

# Public Document Pack



**Meeting:** Area Planning Committee Corby

**Date:** Monday 21st June, 2021

**Time:** 7.00 pm

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

To members of the Area Planning Committee Corby

Councillors Watt (Chair), Sims (Vice-Chair), Buckingham, Colquhoun, Dalziel, McGhee, Addison, Armour and Buckingham

Substitute Members: Cllrs McEwan, Rielly

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07	None Notified		
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Adele Wylie, Monitoring Officer  
North Northamptonshire Council



**Proper Officer**

**11<sup>th</sup> June 2021**

\*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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<b>ITEM</b>	<b>NARRATIVE</b>	<b>DEADLINE</b>
Members of the Public Agenda Statements	Requests to address the committee must be received by 12 Noon on the working day before the meeting. Speakers will be limited to speak for 3 minutes.	12 Noon 18 June 2021
Member Agenda Statements	A request from a Ward Councillor must be received by 12 Noon on the working day before the meeting. The Member will be limited to speak for 5 minutes.	12 Noon 18 June 2021

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[Pauline.brennan@northnorthants.gov.uk](mailto:Pauline.brennan@northnorthants.gov.uk)

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## Development Control Committee

Thursday 22 April 2021

7.00 pm Via Zoom Virtual Meeting

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**Present:** Councillor Riley – Chair

Councillors Eyles, Addison, Dady, Dalziel, Sims and Watt.

### 1. Apologies for Absence

There were apologies for absence from Councillor P Beattie.

### 2. Declarations of Interest

Members were asked to declare any personal interests they may have in the business to be discussed and/or indicate whether this was prejudicial or non-prejudicial, the nature of any interest, and whether they intended participating in the relevant agenda item. No declarations were made.

### 3. Planning Applications

#### 3.1 20/00540/LBC/

#### 20/00541/LBC **Removal of the existing longstraw thatch and replacement with new thatch to the cottages and shed at 13 & 13A Church Street, Weldon.**

The application proposal sought consent to remove the existing longstraw thatch and replace the new thatch to the cottages and the shed. The proposal was to use longstraw thatch with the details to the eaves, ridge and verge to replicate the existing.

Relevant policies had been considered and consultations had been carried out with no objections being received.

The proposal was considered to be acceptable in principle as it involved the alteration of a property that was sustainably located within the main built up area of Weldon. Furthermore, it was considered that the development would suitably harmonise with the appearance of the host dwelling and surrounding area. The proposal was considered to be in accordance with the requirements of the Policy 8 of the North Northamptonshire Joint Core Strategy and sections 12 and 15 of the National Planning Policy Framework.

**RESOLVED that: -**

**Approve subject to the following conditions:**

The proposed scheme was in keeping with the Weldon Conservation Area and would provide a much needed new roof to replace a deteriorating roof on a listed building.

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

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be built in accordance with the approved plans as listed below in the 'Schedule of Plans'. The development shall be completed in accordance with the approved plans unless alternative details have been submitted and approved in writing by the Local Planning Authority prior to commencement.

**Reason:** To specify the permission and for the avoidance of doubt.

3. Prior to commencement of that element of the work, details of the verge, ridge and eaves decoration are to be submitted to the Local Planning Authority and approved in writing.

**Reason:** To comply with the Weldon Conservation Area



## North Northamptonshire Area Planning Committee (Corby) 21<sup>st</sup> June 2021

<b>Application Reference</b>	NC/21/00036/DPA
<b>Case Officer</b>	<b>Babatunde Aregbesola</b>
<b>Location</b>	<b>Land at Ashley Road Middleton Leicestershire</b>
<b>Development</b>	<b>Change of use of land from agriculture to residential purposes to provide 5 gypsy and traveller pitches including the provision of hardstanding ancillary to that use.</b>
<b>Applicant</b>	Mr Joe Delaney
<b>Agent</b>	
<b>Ward</b>	Middleton Village
<b>Overall Expiry Date</b>	<b>27.04.2021</b>
<b>Agreed Extension of Time</b>	

### List of Appendices

None

### Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because of significant public interest and given the number of objections being more than three has been received against the application.

#### **1. Recommendation**

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1.1. That planning permission be REFUSED.

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

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2.1 **The applicant is seeking planning permission for change of use of land from agriculture to residential purposes to provide 5 gypsy and traveller pitches including the provision of hardstanding ancillary to that use.**

### **3. Site Description**

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- 3.1 The site is located off Ashley Road on the western side of the road, approximately 1 km to the west of Middleton and Cottingham Villages. The land lies within open countryside with an irregular rectangular shape land measuring 3.8ha, which comprises agricultural grassed land with an existing field access off Ashley Road.
- 3.2 The front boundary consists of a mature vegetation comprising hedgerow and self-seeded tree. There is a 5-bar iron gate with gate post in front of the access.
- 3.3 The application site is bound by agricultural fields to the north, south and west, and to the east by Ashley Road is the Van Equine Open Yard.
- 3.4 The site is currently vacant although it was observed from a site visit that some works have been undertaken including the removal of hedgerows.

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

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- 4.1 None

### **5. Consultation Responses**

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

#### **5.1 Parish Council**

Middleton Parish Council:

I would like to state at the outset that the Parish Council and the villagers of Middleton are not opposed to travellers and we recognise that the needs of travelers for authorised pitches, must be met. There has been a Traveler site on Ashley Road, approved for a named family and their dependents since 2009 and another on the Corby Road out of Cottingham and they are an integral part of our local community.

The Parish Council's considered view is that the proposed development however is inconsistent with the provisions of the National Planning Policy Framework and the North Northants Joint Core Strategy and as such, planning permission should be refused. We consider that the following issues are of relevance to the consideration of this application.

Firstly, the fact that the application form provides incomplete and inaccurate information on many aspects of the site, should have resulted in invalidation. By proceeding with this application, the planning authority is preventing accurate assessment by consultees and those invited to comment and undermining the scope for legitimate determination of the application. The application lacks the detail necessary to enable consideration of the proposed development against policy guidance and accepted standards required of development and fails to meet the expectations of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Furthermore, the application fails to adequately justify and describe the proposed



development - including the qualification of occupiers to meet the statutory definition for gypsies and travellers. Submissions made with the application provide limited information as to the expected status of any potential occupier of the development despite the fact that there is an onus on the applicant to demonstrate that future occupiers would meet the definitions provided by the 2015 Planning Policy for Traveler Sites. We should also expect that the reasons for the scale and form of development, and the basis for its siting in this location would be established, to demonstrate why this development should be considered in breach of development plan policy. None of this information is available in the application.

The Parish Council is aware that this application has been submitted in the context of a breach of planning control relating to the carrying out of engineering operations on the site. The now unlawful importation of materials to the site raises issues in respect of potential ground contamination and the possible impact of such contamination on ground and surface water conditions. The unauthorized importation of materials from unknown sources and of unknown content, also raises question over the consequent suitability of the site for human habitation.

In early February, Corby Borough Council and the Police were notified of the presence of protected species in the area of this site. By not undertaking a protected species survey of the site prior to undertaking major unauthorized engineering works and destroying the landscape and wildlife habitat of a section of this historic field, the owners have potentially committed a crime under the Wildlife and Countryside Act 1981. We understand that the police are currently investigating whether a crime has been committed. The field is also located on the site of a roman road and there have been archaeological finds in the area. The Parish Council considers that an archaeological survey should have been undertaken prior to any work Commencing on the site.

The submitted plans seem to establish arbitrary boundaries for the application site, particularly the southern boundary. Should this development proceed, there should be absolute clarity over the use of the land edged blue within the application. The southern boundary of the site extends beyond the line of a pond in the neighboring field close to the boundary hedge. Due to the danger of contamination, the extension of the site this far south would be inadvisable.

Whilst presented as an alteration to an existing field access, submitted plans provide no information about gateway and access design and therefore it is impossible to judge the proposed development in terms of highway safety. The site is located on a narrow, unrestricted, country road with no verges and high hedges. In places it is difficult for two cars to pass. The safe entrance and exit of large cars towing touring vans would be very difficult given the width of the road at the access point.

Whilst the area is technically outside areas recognized by the Environment Agency as being at the highest risk of flooding, the site is distanced from the River Wetland flood plain only by the Ashley Road. The attached photo shows how close the flood plain comes to the application site. This year the flood plain has extended to fields south of Ashley Road, also shown in the photographs.

Furthermore, this and adjoining land is known to suffer from poor drainage. The ridge and furrow nature of the landscape has been untouched for hundreds of years and the system of surface water drainage in this and neighbouring fields is complex and delicate. The ridge and furrow in this field directs some surface water into the neighbouring field where it collects in a pond and feeds back into Peasdale Hill at its lower end where the site is

located. The bulldozing of large quantities of soil and a drainage pipe from the section of the field nearest to the road has filled in a natural pond and disturbed existing arrangements for soak away which will exacerbate drainage problems. The site is at the bottom of a slope - Peasdale Hill - and water runoff has always collected at the bottom of the field next to the road. This will impact on the manner in which foul and surface water drainage can be addressed and the degree to which any planning permission would be capable of implementation. Consideration of such issues through conditions would not meet the provisions of paragraph 54 and 55 of the NPPF as this issue has the potential to undermine any decision which might result in the grant of planning permission.

Policy 31 of the North Northants Core Strategy states that sites should link to an existing settlement with an adequate range of services. The proposed development is 0.6 miles from the edge of Middleton along a narrow, unrestricted, unlit road with no verges, let alone a footpath. Access into Middleton on foot would be very dangerous indeed, as two cars can barely pass in some stretches of the road.

Paragraph 127 of the NPPF states that development should add to the overall quality of the area and be sympathetic to the local character including the landscape. This site is in open countryside, in the Welland Valley in an ancient ridge and furrow field. Development here would be totally out of keeping with the rural landscape and the character of the valley. Paragraph 25 of the Planning Policy for traveller sites states that local planning authorities should restrict development in the open countryside and that weight should be given to previously developed land and sites landscaped to enhance the environment. A caravan site in this location could not enhance the environment in any way.

The Planning Policy for Traveller sites states that the scale of sites should not dominate local settlements. This is the fourth application for a traveller site on the Ashley Road in a 12-month period and if approved and the other applications succeed at appeal, would be the fourth site outside the small village of Middleton. This would be a totally disproportionate location of traveller sites in one area and would be contrary to Corby BC's policy of approving small-scale sites that are easily monitored and managed.

The Parish Council also has a broader policy concern in that there is an observed pattern across Northamptonshire of travellers seeking rural sites, not to secure permanent accommodation for their families but for speculative reasons and in order to rent the pitches or caravans out for personal gain. Where this is the case, it is not catering for unfulfilled local need but creating a surplus supply that attracts families to the area. The development of sites without any regard to planning policy or location makes a mockery of the planning system and carries a great danger of creating a disregard of planning law amongst the general population; not to mention tensions between the settled and the traveling communities.

Finally, in the view of this Parish Council it is totally inappropriate and naive to grant planning permission to an unsustainable site and then place conditions on it to control site activities, visual appearance; boundaries and landscaping; sewage disposal; access to the highway etc. This applicant for example, has already proved their disregard of a Stop Notice, a disregard that makes enforcement by planning condition difficult to contemplate.

The Parish Council urges this planning authority and its successor to

- develop a strategy of traveller sites in appropriate locations to meet assessed need as a matter of urgency
- identify and allocate land for such purpose in line with planning policy to reduce the number of speculative applications
- enforce planning laws robustly in order to discourage this speculative approach to development.

For the many reasons outlined above, we request that the Planning Authority rejects this application. If the application is considered at a Development Control Committee meeting, the Parish Council requests the opportunity for a representative to speak at the meeting.

### **East Carlton Parish Council:**

Thank you for your letter dated 16<sup>th</sup> February 2021 regarding the above and referenced NC/21/00036/DPA (Peasdale Hill Field)

The East Carlton Parish councillors have now considered the application in detail and have registered their total opposition to the proposal.

The councillors take the view that there is now a new type of traveler in the area actively seeking rural sites, not to secure permanent accommodation for their own family, but for speculative reasons and personal gain. A person with the same name as the applicant has recently done a similar thing on a site between Loddington and Great Cransley which is not full and has a sign on the roadside drawing attention to caravan pitches to rent. The applicant's main argument is that there is an unmet need for additional traveler sites in the Borough. This type of site is not catering for an unfilled local need but is creating a supply which is attracting travelers to move to the area.

These sites are being developed without any regard to planning policy, location and local communities. It is making a complete mockery of the planning system and is in danger of making the general population think that the planning laws can be disregarded.

The idea that these unofficial sites are best tolerated by granting them permission, but with conditions, to control site activities, visual appearance, scale, landscaping etc. is naive as proven by the fact that this applicant has ignored all stop and enforcement notices that have been put in place to date. There is a clear disregard for the law which means that the enforcement of any planning conditions become impossible to enforce.

By allowing these sites to be developed illegally, the general population believes that this particular sector of the community is treated favorably and this increases the resentment that already exists.

The councillors recommend the development of a new policy on traveler sites in the new North Northants Unitary Authority area based on proven local demand. The identification and allocation of land in appropriate locations to satisfy this proven demand to ensure that any speculative applications can be quickly rejected

East Carlton Parish Council is aware of the response of Middleton Parish Council and in particular the publication of a Response leaflet circulated throughout the parishes. A copy is enclosed. It wishes to support all aspects of the document, with particular emphasis on the storm water exiting into the River Welland with associated flooding.

