agreed to eliminate duplication, to ensure consistency, to facilitate phased discharge (where appropriate), and to ensure the development is fully deliverable within the three year time limit approved by Committee. In addition, conditions have been added to ensure the monitor and manage conditions (16-23) are engaged in the event the development is built out in more than four phases (condition 23A); and to separate out the list of junctions originally included in the Travel Plan condition (condition 24) as a distinct condition (condition 23B) which clearly identifies the junctions to be assessed under the transport assessments to be carried out under the preceding monitor and manage conditions. At the Local Highway Authority's request, A6116 junctions between the A43/A4300 and the A14 have been added to this list of junctions. These updates have resulted in the conditions being renumbered. The updated conditions are appended as **Appendix 3** to this Update Report, alongside a summary which explains how the conditions relate to the s106 planning obligations covered by the Section 106 Agreement at Appendix 2.

In summary, Members are asked to consider the updated planning conditions and s106 obligations as set out in this Update Report, in full.

### **Consultation with the Secretary of State**

On 2 October 2020, the Secretary of State was provided with a full suite of information under paragraph 10 of the Direction, namely: (a) a copy of the Outline Application (including copies of any accompanying plans, drawings and any appropriate flood risk assessment) and supporting information; (b) a copy of the requisite notice (as detailed above); (c) a copy of any representations made to the authority in respect of the application; (d) a copy of the Committee Reports; and (e) a statement of the material considerations which the authority consider indicate a departure application (i.e. an application to which the Direction applies) should be determined otherwise than in accordance with s.38(6) of the Planning and Compulsory Purchase Act. The Council's statement of material considerations has been made available on Public Access and is appended to this Update Report as **Appendix 4**. Members are asked to consider the information contained in this referral submission, in full.

On 14 October 2020, the Secretary of State confirmed his decision not to call in the application. A copy of the Secretary of State's decision letter is appended to this Update Report as **Appendix 5**. Members are asked to consider this decision, which means that the Council may now proceed to finally determine the Outline Application.

### **OFFICER'S RECOMMENDATION**

#### **Preamble**

Having regard to (i) the additional publicity after Committee on 29 June 2020; (ii) the representations received by the Council in response to this publicity; (iii) officers' response to these representations as set out in this Update Report; (iv) the information contained in the referral submission to the Secretary State; (v) the Secretary of State's decision not to call-in the application; and (vi) the updated planning conditions and s106 obligations set out in this Update Report, Members are recommended to reconfirm the resolution to grant permission on 29 June 2020 as follows:

**Recommendation**

**Approve subject to delegated authority being given to the Head of Planning and Environmental Services to determine the application, finalise the planning conditions and s106 obligations set out in this Update Report and to complete the Section 106 Agreement.**

10 November 2020

**Officers to Contact**

**Edward Oteng**

**Email: [Edward.Oteng@corby.gov.uk](mailto:Edward.Oteng@corby.gov.uk)**