The Borough Council will be aware of the legal requirement to consult the Badger Group in these circumstances and I would be grateful for confirmation that this has now been done.

### 5.2 Neighbours/Responses to Publicity

Public consultation was carried out by way of sending notification letters to 250 interested parties on 22.03.2021 to ensure that all interested parties were notified. 354 public objections have been received to the application along with an objection letter from local MP for Corby and East and objection from a local councillor from Middleton.

A summary of the material planning reasons for objections include:

- Highway safety concerns including increased traffic, dangerous accesses in proximity to the blind bend in the road.
- Number of traveller sites in and around Middleton and Cottingham.
- Drainage concerns due to increased hardstanding.
- Disposal of sewage/foul water.
- Design of boundary fence and removal of existing hedgerows.
- Harm to visual amenity and rural character of the area.
- Against planning policy.
- Environmental damage including impact on the nearby River Welland.
- Pollution concerns.
- Waste management.
- Breach of planning policy

### 5.3 Local Highway Authority (LHA)

It cannot assess the application due to lack of basic data.

The LPA are to advise the LHA as to whether the site is for 5 dwellings (static caravan) or 10 (including touring caravans). The LPA should note that the LHA have policy limiting the number of dwelling served from a shared private drive to 5 dwellings.

No vehicular data is included other than the stated 10 car parking spaces on the application form. No vehicular access point, visibility splay of 2.4m x 2.15m, width access, surfacing, gradient, drainage, parking bays or turning head have been supplied.

### NCC EHO

No objection and no comments to make.

### The Lead Local Flood Authority

No response was received.

### Natural England

No response was received.

### Tree and Landscape Officer

No response was received.

### NCC Archaeological Advisor

The works which have taken place so far have resulted in the loss of a large area of archaeological earthworks, specifically ridge and furrow which is the visible remnant of the pre-Enclosure open field system of the parish of Middleton. The earthworks were built up by repeated use of a single-bladed plough over decades and they are characteristic of this part of the Midlands; Northamptonshire has lost many such areas of earthworks due to modern

development and cultivation, and efforts are now made to ensure the survival of this increasingly rare landscape feature. The Middleton earthworks are especially notable for their excellent preservation over a wide area on both sides of the Ashley Road; different orientations of earthworks indicating the separate fields of the medieval system are clearly visible.

In addition, the Ashley Road runs on or close to the line of the Gartree Road, a Roman road from Leicester to Godmanchester. Part of the road was exposed and recorded a short distance to the east in 1989 but no investigation has been carried out in the immediate vicinity and the preservation of the road here, or indeed of any activity alongside the road such as burials, small scale settlement etc, is unknown. The depth to which the site has been stripped is not clear, nor is it known at what depth archaeological remains relating to the road may be present and it is therefore not known whether the groundworks have caused damage to archaeological levels.

I note that the Planning Statement refers to the NNJCS but does not list Policy 2 of the NNJCS as relevant to the site; however, this policy sets out the intention to protect, preserve and enhance the historic environment. The policy is clear on the need for understanding the impact of proposals on the historic environment as it is an irreplaceable resource. The application does not demonstrate any understanding of the damage caused to the affected heritage assets.

The presence of ridge and furrow does not necessarily preclude development but applicants are encouraged to protect and enhance the earthworks where possible, and to reflect the grain of the site where the earthworks cannot be retained. In this case no opportunity was taken to do so which is extremely regrettable.

In this case, had an application come forward before any works took place, I would have advised against use of the site for this purpose and would have recommended that a more suitable site be identified if possible. The NPPF is clear, in paragraph 199, that the ability to record heritage assets ~~sh~~ not be a factor in deciding whether their loss is permitted.

In this case however, an unknown amount of damage has already been done. If Corby Borough Council consider that the application is to be permitted then remedial works in respect of archaeology should be carried out before any further groundworks take place to establish whether deposits relating to the Roman road are present, or have been damaged, and to assess the lost ridge and furrow in the contexts of the surrounding surviving areas.

#### Northamptonshire Badger Group:

Firstly, we are very concerned that work has commenced on site without an ecological appraisal, especially given the rural location. A decision absolutely cannot be made on this site without an ecological appraisal in place pre-determination, so that any mitigation required will be secured by a condition.

We are aware of a large amount of badger activity, for many decades, on and near the site. There are at least 5 known badger setts near the site, 4 of which are within 500m and a large main sett within 250m of the site and highly likely other

unknown setts are present also. Our records also show multiple badgers killed on the adjacent roads surrounding the site, particularly Ashly Road directly adjacent to the site boundary, thus confirming the badger activity and regular movement across the site in question. The site is ideal habitat for badgers to live and forage with untouched hedgerows, ridge and furrow and regular spinneys/woodland areas. Clear mammal paths can be seen on and around the site as well as foraging signs and latrines.

Badgers and their setts are fully protected in the UK by the Protection of Badgers Act 1992 and by Schedule 6 of the Wildlife and Countryside Act 1981 (as amended). Section 40 of the Natural Environment and Rural Communities Act 2006 places a public duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. Badgers are a material consideration when it comes to planning applications.

Therefore, before this application can be assessed or even considered for or against approval, a comprehensive ecological assessment including detailed badger survey is necessary along with proposed outlines for mitigation, assessment of impact and cumulative impacts. Attention is brought to relevant GOV UK advice in addition to other recognized baseline survey methodologies. Legislative references should include reference to The Protection of Badgers Act 1992 along with other biodiversity and ecological legislation relating to protected species and habitats.

Should the ecological appraisal be completed sufficiently, given the protected species activity, we would, at a minimum, request the following to be included and mitigation put in place for a revised planning application:

- Pre-commencement survey, by a suitable qualified ecologist, with badger experience, to ascertain whether any new badger activity has occurred on site. Badgers utilise multiple setts at different times of the year and given the proximity to 5 setts, it is likely additional setts could be dug on site before work begins. Should a badger sett be found within the site, work should stop until a suitable qualified ecologist can assess the situation. An exclusion, protection zone around the sett of 30 metres should be put in place as soon as possible. All appropriate ecological assessment and mitigation plans revisited.
- Tool box talks for all construction staff regarding badgers should be given for the site, to include: Covering open trenches/pipes and using ramps to prevent a badger getting stuck at night. Checking of any soil heaps for fresh digging each day. Checking for any new badger activity on site each day etc.
- Sensitive lighting, particularly at night, during construction
- Sensitive lighting plan after completion, particularly at night, which needs to not adversely affect the badger's natural behaviours.
- No night working on site, so as to not disturb the badgers' natural behaviour.
- Maintaining the hedgerows surrounding the site as safe dark corridors for badger movement.

Therefore, we are objecting to this application on these grounds. Should a suitable ecological appraisal be undertaken by a qualified ecologist with badger experience, we will be happy to reassess this application. We look forward to seeing the full ecological report and details badger survey, when we can comment fully.

### The Countryside Charity Northamptonshire (CPRE):

1. Policy 3 Par (b) of the NNJCS states that any development should protect and, where possible, provide for the retention of important landscape areas. This proposed Gypsy /Travellers site would significantly alter the appearance and character of the countryside adjacent to the village of Middleton, as well as disturbing the historic ridge and furrow field on which it would be sited.
2. Whilst recognising the need for an increase in the number of plots for Gypsy/Traveller residence within the Corby Borough (2018/33) , for present future occupation , the non- inclusion of any specific sites, to accommodate this provision , in the Final Draft Local Plan(Part 2) for Corby Borough has encouraged some opportunist site developments in this area The Planning Inspector for the submitted Local Plan (Part 2 highlighted this non — inclusion in her recommendations (Policy 14 Gypsy and Travellers)
3. Policy 31 Par (b) of the NNJCS says that the proposed site, or CUMULATIVE impact of the site, in combination with existing or planned sites, will not have an unacceptable impact on local infrastructure. As well as the obvious pressure on local primary schooling capacity, the proposed site would significantly affect the enjoyment amenity of their local countryside.
4. Policy 19 Par b (i) of NNJCS safeguards against any development that compromises the integrity of the Green Infrastructure Network, and this proposed site would contravene this policy with the adjacent Sub Regional Green Corridor (Jurassic Way) being adjacent to this site. This Corridor is one of the most significant in the Borough, and countryside amenities are in place to improve and enhance the wellbeing of everyone who can benefit and be released from the pressures of urban living.
5. We accept that Northamptonshire Highways will report their findings to you, but we believe that there are considerable risks associated with any further development on this section of road between Middleton and Ashley. This is a narrow rural road used by heavy agricultural vehicles, along with cars, cyclists, horses, and pedestrians. Short of widening the road and improving vision by removing hedging and trees, there can be no practical mitigation to deal with this problem, and when considering the entrance/exit to and from this proposed site.

For all the above reasons, CPRE Northamptonshire consider that this retrospective application would have an unacceptable impact on the rural character of Middleton village, and the amenities of its residents.

### NCC Built and Natural Environment

I am writing in response to your consultation on the above application for a change of use at Peasdale Hill Field. I have three key concerns with this site:

- The field is the centre of a 'red zone' for great crested newt. Extensive modelling has recently been done in preparation for the county entering into a district level licence for GCNs. Even when the licence is in place a survey will still need to be done for applications in a red zone. I note there's a pond in the south west corner of the field, and there are ponds nearby in the surrounding fields. In my view it's a very real possibility that the works have disturbed hibernating GCNs,

and certainly if the pond in the field to the east is a breeding pond then NE's rapid risk assessment tool comes up as 'amber: offence likely'.

- In addition to being archaeologically important, ridge and furrow can be ecologically important as it produces varied microhabitats which can yield greater diversity than would be found on a flat site. I can't find any record of the field being surveyed but there's potential for substantial plant and invertebrate species richness.
- The field boundaries have not changed since 1886 which is as far back as I can see. Due to the rural location, they likely go back rather further than that which means they might qualify as important under the Hedgerow Regulations.

Bearing the above in mind, and in accordance with the Biodiversity SPD the application requires a detailed preliminary ecological appraisal by a suitably qualified ecologist and depending on the results detailed botanical and invertebrate surveys. There is also the potential for GCNs, badgers and reptiles, and the hedgerows might also be important for bats. All surveys must be done pre-determination so that if any mitigation is required it can be secured by condition.

In accordance with the NPPF and Policy 4 of the JCS the application will also need to demonstrate how it will deliver a net biodiversity gain.

Until the required surveys are done the council does not have sufficient information to determine this application.

#### Crime Prevention Design Advisor

I have been in contact with a member of the Corby Neighbourhood Policing Team who is one of the officers who in part has responsibility for the Middleton/Cottingham area. Northamptonshire Police have no concerns or objections relative to this application in relation to crime and disorder issues.

Northamptonshire Police generally approve the use of land for traveller/gypsy sites provided that such sites are for small named family groups who have local connections to the area. This land should not however be permitted to be used as a transient traveller/gypsy site at any time. To ensure that the site remains for the use of named family members we would like to request that a condition similar to the following is imposed on any planning permission granted: -

- Planning permission is specific to named individuals and only they shall reside on the site. Permission lapses if the named individuals and children leave the site.

In addition, to reduce opportunities for crime and to ensure a site which complies with best practice guidance we would like the site to comply with the following criteria - No business shall be conducted on the site and no storage of trade waste or metals is permitted. The site must also be laid out to comply with the 'access for emergency vehicles' section and follow the guidance of Designing Gypsy and Traveller sites good practice guide.

The application should address local needs for the provision of traveller pitches/accommodation for people with local connections in the Corby district and the county of Northamptonshire only.

## **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)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)
- 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)  
Policy 1 – Presumption in Favour of Sustainable Development  
Policy 3 – Landscape Character  
Policy 8 – North Northamptonshire Place Shaping Principles  
Policy 11 – The Network of Urban and Rural Areas  
Policy 31 – Gypsies and Travellers and Travelling Show People
- 6.4 Part 2 Local Plan for Corby (Submission version) (December 2019)  
Policy 14 – Gypsies and Travellers

The Publication Draft (Submission) Part 2 Local Plan for Corby was submitted to the Secretary of State on 19 December 2019 and is currently undergoing independent examination. The planning policies within the Part 2 Local Plan can be afforded weight at this stage in accordance with paragraph 48 of the NPPF, according to their degree of consistency with the NPPF (the closer the policies to the NPPF, the greater the weight that may be given), and extent of unresolved objections received to relevant policies.

Following the Part 2 Local Plan examination hearings that took place between 29 September to 2 October 2020, there are several proposed modifications to specific policies that will undergo a public consultation in due course. It must be noted that both Policy 2 and Policy 5 are subject to change and therefore officers consider that only limited weight should be afforded to these policies now.

It must be noted that until the Part 2 Local Plan is formally adopted, it is given moderate weight by officers.

- 6.5 National Policy for Traveller Sites (August 2015)

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Design and Visual Impact
- Residential Amenity
- Highways
- Refuse and Recycling
- Flood Risk and Drainage

- Landscaping.
- Ecological Impact.

## 7.1 Principle of Development

- 7.1.1 As set out in Paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 of the NPPF explains that achieving sustainable development means that the planning system has three overarching objectives: economic; social; and environmental; which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).
- 7.1.2 Paragraph 9 of the NPPF outlines that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, paragraph 38 of the NPPF prescribes that local planning authorities should approach decisions on proposed development in a positive and creative way and that decision-makers at every level should seek to approve applications for sustainable development where possible.
- 7.1.3 Paragraph 12 of the NPPF sets out that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. In addition, paragraph 47 of the NPPF states that planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.1.4 Furthermore, the accompanying Planning Policy for Traveller Sites should be read in conjunction with the NPPF and is a material consideration in planning decisions.
- Policy H of the Planning Policy for Traveller Sites provides national guidance on determining planning applications for traveller sites. Paragraph 22 of this document outlines that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 7.1.5 Paragraph 23 continues that applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in national planning policy.
- 7.1.6 Paragraph 25 states that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan.
- 7.1.7 Of key relevance is paragraph 27 which provides guidance on how decisions should be made where there is a lack of up-to-date five-year supply of deliverable gypsy and traveller sites.

7.1.8 In this regard, and in considering the overall planning balance as to whether the proposed development subject to this application constitutes sustainable development, an important material consideration in this case is whether the Council can robustly demonstrate a 5-year supply of deliverable gypsy and traveller sites. This will affect whether Paragraph 11 of the NPPF is engaged and consequently the weight that can be attributed to the Development Plan.

#### 7.1.9 **The Development Plan**

Currently the Council's statutory Development Plan consists of the North Northamptonshire Joint Core Strategy (2016) and Part 2 Local Plan for Corby (Submission Version) (December 2019).

The application site is located outside of any settlement boundary and therefore constitutes open countryside. Policy 11 of the North Northamptonshire Joint Core Strategy is clear that development proposals will be resisted in the open countryside unless there are special circumstances as set out in Policy 13 or national policy.

Policy 31 of the Joint Core Strategy sets out the criteria for consideration when determining planning applications for gypsies and travellers (and travelling show people). Specific consideration should be given to criteria (a) that the site is closely linked to an existing settlement with an adequate range of services and facilities. b) the site, or the cumulative impact of the site, in combination with existing or planned sites, will not have an unacceptable impact on local infrastructure; c) the site provides a suitable level of residential amenity for the proposed residents; d) the site is served (or can be served) by an adequate water supply and appropriate means of sewage disposal; e) there is satisfactory access and adequate space for operational needs including the parking, turning and servicing of vehicles; f) the health and well-being of occupants is not put at risk including through unsafe access to the site, poor air quality and unacceptable noise or unacceptable flood risk and contaminated land; g) the size of the site and number of pitches does not dominate the nearest settled community; h) the proposed development does not have a significant adverse impact on the character of the landscape and takes account of the Landscape Character Assessment of the area. Appropriate landscaping and treatment to boundaries shall be provided to mitigate impact.

The application site lies approximately 1km from the northern edge of the village of Middleton and Cottingham. Ashley Road is an unlit, narrow country road and does not contain footways until it enters the built-up area of the village. It is not considered that the site can be described as closely linked to an existing settlement both in terms of distance and ease of travel without the need to use a vehicle for every trip. The proposal would result in the creation of an isolated home in countryside, such that its future occupier would not be closely linked to a settlement that offers services and employment to meet the day to day needs of occupants of the development.

Policy 31 criteria d) requires the site is served (or can be served) by an adequate water supply and appropriate means of sewage disposal. There is no evidence of water provision and means of sewage disposal within the submitted documents for the proposed development. This is considered to weigh against the application.

In terms of Policy 31 criteria e) which relates to access into the site, the submitted plans fail to show vehicular access point, visibility splay of 2.4m x 2.15m, width access, surfacing, gradient, drainage, parking bays or turning head. This is considered to weigh against the application.

Policy 31 criteria h) requires that appropriate landscaping and treatment to boundaries shall be provided to mitigate impact caused by the development. The proposed scheme would involve several mobile homes and vehicles being sited and parked within the pitches. The pitches would also incorporate hard standings which would be linked to an existing access road. The individual and combined effect of this would be an urban intrusion into an overtly rural and tranquil landscape that would meaningfully alter the nature of the application site from part of an open undeveloped field to that of residential development. Such development would appear starkly isolated given its physical remoteness from a settlement. This would significantly harm the character of the landscape.

The application site is not proposed for allocation for development in the Adopted Local Plan or the Emerging Local Plan. The proposed development is therefore contrary to the Adopted Local Plan, in particular Policy 31 of the North Northamptonshire Joint Core Strategy (2016).

#### 7.1.10 **5 Year Land Supply**

Of key relevance is paragraph 27 which provides guidance on how decisions should be made where there is a lack of up-to-date five-year supply of deliverable gypsy and traveller sites.

The current and future need for gypsy and traveller accommodation is set out in the North Northamptonshire Gypsy and Traveller Accommodation Assessment, published in March 2019. In Corby, it reports a need for an additional 10 pitches for households between 2018 and 2033 that meet the planning definition. The number of pitches required is set out by year periods below:

Years	0-5	6-10	11-13	14-15	Total
	2018-23	2023-28	2028-31	2031-33	
	7	2	1	0	10

The Councils five-year land supply position in the Corby Area on 1 March 2020 is presented below:

Completions 2018-2020	0
Pitches in Development Plan Site Allocations	0
Pitch Supply from extant permissions	0
Total Pitch Supply	0
Requirement 2018-2023	7
Requirement 2023-2028	2

5 Year Land Requirement 2020-2025	7.4
<b>Years of Land Supply</b>	<b>0</b>

The Council, in the absence of a five-year supply of sites is at risk of losing planning appeals for unauthorised, and unmanaged Gypsy and Traveller encampments at unsuitable locations.

The North Northamptonshire Gypsy and Traveller Accommodation Assessment indicated that there may be scope for expanding existing sites to meet some of the need. Opinion Research Services were appointed in April 2020 to assess the suitability, availability and achievability of existing Gypsy and Traveller sites to meet a proportion of the identified need in Corby, as identified in the North Northamptonshire Gypsy and Traveller Accommodation Assessment. Work has been significantly delayed due to the spread of coronavirus. Indicative site layout plans are currently being prepared for the four existing lawful sites in Corby and these will be subject to consultation with a stakeholder group and occupants of the sites over the coming months. The ORS study will feed into a new Gypsy and Traveller Allocation Development Plan Document that will seek to allocate land or provide other solutions to meet the accommodation needs of Gypsy and Travellers.

The latest LDS anticipates the initial stage of public consultation (Regulation 18 consultation) to take place this year. However, it is acknowledged that the Gypsy and Travellers Allocation Plan will take at least three years to become adopted policy, therefore the Council is currently unable to demonstrate an up-to-date five-year supply of deliverable gypsy and traveller sites which is a significant material consideration which weighs in favour of the proposed application.

A material consideration in this case, is the Council's current lack of up-to-date five-year supply of deliverable gypsy and traveller sites which weighs in favour of the proposed application and that the most important policies for determining the application are out of date. However, I have found that future occupiers of the proposed development would be predominantly reliant upon private motor vehicle, and this would conflict with Policy 13 of the NNJCS and Chapter 9 of the Framework, which promotes sustainable transport. In addition, the proposal would cause significant harm to the character and appearance of the area and highway safety. All of which would be adverse impacts of the development at odds with development plan and the Framework and would significantly and demonstrably outweigh the proposal's limited benefits, when assessed against the policies in the Framework taken as a whole.

## **7.2 Visual Impact**

Policy 8 of the NNJCS states that development should respect and enhance local character by ensuring that it responds to its topography, wider context and the landscape setting. Consistent with Policy 8 of the NNJCS and the design-led approach advocated by the NPPF, the suitability of a development must be measured in part on its overall quality and function to ensure development is appropriately located and has regard to the surrounding area.

The applicant seeks planning permission for change of use of land for the siting of caravans for residential purposes for 5 permanent gypsy pitches together with the formation of hardstanding ancillary to that use.

The proposed pitches would have dimensions measuring 10m in width and 8m in depth with a maximum height of 4.8m with 2.8 eaves height. The five pitches are designed like a U-shape with amenity space centrally located in the middle. The submitted plan shows the proposed layout with only partial element being developed with hardstanding laid for the caravans to be sited on and the rest of the site remaining as agricultural land. Each pitch will include space for touring caravan, mobile home, and a day room to serve a single family.

The proposed scheme would involve several mobile homes and vehicles being sited and parked within the pitches. The pitches would also incorporate hard standings which would be linked to an existing access road. The individual and combined effect of this would be an urban intrusion into an overtly rural and tranquil landscape that would meaningfully alter the nature of the application site from part of an open undeveloped field to that of residential development. Such development would appear starkly isolated given its physical remoteness from a settlement. This would significantly harm the character of the landscape.

Consequently, there would be the inherent risk that the domestic paraphernalia and activity associated with the pitches would sprawl to fill the entire plots. Conditions limiting the number of caravans, fixing the site layout, and preventing commercial activity could prevent the impacts compounding or spreading, but this would have some practical difficulties as it would require a high degree of monitoring by the Council and compliant applicant. Notwithstanding this, conditions along these lines would simply contain the harmful impacts rather than mitigate the inherent harm to the landscape that would occur from the presence of the pitches.

The visual impacts of the developments would be localised due to the presence of the hedges around the perimeter of the field within which the application site is situated and the vegetation to the north east and west. There are also other belts of landscaping that contain views of the application site. In particular, there is a thick belt of landscaping to the north of the access into the field and this is quite successful as a screen. On the eastern side of the road another thick belt of landscaping has been planted on the eastern side of the roadside hedge. This already provides a notable screening effect from the adjacent road network to the north/east such, that only the very top of the existing mobile home is visible. Over time, it is unlikely the developments would be visible from this vantage point.

The proposals would nevertheless result in the sense that the countryside has been encroached upon by residential forms of developments discordantly intruding into a tranquil rural location. Accordingly, the localised impact would still be very apparent and significantly harmful, somewhere between the 'slight/moderate adverse' and 'major adverse' categorisations suggested by the respective landscape experts in their submissions. Due to the distance and intervening vegetation, there is unlikely to be any visual impacts to the users of the Ashley Road.

The section of hedge immediately to the access point into the site is not particularly thick or structural, unlike the belt of landscaping to the north on the other side of the entrance into the field. Furthermore, it does not screen views looking along the field access. Therefore, it would not be successful in screening the development, especially in winter when the leaves drop. In any event, it would

be imprudent to rely on landscaping as a means of screening or hiding inherently discordant development because it could fail or die in the future.

In conclusion, the proposed development would have a significant adverse impact on the landscape and character and appearance of the area. The submissions do not demonstrate this impact could be mitigated. As a result, the proposal would conflict with Policies 2, 8, 11 and 31 of the North Northamptonshire Joint Core Strategy (2016), which seek to secure development that is sensitive to the landscape and does not result in significant adverse impacts.

### **7.3 Impact on Neighbouring Amenity**

The development is considered to create no undue impact on the amenities of the nearest residents arising from the proposal with the nearest residential dwelling being approximately 1km to the north-east of the site. Nearby residents are sufficiently far away to preclude the likelihood of any unacceptable disturbance from residents on the site and these matters also do not weigh against the proposal. No concerns were raised by the Council's Environmental Health team in respect of neighbouring amenity.

### **7.4 Highway Impact**

The Local Highways Authority (LHA) have not formally objected to the proposal but have raised several concerns and requested further information. The applicant was contacted on 8<sup>th</sup> March 2021 inviting the submission of this additional information which went unanswered.

The LHA note that the application states that the proposal is for 5 dwellings (static caravan) or 10 (including touring caravans). It advises that the LHA have policy limiting the number of dwelling served from a shared private drive to 5 dwellings.

In addition, no vehicular data is included other than the stated 10 car parking spaces on the application form. No vehicular access point, visibility splay of 2.4m x 2.15m, width access, surfacing, gradient, drainage, parking bays or turning head have been supplied.

The applicant in its Planning Statement states that the application site has existing gate field access which would be utilised for the proposed pitches. This access off Ashley Road has a good visibility from an easterly direction in the excess of 216m as required by Manual for Streets. Whilst the visibility from the westerly direction is less than this, the situation could be improved by pruning and maintenance of the front boundary vegetation. As it is an existing access and suitable visibility splay could be achieved, it is considered that there would be no adverse highway safety implications caused by the proposal.

In the absence of a response to address the concerns raised by the LHA from the applicant and no detailed plan submitted to enable the officer to assess the implication of the proposal from highway perspective, officer concluded that the application be refused on the grounds of insufficient information. It is unclear at this stage that the applicant will be able to resolve all the concerns raised by the LHA, assumption at this stage could not be carried forward.

In the absence of sufficient information, the proposed development would contradict Policies 8 and 15 of the North Northamptonshire Joint Core Strategy

(2016) which seeks satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

## **7.5 Refuse and Recycling**

It is important that developments have acceptable provision to allow for the storage and collection of refuse and recyclables. As well as the need for all properties to have adequate space to store the various refuse and recyclable bins, the Council's requirement is for all bins to be placed within 15 metres of the adoptable highway on collection day.

Although generally there is plenty of space within the layout to accommodate these requirements along with the storage of bins, no details have been provided by the applicant, as such officers would recommend the inclusion of a condition with any grant of planning permission to ensure that waste and recycling matters are satisfactorily addressed.

## **7.6 Flood Risk and Drainage**

The Lead Local Flood Authority and Environment Agency had no comments to make on the application therefore the Local Planning Authority can only consider the application as presented.

The application form at question 10 proposes the use of a package treatment plant which would not connect to an existing drainage system. Although no details have been provided for the package treatment plant, officers are satisfied with the argument put forward by the applicant that the use of a package treatment plant is the only reasonable and cost-effective option and that this can be addressed by way of condition should planning permission be granted. The applicant be aware that permit will be required from Environment Agency for the use of package treatment plant for foul sewage disposal.

In terms of the flood risk impact, the site is located within flood zone 1 in relation to flooding from rivers putting it at a low risk of fluvial flooding. Regarding surface water flood risk the site is situated in an area at a low risk of surface water flooding. There is no evidence to suggest that if this development were it to go ahead it would cause issues with flooding or drainage if it were managed properly, however, officers would expect to see the use of permeable hardstanding on the site. This can be controlled by appropriately worded conditions should the application be minded for an approval.

Therefore, subject to conditions relating to foul water strategy and sustainable drainage systems, the proposal is on balance considered satisfactory and in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy 2016.

## **7.7 Ecology impact**

Policy 4 of the North Northamptonshire Joint Core Strategy 2016 seeks to ensure the protection, management, and enhancements of the natural environment including biodiversity.



The application land lies within open countryside with an irregular rectangular shape land measuring 3.8ha, which comprises agricultural grassed land with an existing field access off Ashley Road. The site is located off Ashley Road on the western side of the road, approximately 1 km to the west of Middleton Village.

As the site is overgrown, it could be either a hibernating habitat or foraging habitat for hedgehogs, great crested newt, which are Priority Species under section 41 of the Natural Environment and Rural Communities (NERC) Act, 2006.

Having been consulted, the NCC ecologist officer concludes that the field is the centre of a 'red zone' for great crested newt. Extensive modelling has recently been done in preparation for the county entering a district level licence for GCNs. Even when the licence is in place a survey will still need to be done for applications in a red zone. I note there is a pond in the south west corner of the field, and there are ponds nearby in the surrounding fields. In my view it is a very real possibility that the works have disturbed hibernating GCNs, and certainly if the pond in the field to the east is a breeding pond, then NE's rapid risk assessment tool comes up as 'amber: offence likely'.

In addition to being archaeologically important, ridge and furrow can be ecologically important as it produces varied microhabitats which can yield greater diversity than would be found on a flat site. I cannot find any record of the field being surveyed but there's potential for substantial plant and invertebrate species richness. The field boundaries have not changed since 1886 which is as far back as I can see. Due to the rural location, they likely go back rather further than that which means they might qualify as important under the Hedgerow Regulations.

Bearing the above in mind, and in accordance with the Biodiversity SPD the application requires a detailed preliminary ecological appraisal by a suitably qualified ecologist and depending on the results detailed botanical and invertebrate surveys. There is also the potential for GCNs, badgers and reptiles, and the hedgerows might also be important for bats. All surveys must be done pre-determination so that if any mitigation is required it can be secured by condition.

In accordance with the NPPF and Policy 4 of the JCS the application will also need to demonstrate how it will deliver a net biodiversity gain.

Therefore, the Local Planning Authority has a biodiversity duty to avoid decisions which contribute to the population decline of these priority species. In the absence of an ecological assessment report to assess the impact of the proposed development on biodiversity/protected species and possibly propose mitigation measure, the application will contradict the objectives of Policy 4 of the North Northamptonshire Joint Core Strategy 2016 and advice within the NPPF.

## **8 Other Matters**

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- 8.1** The introduction of a hardstanding at the application site amounts to intentional unauthorised development because the appellants knew they needed planning permission but undertook the development without being granted it first.

The works have resulted in extensive and excessive areas of hard standing being laid. As such, some physical damage to the land has occurred and this may prove

difficult to remediate. It has also prevented biodiversity surveys of the site in its pre-developed state. That said, the hard standing is compacted hard core so it could be removed, and the field re-established. This would, however, take time and money.

Nevertheless, the works undertaken have gone well beyond what is necessary to establish a temporary home pending the outcome of the applications. Overall, the undertaking of intentional unauthorised development adds moderate additional weight as a material consideration against the proposal.

## **9 Conclusion/Planning Balance**

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9.1 The NPPF is a material consideration in dealing with applications. The accompanying Planning Policy for Traveller Sites should be read in conjunction with the NPPF and is a material consideration in planning decisions.

Policy H of the Planning Policy for Traveller Sites provides national guidance on determining planning applications for traveller sites. Paragraph 22 of this document outlines that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Paragraph 23 continues that applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in national planning policy.

Paragraph 25 states that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan.

Of key relevance is paragraph 27 which provides guidance on how decisions should be made where there is a lack of up-to-date five-year supply of deliverable gypsy and traveller sites.

The latest LDS anticipates the initial stage of public consultation (Regulation 18 consultation) to take place this year. However, it is acknowledged that the Gypsy and Travellers Allocation Plan will take at least three years to become adopted policy, therefore the Council is currently unable to demonstrate an up-to-date five-year supply of deliverable gypsy and traveller sites which is a significant material consideration which weighs in favour of the proposed application.

However, as indicated earlier in this report, the proposal as submitted is unacceptable in a number of areas and would result in a number of environmental harms, including less satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

Further harm would be caused by the erection of 5 pitches in the countryside beyond the town boundary of Corby, as the site is disconnected from the nearest village. The nearest discernible settlements to the application site with an adequate range of services and facilities are the villages of Middleton, Cottingham, East Carlton to the south and Ashley village to the north. The application site is separated from these settlements by fields, woodland, and open arable countryside. This results in the application site having a very rural context

and a sense of being isolated. In this respect they are not closely linked to a settlement in a spatial sense because they are physically away from them and viewed very much in the context of open, rural and tranquil countryside.

However, 'sustainable transport' can still be a relevant consideration when assessing whether the application sites have a functional relationship to settlements with services and facilities. This is due to the clear environmental and health benefits that can be achieved from locating development where services and facilities can be accessed by such modes. Being over 1km away from Middleton, Cottingham, East Carlton and Ashley the site is not within a comfortable walk of facilities. This is due to the distance and the nature of the walking environment, which would probably require pedestrians to traverse Ashley Road, which seems to be a reasonably busy road which is devoid of pavements but subject to fast moving traffic.

There is no highway data to satisfy that walking along this road should be encouraged. Thus, regular use by future residents for work and shopping would be highly unlikely. The nature of the Ashley Road would also discourage cycling by those who are not confident and proficient in such a mode of transport. There was no evidence during my site visit that resident within the nearby villages use bicycles to travel on this road.

Thus, the residents of the proposed pitches would be predisposed to use private motorised transport when accessing facilities and services, including bus stops, which are also some distance from the application site and only provide access to a limited service. Thus, the application site is not closely linked to settlements through sustainable transport modes.

In conclusion, the application site would not be closely linked to a settlement by sustainable transport. And importantly in this instance, due to the position of the site in open countryside away from villages and towns, the pitches would not be closely linked to a settlement and would be at odds with Policy 31 of the North Northamptonshire Joint Core Strategy (2016).

## **10 Recommendation**

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**Planning permission be refused.**

## **11 Reasons for Refusal**

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1. The proposed development will significantly encroach upon the open countryside and introduce a sharp urban edge would into an overtly rural and tranquil landscape that would meaningfully alter the nature of the application site from an open undeveloped field to that of residential sprawling development. Such development would appear starkly isolated given its physical remoteness from a settlement and affecting the way in which the open countryside is experienced and understood, impacting upon the way it relates to the surrounding landscape. The proposed development would have a significant adverse impact on the landscape and character and appearance of the area. The Application fails to demonstrate that this impact could be mitigated. As a result, the proposed scheme would be in conflict with Policies 2,

8, 11 and 31 of the North Northamptonshire Joint Core Strategy (2016), which seek to secure development that is sensitive to the landscape and does not result in significant adverse impacts.

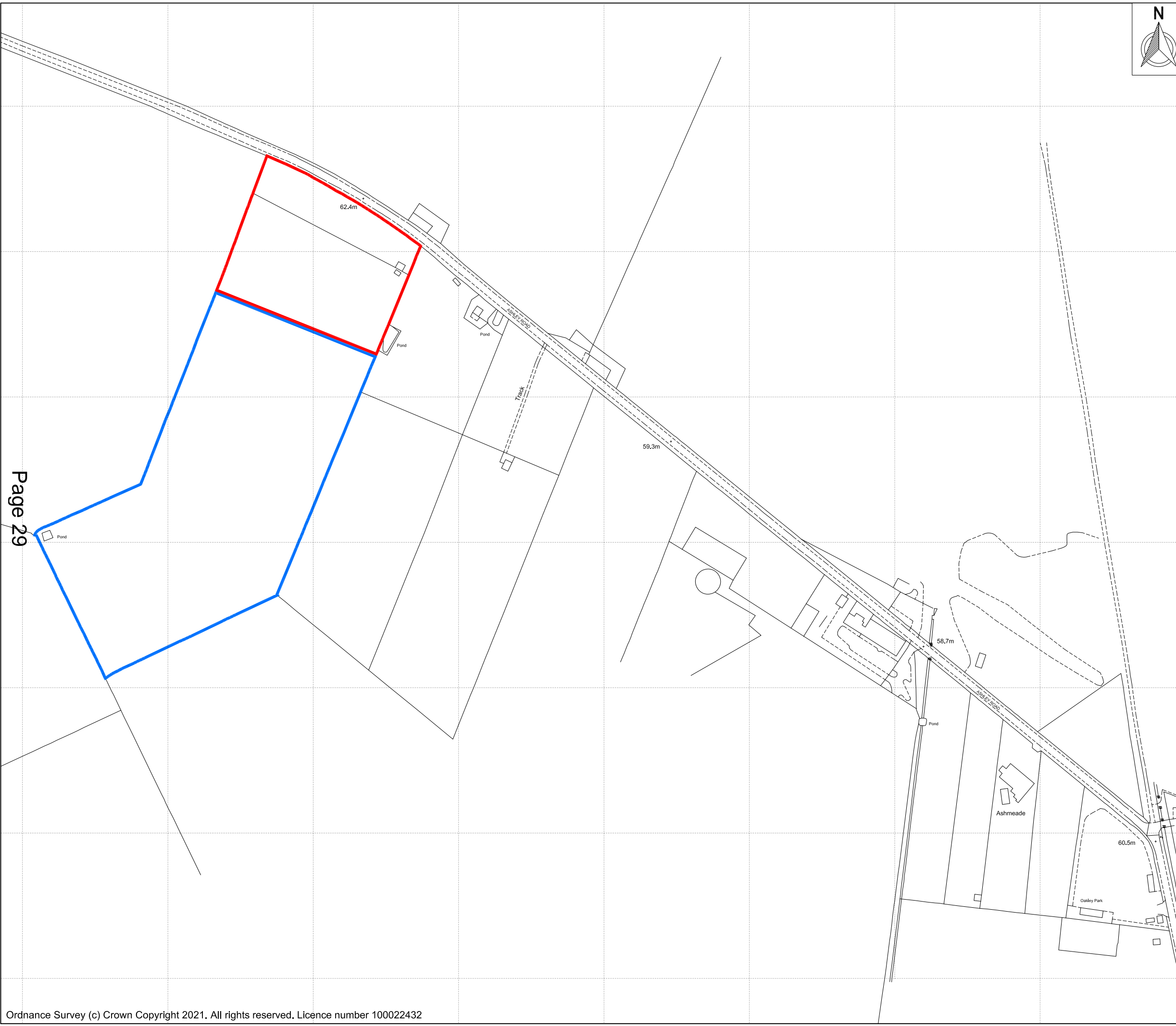
2. The site is located in the countryside outside of the defined village envelope as identified in the Adopted Core Strategy. The site is divorced from the village/town with facilities and amenities beyond reasonable and safe walking distance of the site and development of the 5 gypsy pitches in this location would undoubtedly place reliance upon travel by car. Furthermore, the proposal would introduce new built form into the countryside that results in direct conflict with the settlement boundary policies, the role of which is to direct development away from the countryside.

Cumulatively the adverse impacts of the development would significantly and demonstrably outweigh the limited benefits and the proposal fails to secure sustainable development, contrary to the NPPF and Policies 2, 8, 11 and 31 of the North Northamptonshire Joint Core Strategy (2016).

3. Insufficient information has been submitted with regards to vehicular access including less satisfactory provision for parking, servicing and manoeuvring in accordance with adopted standards, such it cannot be ascertained whether a satisfactory means of access can be achieved without comprising the safety of all road users. The proposal is therefore considered contrary to the NPPF and Policies 8 and 15 of the North Northamptonshire Joint Core Strategy (2016).
4. The proposed development does not take account of the protected species and archaeological remains present on the site with the proposal imposed upon them rather than the protected species and archaeological remains informing the design of the site. Furthermore, insufficient information has been provided regarding the protection of the protected species and archaeological remains. In the absence of Ecological Assessment and Archaeological investigation, the proposal as currently proposed would result in an unacceptable impact on protected species and archaeological remains. The proposal, therefore, would contradict the objectives of Policy 4 of the JCS and advice within the National Planning Policy Framework (2019)
5. Even if it is considered that tilted balance was to apply under Paragraph 11 of the National Planning Policy Framework, the Council considers that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.

## **Schedule of Plans**

D01 Location Plan	26.01.2020
D03 Location & Block plan	26.01.2020
Planning Statement	01.01.2021
DWG 1 Elevation and Floor Plan	



- Site Boundary
- Other Land in Applicant's Ownership

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Scale 1:2500



CLIENT	Joe Delaney		
PROJECT	Land off Ashley Road, Middleton Market Harborough		
DRAWING TITLE	Location Plan		
Date	26 January 2020	OS Ref:	483083, 290744
Scale	1:1250@ A3	Drawing No.	D01
Job No:	N5284	Rev:	
		Drawn By	PMG
		Checked By	JW

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**NORTH NORTHAMPTONSHIRE AREA PLANNING COMMITTEE (CORBY AREA)**  
21<sup>st</sup> June 2021

<b>Application Number:</b>	20/00594/DPA		
<b>Decision Due By:</b>	24 February 2021 Agreed Extension of Time 17 May 2021		
<b>Case Officer</b>	Fernando Barber-Martinez, Planning Officer. Fernando.Martinez@northnorthants.gov.uk		
<b>Proposal:</b>	Revised Proposal: Erection of a pair of 2 storey semi-detached dwellings together with associated car and cycle parking		
<b>Site Address:</b>	Land Rear Of 26 To 40 Oakley Road Corby Northamptonshire		
<b>Ward</b>	Stanion And Corby Village		
<b>Agent:</b>	Hives Associates Ltd	<b>Applicant:</b>	Mr R Thompson

**Purpose of Report:**

This planning application is being reported to the Planning Committee in accordance with the Council's scheme of delegation as the threshold of more than three objections has been received.

**Recommendation:**

That planning permission be REFUSED.

**1.0 Description of Proposal**

1.1.1 The revised proposal is for a pair of semi-detached two storey dwellings in brick and tile with two car parking spaces per dwelling (ie 4 in total), and a separate shared cycle shed to the north of the site near to the entrance onto Railside Lane (the application was amended on 1<sup>st</sup> April 2021 to show two storey instead of three storey house design to which some neighbour objection was received). The dwellings have a

north-south orientation (with a window-to-window separation distance of 31.6 metres with those rear windows on Oakley Road). An 8 metres deep rear garden is shown for both houses. To the north of the site lies a large site currently being cleared for new homes to be constructed.

## **2.0 Site surroundings:**

2.1.1 The site comprises a former overgrown (but now cleared) unused plot of land at the western end of Railside Lane (some 84 metres in length), with access to it via a single carriageway potholed but privately surfaced maintained track from the busy public highway (the B6481 Cottingham Road (Station Road) near its junction with the A427 dual carriageway (Oakley Road). Corby Railway Station is in proximity to the application site (north-west) with access to it further to the north of Cottingham Road. The access onto Railside Lane can be found next to the Podiatry Plus clinic on Cottingham Road. The large site to the immediate north has recently been cleared to make way for new 150 flats housing under permission 17/00663/DPA.

2.1.2 Railside Lane serves six or more rear outbuildings some used as garages by Oakley Road residents. No.22-26 Oakley Road (evens) lie to the immediate south of the site on a busy main road (A427 road) and are two storey terraced dwellings with pedestrian access off the dual carriageway (easterly direction).

2.1.3 The applicant has since provided a Land Contamination Survey Report (received 31.03.2021) and a basic survey of Railside Lane (for consideration of the Highway Engineer) has been submitted detailing carriageway widths namely 3.6m, 3.65m, 3.7m, 3.9m, 3.9m from Station Road along Railside Lane and to the site entrance.

## **3.0 Planning History**

3.1.1 None recent to site itself.

3.1.2 17/00663/DPA: Permitted site under redevelopment to the north- "*150 residential units, car-park, new landscaping and associated works.*". In particular 4 storey Block C and Block B overlook the application site from the north-west at a nearest separation distance of 19.3 metres. A new car park is shown along the boundary of Railside Lane as part of that redevelopment.

## **4.0 Policy Context:**

4.1.1 National Planning Policy Framework 2019:

- 5. Delivering a sufficient supply of homes;
- 8. Promoting healthy and safe communities;
- 9. Promoting sustainable transport;
- 11. Making effective use of land;
- 12. Achieving well designed places;
- 15 Conserving and enhancing the natural environment;
- 16. Conserving and enhancing the historic environment.



4.1.2 Corby has a 5-year housing land supply for the purposes of the NPPF 2019 (currently 5.0 years at last survey in April 2021).

4.1.2 North Northamptonshire Core Strategy adopted 2016 Policies:

- 1 (sustainable design);
- 2 (historic environment);
- 5 (water environment, resources, and flood risk management);
- 6 (development on brownfield land and land affected by contamination);
- 8 (place shaping principles);
- 11 (towns and villages strategy for housing);
- 28 (housing requirements);
- 30 (housing tenure and mix).

## **5.0 Consultations/Representations**

### **Internal**

5.1.1 Housing Strategy: No objection. No affordable provision required.

Further to your letter dated 11th January 2021 in respect of this detailed planning application the proposed development appears to be consistent with the growth ambitions for the Borough being in accordance with the Borough Council's Corporate Plan and priority 2.1 in particular 'To build new houses for sale and rent and to improve existing stock' The development also helps to maintain a supply of specific deliverable sites and maintains the 5-year land supply. However, as this development will only create two new dwellings this section does not have any further comment to make as affordable housing provision is not required in this instance.

5.1.2 Environmental Health: I have reviewed report reference 3125D P1 Thompson – Corby Phase 1 Land Contamination Risk Assessment dated March 2021 by Castledine Environmental and am satisfied that the site has been investigated and risk assessed adequately. On the basis of the report, I recommend the following conditions be attached, should consent be given (pricised: land affected by contamination/ remediation scheme/ unexpected contamination).

5.1.3 Highway Officer: Objection. Railside Lane is a private drive not a public highway which should serve no more than 5 dwellings. The first 10 metres into the site should have a carriageway width of 4.5 metres the remainder of the lane at least 3.9 metres and should be able to take the weight of a 10 tonne fire engine.

### **6.0 External**

6.1.1 Site notice posted 18th January 2021.

6.1.2 Neighbours were notified of the original proposal on 11.01.2021. The present case officer visited the site on 18.02.2021.

6.1.3 To date 7 letters of objection have been received raising the following points to the original proposal;-

- No passing places on Railside Lane;
- Design is out of keeping with the nearby 2 storey houses;
- Afternoon sunshine will be lost in some rear gardens;
- Overlooking (loss of privacy) would take place to existing houses on Oakley Road (22-26)
- Applicant does not own Railside Lane which is privately maintained.

6.1.4 No further representations have been received on the revised proposal (two storey scheme).

6.1.4 Police/ Fire Authority:

No formal objection to the planning application in its present form in relation to designing out crime other than to suggest that the following recommendations are included, which if implemented will reduce the likelihood of crime and anti-social behaviour occurring. Doors and windows installed will meet the requirements of Secured by Design and

Building Regs Approved Doc 'Q' Security of Dwellings i.e. certified products to BS PAS24:2016. In addition to Building Regs AD'Q' requirements any side lights adjacent to

doors (within 400mm), safety glazing and easily accessible emergency egress windows

with non-lockable hardware must include one pane of laminated safety glass meeting the

requirements of BS EN 356:2000 class P1A (minimum). The covered cycle store shown should be omitted but each property should have a secure means of storing the cycles within the secure private rear of their plot. The proposed store would be more vulnerable to crime occurring. The access too and communal parking area etc would need to be lit. A lighting scheme should be agreed in writing by the LPA. Refuse bins should ideally be securely stored on plot. I imagine the collection of refuse will be at roadside on Station Road. The long drag distance will mean bins are frequently being left out in the street. Bins left in the street can besides being an eye sore cause issues of anti-social behaviour, litter, or be the source of arson attacks.

The boundary treatment to each plot must be secure with lockable gate and a minimum of 1.8m high CB perimeter fencing and similar for the sub divisional fence.

The Northamptonshire Fire and Rescue pre application information advice and guidance

document must be considered.

Important: I have consulted with a colleague from the Fire and Rescue Service, Community

Fire Protection Department, and with reference to Building regs Approved Doc 'B' this proposed scheme in terms of access is unacceptable. From the details submitted it appears

Railside lane is too narrow for an appliance of any sort to get to the houses, online measuring shows pinch points and the general width well below acceptable widths under AD'B', and that is without taking into consideration vehicles parked in that lane. The distance from the roadside closest to Railside lane to the plot, is over 80mts, to the houses over 100mts and to the furthest point of the furthest house over 112mts.

This is unacceptable access. The fact there seems to be structures already down the lane is of no consequence as these are existing structures. The plan for these houses makes the situation worse, they are not replacing existing structures so the argument they make the situation no worse than previous would not be accepted if put forward. The only mitigation for fire safety of these houses here would be the inclusion within the design and build for domestic sprinklers.

*[Planning Officers Comment: Some of the matters raised above are for separate legislation and are not material planning considerations].*

## **7.0 Officers Assessment:**

7.0.1 The Core Strategy supports new housing within Corby and this comprises back-land development left after a former use (builders yard) was abandoned. The provision of two new dwelling would add to the present supply of 5.0 years of housing; however the gain is not considered to be overriding as this Council can demonstrate a 5 year housing supply. The site is within walking distance of Corby town centre and the railway station is nearby. A shared cycle shed is shown to be provided on site for use by occupants.

## **7.1 Key Determining Issues:**

The key determining issues are:

- (i) Design;
- (ii) Amenity;
- (iii) Highways;
- (iv) Land Contamination;
- (v) Drainage;
- (vi) Ecology
- (vii) Historic Environment.

## **7.2 Design and Character**

7.2.1 The design of the proposed revised two storey dwellings is compatible with the massing of the older properties found along Oakley Road and the finish and detail is acceptable being of red brick and grey roof tiles.

This accords with the place shaping principles in Policy 8 of the Core Strategy.

## **7.3 Amenity**

7.3.1 The reduction in height of the proposed dwellings to two storeys coupled with a 31.6 metres separation distance means that the perception of being overlooked will be reduced to within acceptable levels in terms of privacy for those occupants on Oakley Road. The siting and massing of the new dwellings will not give rise to any adverse reduction in daylight nor sunlight to those dwellings on Oakley Road due to them being sited north of existing houses.

7.3.2 The site under redevelopment to the north-west is for 4 storey flats (Blocks C and B closest to the application site) some 19.3 metres distant at closest point. This would be overbearing on the proposed development and due to the numerous window openings would lead to direct overlooking of bedroom and ground floor outdoor space resulting a very low level of privacy for the future occupants of those dwellings.

7.3.3 This aspect does not accord with the amenity protection requirements in Policy 8 of the Core Strategy nor the NPPF which seeks to protect the amenity of future occupants of those dwellings.

## **7.4 Highways**

7.4.1 The Highway Engineer raises an objection to this proposal. Railside Lane is a private road which does not meet Council highway standards in terms of passing places nor for the number of users permitted to use such a track (currently up to five dwellings). The requested 4.5m passing places at the entrance of Railside Lane cannot be provided or satisfied and around half of the track is less than the required 3.9 metres carriageway width along the 84 metres. This means that access into the site would be unsafe on highway grounds and therefore does not accord with the need to secure safe and pleasant streets which is required for new development in Policy 8 of the Core Strategy.

## **7.5 Land Contamination**

7.5.1 The submitted Phase One Land Contamination Survey is acceptable in rigour and breadth of analysis. The key recommendations should construction go ahead are for a radon barrier being provided to the new dwellings, with soft landscaping area (ie gardens) being excavated to 600mm and replaced with clean soils/ subsoils. This aspect is considered normal industry practice and is acceptable and site remediation during construction can be secured by way of a planning condition.

7.5.2 Subject to the satisfactory implementation of mitigation during construction would result in a safe quality of life for the occupants of the new dwellings. This accords with Policy 6 of the Core Strategy in respect of ground contamination.

## **7.6 Drainage (Waste Water/ Surface Water/ Flood Risk)**

7.6.1. The site is in the middle of Corby town where there is no embargo on new development in respect of potable or waste water. While surface water disposal is described as to foul water disposal- more modern methods involves collecting roof run off into water butts and permeable surfacing for driveways and paths. These can be secured by way of a planning condition. The site lies in a Flood Zone 1 (lowest risk category) which means the site is not at high risk from flooding/ a flood event. This accords with Policy 5 of the Core Strategy.

## **7.7 Ecology (Flora and Fauna)**

7.7.1 The site is overgrown which may lead to breeding birds being present on site but otherwise this is located within a built-up area where protected species are unlikely to

thrive. Given the low potential it is considered that no adverse ecological implications arise from this proposal- either during the construction phase or post construction. This accords with Policy 4 of the Core Strategy.

## **7.8 Heritage**

7.8.1 The site is not in a Conservation Area and there are no nearby heritage assets to be aware of. The site was a former builder's yard which has no local heritage significance. Therefore no adverse heritage asset or environment implications arise. This accords with Policy 2 of the Core Strategy.

## **8.0 Conclusion:**

8.1.1 The site is in a sustainable location for new houses being near to the town centre and railway station.

8.1.2 However the first concern is access from the main road to the site via a 84-metre-long Railside Lane (which is a single width private drive serving around six or more rear garages/ outbuildings along a pot-holed track). The lane does not afford any passing places for cars meeting each other along the lane which occasionally would not be acceptable from a highway safety aspect. Consequently, a safe and pleasant street environment cannot be delivered by this proposal therefore the proposal is contrary to Policy 8 of the Core Strategy.

8.1.3 A second concern is the overbearing impact of the new flats under construction to the north of the site. This will result in a low level of privacy for both proposed dwellings should the proposal be permitted. This would be contrary to the aims of the NPPF and Core Strategy Policy 8 in terms of amenity/ privacy of future occupants of those two dwellings.

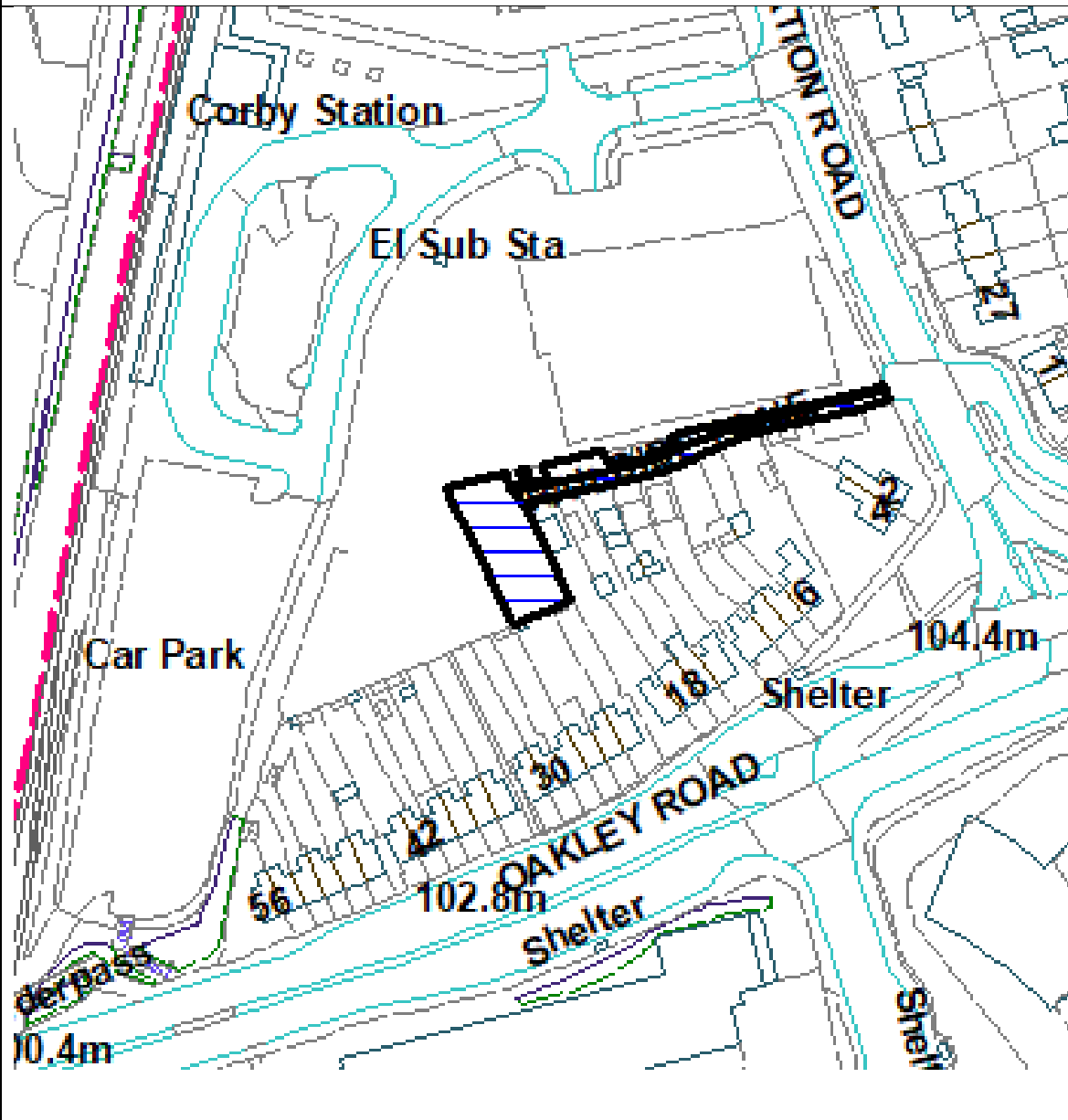
## **Recommendation: Planning permission be REFUSED for the following reasons:**

1. The proposal would be contrary to Policy 8 of the North Northamptonshire Core Strategy in that safe access cannot be gained to and from the site from Station Road (Cottingham Road) due to the excessive single carriageway length of Railside Lane (approx. 84 metres) which already serves six or more rear garages for the occupants of Oakley Road, and the lack of suitable passing places (substandard carriageway width).
2. The proposal would be contrary to Policy 8 of the Core Strategy in that severe overlooking would result in a low level of privacy for the future occupants of the proposed dwellings arising from the overlooking from Blocks C and B of planning permission 17/00663/DPA which are 4 storey flats under construction located to the immediate north-east (and some 19.3metres distant as closest point of separation).

## **Schedule of Plans**

2162-2-720 Block Plan  
2162-2-100 Revision A Elevations

01.04.2021  
01.04.2021



Land Rear Of 26 To 40, Oakley Road, Corby, Northamptonshire,  
Planning Application Reference: 20/00594/DPA  
Area Planning Committee Date: 21<sup>st</sup> June 2021.

Scale: 1:1250



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## North Northamptonshire Area Planning Committee (Corby) 21/06/2021

<b>Application Reference</b>	20/00155/OUT
<b>Case Officer</b>	Farjana Mazumder Farjana.Mazumder@Northhants.gov.uk
<b>Location</b>	Co Operative Retail Services Ltd Alexandra Road Corby NN17 1PE
<b>Development</b>	Demolition of existing building. Determination on access and scale for development of 110no. dwellings (Use Class C3) and flexible A1/A2/B1a/D1/D2/Coffee Shop [A1/A3] use (up to 170sqm) with associated car and cycle parking, refuse storage and landscaping. All other matters including layout, appearance and landscaping are reserved. <b>OUTLINE APPLICATION.</b>
<b>Applicant</b>	Sheet Anchor Evolve Ltd.
<b>Agent</b>	Jim Tarzey
<b>Ward</b>	Central
<b>Overall Expiry Date</b>	28/07/2020
<b>Agreed Extension of Time</b>	30/06/2021

### Purpose of the Report

The application is being reported to the Planning Committee in accordance with the Council's scheme of delegation as the application is of significant public interest and given the number of objections being more than three has been received against the application.

### 1. Recommendation

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1.1. That planning permission be REFUSED.

### 2. The Proposal

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2.1 The application proposal is for outline planning permission for erection of up to 110 dwellings (Use Class C3) and/or flexible A1/A2/B1a/D1/D2/Coffee Shop [A1/A3] use (up to 170sqm) with associated car and cycle parking, refuse

storage. Landscaping, layout and appearance is reserved and determination is for access and scale. The proposal also involves demolition of the existing building within the site.

- 2.2 The applicant has submitted a series of illustrative drawings to demonstrate how the level of accommodation proposed might be accommodated on the site. Four options have been submitted throughout the application period and each option is supported by its own parking, loading and turning arrangements.
- 2.3 The details of the proposed options are as follows:

	Houses			Apartments			Total
	1 Bed	2 Bed	3 Bed	1 Bed	2 Bed	3 Bed	
<b>Option A</b>	15	28	0	20	32	0	95
<b>Option B</b>	10	19	0	33	48	0	110
<b>Option C</b>	35	18	0	7	8	0	68
<b>Option D</b>	6	24	12	0	2	4	48

- 2.4 The applicant has confirmed that maximum height of the building under any option would be 6 stories.
- 2.5 Access into the site is to be taken from Alexandra Road and Wood Street, which runs in a straight line from Alexandra Road.
- 2.6 It should be noted that the submitted plans are treated as illustrative only where the plans relate to layout, appearance and landscaping.

### **3. Site Description**

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- 3.1 The application site is located to the West of Wood Street and North of Alexandra Road and comprises a total area of 0.8 hectare. The proposal site is identified in the Saved Local Plan as being within the boundaries of Corby Town Centre. The land is relatively flat and even within the Application Site and comprises former co-operative retail unit with parking spaces. The area is separated by hedge boundaries from the adjoining residential dwellings at the west side. The surrounding area of the site includes some commercial landuses which comprises Oasis Retail Park to the South and some small retail units to the West.
- 3.2 The site does not fall within a conservation area or under an article 4 Direction. Additionally, there are no listed building in the vicinity. It is sited as local green space within the Local Plan and has no other specific designation.

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

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- 4.1 List all previous planning applications as follows:

96/00222/CO- Midlands Co-Op Alexandra Road Corby - Installation of roller shutters to doors and windows. Application Permitted on 30.09.1996.

01/00202/ADV - Erection of signs. Application Permitted on 06.08.2001.

01/00321/DPA - To construct a (in only) access road, from Alexandra Road into the existing car park. Application Permitted on 01.11.2001.

02/00063/DPA- Installation of 1m satellite dish for use with Co-Op Bank. Application Permitted on 18.04.2002.

02/00100/DPA- Installation of ATM machine. Application Permitted on 08.05.2002.

02/00101/ADV- Projecting sign and illuminated ATM Surround. Application Permitted on 08.05.2002.

02/00190/ADV- Illuminated post signs. Application Permitted on 20.08.2002.

10/00363/ADV- 3 No. externally illuminated fascia signs, 2 No. non illuminated projecting signs, 1 No. externally illuminated panel to existing totem sign, including digitally printed graphics. Application Permitted on 11.11.2010.

12/00106/ADV- Replacement signs to front and side. Application Permitted on 21.05.2012.

16/00245/DPA- Retention of 3no Automatic Number Recognition Cameras. Application Permitted on 03.11.2016.

16/00248/ADV- Retention of a total of 28 informative signs for a car park. Application Permitted on 03.11.2016.

## **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website- <https://www.corby.gov.uk/home/planning-and-building-control/online-planning-applications>

### **5.1 Environmental Services-**

(01.05.2020) The Senior Environmental Health Officer (EHO) was consulted on this application and recommended refusal of the application on the grounds of insufficient information. The officer requested additional information in regards to air quality, land contamination, noise and odour.

(29.06.2020 and 30.06.2020) EHO was re-consulted on the additional information submitted by the applicant. The officer acknowledged that the noise and odour control can be considered at the reserved matter stage. However, requested additional information on air quality and contamination to fully assess the proposal at this stage. The Officer recommended planning conditions related to acceptable noise level, noise assessment and restricted delivery hours to retail units/Use Class A3.

(26.08.2020) EHO has confirmed by way of an email that they are satisfied to discuss wordings of conditions appropriate for controlling unexpected contamination within the site.

(26.05.2021) No objection. Revised comments have been provided by the EHO in relation to additional information. The comments are as follows:

*I have reviewed the illustrative master plan 'D' and advise that, bearing in mind the previous information that has been submitted for other applications on the site with regard to air quality and noise impact, I have no objection to the application however I would propose that suitably worded conditions are attached, should consent be given, to ensure that health and amenity of the occupiers of the future dwellings is of a good standard.*

*I am happy to discuss those conditions with the applicant and the Planning Officer as required.*

*I am also happy to discuss the requirements for a full site investigation with regard to the potential for ground contamination, if the Planning Officer is in agreement that this can be dealt with by way of condition.*

- 5.2 Sustainability Officer: (16.06.2020) No objection. The officer reviewed the Energy and Sustainability Statement April 2020 reference SNN-BWB-00-XX-RP-ME-000. She also guided the applicant towards to consider the Air Quality and Emissions guidance for developers.

(30.12.2020) Re-consultation has been carried out on the revised information submitted by the applicant. The officer further added that the submitted Design and Access statement did not make any reference to Policy 9 of the NNJCS sustainable buildings.

- 5.3 Property Services- No comments received.

- 5.4 Housing Strategy- (19.05.2020) Housing Strategy department were consulted on this application and the officer offers the following comments:

*1) Total lack of affordable housing provision of any type on a site of 120 units requires challenge via an independent viability report paid for by the applicant(s) to establish if this is a true position*

*2) I do agree with the comments in relation to the COVID-19 crisis at paragraph 2.11 that the findings should be 'regarded with a greater degree of caution in the light of potential market volatility' - the findings definitely need to be kept under review*

*3) There should be a minimum 36 units of affordable housing (30%) provision on-site as per the North Northants JCS - the Council would consider shared ownership, rent to buy or any such other products of an affordable nature as outlined by the NPPF - however there has been no discussion with the Housing Strategy section of CBC on anything related to this site since early 2019*

*4) The proposed mix of 1 and 2 bedroom flats and houses would be acceptable to Housing Strategy, although we would probably prefer a small number of 3 bedroom units as well - again this would have been part of any discussion had we been approached more recently by Evolve and their representatives*

5) *Figures used in the report around house prices do seem to concur quite closely with my own analysis of house prices based on Land Registry data*

6) *Page 17 of the report states that no ground rent has been included in calculations due to proposed changes in legislation around leasehold charges - I am however not sure that this has been approved and enacted yet by Government so omitting this income may be erroneous*

7) *Unclear what the £603k costs for S106 are?*

8) *The JLL report interestingly states that 'they're not been informed of the original purchase price' - again, did they overpay for the site?*

9) *Why even consider building at this location if a loss will be incurred?*

(09.06.2021) Housing Strategy Officer was re-consulted in relation to Option D and the observations are as follows:

*From a Housing Strategy viewpoint we welcome this application as it would potentially provide 48 much needed affordable homes in an ideal central location adjacent to many of the main facilities of the town. The proposal that this be a 100% affordable site is supported, although it is unclear whether the tenure would be all rent, shared ownership or any other tenure as per the NPPF – Housing Strategy would naturally welcome any discussion in that respect should this application progress.*

*The mix of different property types/sizes in the layout of the proposed development looks like it would cater for a wide range of household sizes and therefore would be extremely beneficial in helping the considerable number of applicants on the housing waiting list for any rented units provided and/or would also appeal to those seeking any low cost home ownership product if that product were to be provided onsite. The lower density of the development looks well laid out from the layout plan provided and would be easily managed by the proposed Housing Provider who are well known and established already in the local area.*

*In summary the proposed development has the support of this section and we look forward to further involvement as the application progresses.*

5.5 Corby Local Plan Section- (11.05.2020) No objection. The following comments were provided by the Local Plans Section:

*The planning statement outlines proposals for the redevelopment of this site for up to 120 residential units and up to 170 square metres of commercial floorspace.*

*Principle of development*

*The site is within the main town centre of the growth town of Corby, which is identified within the adopted North Northamptonshire Joint Core Strategy (JCS, 2016) as the focus for infrastructure investment and higher order facilities to support major employment, housing, retail and leisure development. JCS Policy 12 sets out the requirements for supporting the vitality and viability of the town*

*centres in North Northamptonshire, which include securing and maintaining a vibrant mix of retail, employment, leisure and cultural facilities and supporting the provision of additional residential uses.*

*The continuing regeneration of Corby town centre is a Council priority. The Part 2 Local Plan (P2LP) for Corby was submitted to the Secretary of State in December 2019 and is currently undergoing independent examination. Policy 24 within the submitted Part 2 Local Plan for Corby identifies this site as one of four mixed use redevelopment opportunity sites within the town centre, which are expected to be the main locations for new development growth within the town centre and contribute towards the provision of comparison shopping floorspace requirements as set out within JCS Policy 12. P2LP Policy 24 is accompanied by Policy TC3, which sets out detailed guidance for this site to provide a mixed use development including a range of town centre uses and a policy compliant mix of around 150 dwellings to continue the positive transformation and regeneration of the town centre. The policy supports higher density development to maximise the town centre location and in doing so make the most efficient use of land; however, this should include innovative and contemporary proposals with high standards of architectural design to continue the regeneration and compliment the other modern buildings within the town centre.*

*It is noted that two options have been submitted as the Illustrative Masterplans for this site, one for 95 units and the other for 120 units, with the first being reflective of a more market-led scheme dominated by houses as opposed to apartments, and the second being the basis of this outline planning application and in doing so providing an indication of the maximum scale of development that can be accommodated, subject to the reserved matters dealing with external appearance, landscaping and layout. The confidential viability analysis provided as part of the submitted proposals indicates that the site cannot viably deliver any affordable housing. The Plan-wide viability assessment completed in July 2019 by BNP Paribas to support the preparation of the P2LP included the former Co-op site as one of the tested site typologies within the assessment. This assessment tested the site at a standard density of 110 dwellings and at a higher density of 150 dwellings (total site capacity). This considered the 110 unit scheme to be viable at standard build costs inclusive of up to 40% affordable housing, and the 150 unit scheme to be viable at standard build costs inclusive of up to 20% affordable housing (see table 5.6.1 within BNP report). As such, the Council considers this site to be able to deliver a policy compliant redevelopment scheme as outlined within Policy TC3. There appear to be some inconsistencies with the assumptions made between these reports, therefore it is recommended the submitted viability analysis be independently assessed with consideration given to the methodology and standardised inputs that are advocated within NPPF paragraph 57 and the Planning Practice Guidance. Paragraph 57 of the NPPF also states that all viability assessments should be made publicly available.*

#### *Connectivity and Green Infrastructure*

*P2LP Policy 22 outlines the Regeneration Strategy for Corby town centre. Objective 7 encourages improved pedestrian and cycle access to enhance permeability within the town centre. This is re-iterated within criteria f) of Policy*

*TC3, which highlights the importance of connectivity within and beyond the site, in particular links to the town centre and the Cube.*

*The site is within an identified sub-regional green infrastructure corridor. JCS Policy 19 and P2LP Policy 6 seek to protect and enhance the identified green infrastructure corridors by ensuring new development does not compromise their integrity, and where possible new development should aim to provide connections to existing corridors. Criteria h) of Policy TC3 supports proposals that maximise opportunities for biodiversity enhancement and habitat connectivity by improving green infrastructure links to the Hazel and Thoroughsale ancient woodland.*

#### *Open Space, Health and Wellbeing*

*JCS Policy 7 supports the retention and enhancement of open space, allotments, playing fields and other sports and recreation buildings and land, which are identified as key community assets. P2LP Policy 1 requires new developments of 10 or more dwellings to provide new or improved open space, sport and recreational facilities in accordance with the latest Open Space, Sport and Recreational Facilities Assessment to meet the needs arising from the development. Where possible new open spaces, sports and recreational facilities should be linked to the wider green infrastructure corridor network to encourage physical activity, social cohesion and promote healthier and more active lifestyles.*

#### *Custom and Self-Build*

*JCS Policy 30 sets out the requirements for housing developments to provide a mix of dwelling sizes and tenures to meet current and forecast accommodation needs to assist in creating sustainable mixed and inclusive communities, part of which includes facilitating individual and community custom-build development. P2LP Policy 12 seeks a proportion of serviced building plots to enable the delivery of custom and self-build housing to meet local demand on sites of 20 or more dwellings, subject to viability and the nature of the proposed development.*

#### *Specialist Housing and Older People's Accommodation*

*JCS Policy 30 encourages housing development for market and affordable housing to make provision to meet the specialised housing requirements of older households including designated, sheltered and extra care accommodation and other attractive housing options to enable older households to down-size to smaller accommodation. P2LP Policy 15 requires developments of 50 or more dwellings to design a proportion of the housing specifically to meet the identified needs of older households and others with a need for specialist housing; subject to evidence of local need; the scale and location of the site; and viability.*

*The redevelopment of this key opportunity site within Corby town centre for a mix of residential and commercial uses is supported in principle as outlined within P2LP Policy TC3; however, there are a number of policy requirements to be considered in more detail to support the delivery of a policy compliant scheme.*

(09.07.2020) Further re-consultation has been carried out on the revised information submitted by the applicant in relation to Option A and B. The Local Plan's officer provided the following comments:

*The policy requirements outlined within Officer's previous comments, dated 11 May 2020, have not been addressed within the revised submitted material. The redevelopment of this site for the proposed mix of residential and commercial uses is supported in principle; however, the policy requirements as outlined previously remain outstanding in order to support a policy compliant scheme.*

(08.01.2021) Local Plan's section was re-consulted on a new scheme- Option C proposed for a total of 68 residential units, comprising 53 houses and 15 apartments. The officer re-iterates that the continuing regeneration of Corby town centre is a Council priority and the redevelopment of this site for the proposed mix of residential and commercial uses is welcomed, particularly in the context of P2LP Policy TC3; however, there are requirements that remain outstanding in order to support a policy compliant scheme.

The officer goes on stating that an independent viability assessment be undertaken to consider the affordable housing and other tenure requirements outlined within JCS Policy 30.

(12.03.2021) Further consultation has been carried out with the Local Plan's Officer in relation to viability appraisal submitted by the applicant and the independent assessment of the appraisals. The officer provided the following comments:

*.... Many of the assumptions within the independent viability assessment are consistent with those of the Plan wide viability assessment that was prepared alongside the P2LP; however, there is a significant difference between the assumed Benchmark Land Values (BLVs). A BLV figure of £1m is used within the independent viability assessment and the revised assessments submitted by the applicant, whereas a figure of £680,000 is used within the Plan-wide viability assessment. Paragraph 3.31 of the Plan-wide assessment explains that this figure has been sense checked with the Council's Property Services team who advise that a figure of £680,000 reflects current values within Corby Town Centre, although it is acknowledged this may have changed since July 2019.*

*The revised viability assessments prepared on behalf of the applicant consider there to be a negative residual land value of £281,658 in the case of option B (110 units) and a positive residual land value of £922,333 for option C (68 units), which is close to the BLV of £1m, but both schemes would result in zero affordable housing. The Independent viability assessment prepared by White Land Strategies considers there to be a positive residual land value of £1,212,124 for option B and £1,403,625 for option C, which would mean there is scope for 3.6% affordable housing or 4 affordable units for option B and 10% provision or 7 affordable units for option C.*

*Previous comments are re-iterated that the Plan-wide viability assessment considered both tested scenarios, at 110 and 150 units, to be viable at standard build costs inclusive of 20% affordable housing, but also for the 110 unit scenario to be viable at standard build costs inclusive of up to 40% affordable*



*housing. It is acknowledged there may be some variation in the assumptions used, which will impact the outcomes of the assessment work. The Plan-wide assessment considered a lower BLV to reflect current values for this site; however, the viability assessments submitted on behalf of the applicant and the independent viability assessment do not reflect this assumption and in doing so show a much lower percentage of affordable housing to be viable on this site.*

## **General**

*.....The redevelopment of this prominent town centre site for the proposed mix of residential and commercial uses is welcomed, subject to specific policy considerations outlined above and in all previous comments, a number of which remain outstanding. It is acknowledged the viability of this site is an issue to be considered in determining the precise proportion and tenure mix of the residential units in line with JCS Policy 30; however, it is considered that the iterative options as presented through the evolution of this application do not fully support efforts to achieve the positive transformation of the town centre as outlined within the P2LP and JCS.*

(24.05.2021) Applicant has submitted an additional scheme to be considered along with the previous options- A, B and C. Local Plans comments was sought in relation to this new scheme and the observations are as follows:

*It is noted that the revised submitted information now includes proposed option D for a total of 48 residential units, comprising 42 houses and 6 flats, but that this option removes the ground floor commercial floorspace that was previously proposed within options A-C (95, 110 and 68 residential units respectively). The submitted letter explains that the illustrative masterplan for option D has been submitted for formal approval, but that the parameters of the outline application are to allow for a scheme of up to 110 dwellings to be delivered. The scheme outlined within option D would consist of 100% affordable housing and the applicant is currently in discussions with a registered social housing provider to deliver these.*

*Officer comments have been provided on four separate occasions prior to these comments in relation to earlier iterations of this outline planning application; previous comments are dated: 11.05.2020, 09.07.2020, 08.01.2021 and 12.03.2021. Further comments are provided below, but these should be read alongside all previous comments for this proposal.*

### *Principle of Development*

*As explained previously, the continued regeneration of Corby town centre is a Council priority, in particular this site is identified as a town centre redevelopment opportunity site within the Part 2 Local Plan for Corby, which is supported by P2LP Policies 24 and TC3 and reinforced by JCS Policy 12.*

*P2LP Policies 24 and TC3 allocate this site for mixed use development of around 150 dwellings requiring the site to contribute towards the provision of comparison shopping floorspace requirements set out within JCS Policy 12. The proposed removal of all commercial floorspace within option D therefore does not meet the requirements of these policies.*

*Previous comments dated 11.05.2020 stated:*

*The policy [TC3] supports higher density development to maximise the town centre location and in doing so make the most efficient use of land; however, this should include innovative and contemporary proposals with high standards of architectural design to continue the regeneration and compliment the other modern buildings within the town centre.*

*Residential development, as part of a mixed use redevelopment scheme, is welcomed on this site; however, the proposed reduction of units within option D does not meet several of the design principles set out within Policy TC3. It is recommended that further comments are sought from Design Officer's within the Council to consider the extent to which the design principles within Policy TC3 are being met, particularly as the proposal has evolved significantly since it's first submission.*

#### *Affordable Housing and Viability*

*It is noted from the submitted letter that should the illustrative masterplan for option D be approved then all 48 units will be provided as affordable housing. Previous officer comments (dated 12.03.2021) acknowledged the independent viability assessment that was prepared by White Land Strategies in February 2021, which tested options B and C (110 and 68 units respectively) for this site. The independent assessment found the schemes to be viable inclusive of 3.6% affordable housing or 4 units for option B and 10% provision or 7 affordable units for option C.*

*The proposal to increase the number of affordable homes as presented within option D would make a positive contribution to meeting the Council's affordable housing requirements; however, the delivery of affordable housing is only one policy outcome for this site that should be considered in the wider context of the accommodation needs and regeneration aims within the town centre.*

*The submitted letter refers to further marketing evidence that the applicant is coordinating and intends to submit to the Council; however, no further information appears to have been submitted at present.*

#### *Conclusion*

*The redevelopment of this site is welcomed in principle; however, through the evolution of this application, the proposal has moved further away from the policy requirements, which could undermine efforts to successfully achieve the positive transformation and regeneration of the town centre. There are only a finite number of opportunities within the town centre to deliver the type of transformation that is outlined within P2LP Policy TC3 and any departure from this policy and JCS Policy 12 should be robustly evidenced. It is also noted that there are a number of outstanding policy considerations from previous officer comments that have not yet been addressed.*

- 5.6 Environmental Agency- (05.05.2020 and 04.01.2021) No objection/comments.
- 5.7 Highways Authority- (20.05.2020): Highways team has been consulted in relation to this application and requested additional information to fully assess the proposal. The comments are as follows:

1. *The application form states that;*

- 1.1. 150 car parking spaces will be lost and none replaced.
  - 1.2. 30 Houses and 90 flats are to be erected.
  - 1.3. 170sqm of 'Other' Use class commercial space is to be erected.
2. The retail element is to be within one unit with permission over a range of classes – A1, A2, B1a, D1, D2 and coffee shop.
    - 2.1. The dwellings are proposed as a mix of 1 and 2 bedrooms.
  3. Neither the 2 illustrative masterplans or Landscape plans evidence an adoptable layout and would elicit an objection from the LHA. Full LHA standards were supplied in ENQ.19.12.01.
  4. The access plan P18-1946- 4.1 details the correct geometries for residential accesses, the approval of these depend upon tracking. Neither of these accesses are suitable for commercial access though.
  5. Tracking plan P18-1946-4.2 depicts the incorrect refuse vehicle as detailed in Enquiry discussions and does not supply evidence from CBC Waste & Amenities team that this is the vehicle used locally.
    - 5.1. The Authorities refuse vehicles will not enter private land so the interior layout must be to adoptable standards.
    - 5.2. At no point is the refuse truck shown opposed by a large family car.
    - 5.3. No tracking of two large family cars in opposition is supplied.
  6. NCC require that the developer supplies each household a Corby 4 week MegaRider bus ticket upon occupation.
    - 6.1. The nearest bus stops area on George Street at the interchange, NCC do not require any stops in the locality of the site on Alexandra Road.
  7. The access onto Alexandra Road details a 3m wide CFC (Combined Footway & Cycleway) but it is unclear what it connects to in the way of cycle infrastructure. It does not appear that the northern side of Alexandra Road is a CFC at 3m wide with the appropriate TRO's and signage.
  8. The LPA requires further time in order to fully assess the Transport Assessment and Travel Plan and will respond as soon as possible.

(03.06.2020) A revised response has been submitted by the Highways department providing comments on Transport Assessment and Travel Plan. The comments are as follows:

#### *8. Transport Assessment*

*8.1 Trip generation appears to be less than that of the existing usage, however, it must be minded that the retail usage does not operate 24 hours a day, every day of the year, which residential usage will. Therefore, the peak hours may be lessened, but other times may be increased.*

*8.2 The Alexandra Road access presents some concerns as it is:*

*8.2.1 very close to the pedestrian crossing to the extent that vehicles exiting right cannot get parallel if it's a red light;*

*8.2.2 It's close to the park access that is opposite; and*

*8.2.3 we would be keen to see it modelled as a link junction with the retail access in both peak periods, as well as the Saturday mid-morning peak.*

8.3 We will require an RSA ½ to be carried out for this junction.

8.4 Wood Street access details that the smaller -than-required refuse truck over running the centre line. The LHA query whether to avoid a clash with a parking area opposite, it should be moved north opposite a wall.

8.5 Leaving the quantum or mix of residential type of units to the reserved matters stage will necessitate another traffic assessment as this could significantly impact upon the number of vehicles exiting the new access- for example if there are more dwellings on site with more flats for example. Any changes in quantum's should be the subject of revisions that we can comment on- matters like mix should be decided now at outline as they affect traffic, or a condition placed to allow for a Transport Assessment addendum at REM to cover this issue.

(10.07.2020) Additional response has been submitted by the applicant to address highways concern. The highways officer have assessed the revised documents and advised that the car sharing schemes can work well in these circumstances as long as a solid, well-funded management plan can be emplaced and conditioned for the life of the development. A reduction in car parking should also be met with an increase in cycle parking and the LHA would expect extended Mega-Rider tickets for each household upon occupation to instil sustainable habits.

The officer also stated that the applicant will be required to submit, either as an appendix of a CMP or as a separate document, a CTMP to the LHA's specification via condition. Additional information has been requested as their previous response still stands and requires the applicant to address the issues contained therein.

(23.07.2020) Further revision of the illustrative master plan, design and access statement, parameter plan and planning statement. Highways officer has assessed the information and requested a Demolition Traffic Management Plan to the LHA specification.

(01/09/2020 and 12.01.2021) No Objection. Highways officer has confirmed that the Travel Plan is acceptable. The officer recommended planning conditions in relation to Road Safety Audit, addendum TA, supply of a Corby 4 week MegaRider bus ticket to each household upon occupation, CTMP and private streets.

(04.06.2021) No Objection. Highways officer has confirmed that the Travel Plan is acceptable and recommended planning conditions related to Road Safety Audit, addendum TA, supply of a Corby 4 week MegaRider bus ticket to each household upon occupation, CTMP and private streets. Further comments has been made in regards to the internal layout which needs to be considered at the detailed design phase.

5.8 Crime Prevention Officer- (13.05.2020) No Objection. The Crime Prevention Officer were consulted in relation to the designing out crime. The officer provides the following comments:

*In relation to designing out crime and anti-social behavior, Northamptonshire Police have no formal objection to this application in principle. The submitted documentation does not however identify what measures are to be considered/implemented to mitigate against possible crime. To help ensure compliance with the NPPF 2019 contained under paragraphs 91 (a-c) and 127 (f), the NPPG guidance Healthy and Safe Communities Section and policy 8 (e iv) of the local North Northamptonshire Joint Core Strategy (2016) the applicant/developer must follow the agreed guidance within 'Secured by Design' principles. We appreciate that is an outline application and specific details are matters which should be considered at reserved matters stage.*

*Any further submission should clearly demonstrate the following criteria, I comment as follows:*

- Evidence that the scheme adheres to the principles of Secured by Design. Guidance should be sought from <https://www.securedbydesign.com/guidance/design-guides>*
- Guidance should also be taken from the Northamptonshire Fire and Rescue pre planning guide. Particularly in terms of access and bin storage.*
- Layout, private lighting and full boundary treatment detailed drawings should be supplied.*
- Excessive permeability should be avoided. The balance needs to be struck between use-ful routes around and through the development, thus creating a pleasant environment where people feel safe and secure, and the provision of numerous paths duplicating each other and providing "escape routes" for those up to no good.*
- Surveillance opportunities must be seriously considered for both residents and persons passing through the development. This is a proven method to deter crime and anti-social behavior.*
- Where possible resident parking should be in curtilage. Tandem parking should be avoided. Insufficient or inconvenient parking facilities can lead to irresponsible parking and make access routes for emergency vehicles impossible.*
- Terraced housing blocks make it difficult to maintain convenient refuse storage with long rear access alleyways required. Ginnell type house design could be an alternative.*
- Communal refuse storage should preferably be within a secure area and must be locka-ble.*
- Cycle storage must be within a secure area and within a secure enclosure.*
- A crime prevention statement must be supplied. It should detail how the seven attributes of sustainable communities will be addressed i.e. Access and movement – Structure – Surveillance – Ownership – Physical protection – Activity - Management and mainte-nance. Access control of apartment blocks is critical and must be agreed in writing by the LPA.*

*The future success of this development can be critically influenced by crime, and Northamptonshire Police need to have an impact on certain design issues. However, it is felt that certain critical measures should be highlighted and that early liaison with the police Crime Prevention Design Adviser should be encouraged to help establish the right level of security in order to help match the crime prevention measures to the actual, as well as the perceived crime risk for the area.*

(08.06.2021) Re-consultation was carried out with the Crime Prevention Officer in relation to proposed Option D. The officer provided the following response:

*There are certain aspects of this layout which cause me concern and currently would not support the application as proposed:*

- *The two communal parking areas to the south of the development have insufficient surveillance opportunities from the vehicle owners and there is a PROW going through and between them.*
- *There is a large proportion of the plots which have rear access from public space which will make the properties more vulnerable to crime.*
- *Rear alleyways are shown to the north, behind plots 1-5 & 6 and 29-36, these are not acceptable. Even when securely gated issues of security and maintenance will cause problems.*
- *The access to the parking court to the north of plot 43 needs to be closed off.*
- *All boundary treatments will need to be agreed and closely assessed.*

5.9 Anglian Water- (04.05.2020 and 05.01.2021) No objection. In summary Anglian Water confirms that –

- There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.
- The foul drainage from this development is in the catchment of Corby Water Recycling Centre that will have available capacity for these flows
- The sewerage system at present has available capacity for these flows.
- The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. Anglian Water would therefore recommend one condition related to surface water management strategy, if the Local Planning Authority is mindful of grant planning approval.

(24.05.2021) No objection/comments.

5.10 Surface Water Drainage Team: (14.05.2020) The Drainage engineer advise that there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.

(08.08.2020) Applicant has provided additional information to overcome concerns raised by the drainage officer. The officer have reviewed the submitted surface water drainage information located within *Redevelopment of former Co-Op Store Alexandra Road Corby Drainage Design Statement ref. R-DS-21123-01-01, Rev 2, dated July 2020 prepared by JPP Consulting Ltd* and considered that if the recommended planning conditions are included, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of flooding.

(31.12.2020 and 28.05.2021) Further re-consultations have been carried out in relation to additional information provided by the applicant. The drainage officer provided no additional comments and confirmed that the comments made on 8<sup>th</sup> August 2020 remains current.

5.11 Ecological Advisor: (21.05.2020 and 08.06.2021) No objection/comments.

- 5.12 Joint Planning Unit (JPU): (09.06.2020) No objection. The design officer was consulted in relation to the urban design aspects of the proposed option A and B, including how the site fits in with its context, setting and surroundings as well as a review and commentary on the scale of the proposals as per the Outline application. The officer urges that LPA to consider the DAS as a material planning consideration which any future reserved matter planning application is required to accord with, – as the acceptability of this scheme in principle is due to the standard of design (eg. Contemporary, modern architecture).

(09.06.2021) No comments received in relation to option C and D.

- 5.13 Tree Officer: (09.07.2020) No objection. Tree officer provided the following observations:

- *As identified in the tree survey section of the report, the majority of the trees are of low value in potential for retention. See photos in report, also identified in topographical map and Tree constraints plan. Fifteen trees identified for removal and one group of trees.*
- *Trees suitable for retention, identified in Tree retention, loss and protection plan.*
- *Recommended retaining of x 5 trees and three tree groups, within the new development, which would need, existing hard surface removing and protecting during development of demolition and construction as detailed in tree report. (See Tree retention, Loss and protection plan.) All proposed tree retention is on the east side of the site.*

*In my professional opinion, the tree loss should not prevent the proposed development. Tree loss is also to be mitigated by replacements and enhanced, as proposed in Illustrative Landscape Master plans, submitted by Pegasus Group.*

*If development is to proceed, condition would have to be made in regards of ensuring proposed trees to be retained are suitably protected, during demolition and construction process, in regards of detailed protective fencing and siting of contractors compound, vehicles machinery, materials as per recommendations in BS 5837, to ensure success retention in the long term.*

*Also more detail would be needed on species proposed for soft landscape.*

(26.05.2021) Tree officer was consulted on Option D and provided the following comments:

*The amended plan, 01014-S2-P4, on DMS file, 30/04/2021, Illustrative Master Plan, Option D, (mha Architects), contains proposed Tree planting in the Concept Layout, integrated and spaced throughout the site, which is positive and acceptable from a Landscape viewpoint.*

*However, screen planting to provide screening should be considered in the design.*

- 5.14 Northamptonshire Key Services (Education, Libraries, Broadband) and Northamptonshire Fire & Rescue Service (NFRS):

(21.05.2020) The key services section was consulted in relation to Option A and B of the proposed scheme- *demolition of existing building and construction of 120 dwellings, including shop unit (Use classes A1, A2, A3, B1(a), D1, D2) and associated works.*

The officer stated that as the indicative dwelling mix has not been provided by the applicant, an average of 3-bed units across the site has been assumed in order to inform the response. These figures will be reassessed once the mix of dwellings proposed to be delivered on the site is confirmed through the planning process.

The officer recommended the following calculations:

- If there is a lack of capacity identified for Early Years, a s106 contribution of £476,640 would be required, based on the average dwelling mix.
- A Primary Education contribution of £476,640 will be required, based on the average dwelling mix.
- A s106 contribution towards Secondary Education of £552,000 will be required, based on the average dwelling mix.
- A Libraries Contribution of £28,680 is required, to contribute towards the improvement, enhancement or expansion of Library facilities to serve the development.
- It is expected that this development may require a minimum of 2 to 3 fire hydrants depending on site layout / density requirements and location of existing provision in the surrounding area;

(07.07.2020) A revised proposal (Option B) was submitted by the applicant which comprises- *demolition of existing building and construction of 110 dwellings, including shop unit (Use classes A1, A2, A3, B1(a), D1, D2) and associated works.*

The officer has provided an updated response in relation to the revised scheme:

- If there is a lack of capacity identified for Early Years, a s106 contribution of £436,920 would be required, based on the average dwelling mix.
- A Primary Education contribution of £436,920 will be required, based on the average dwelling mix.
- A s106 contribution towards Secondary Education of £506,000 will be required, based on the average dwelling mix.
- A Libraries Contribution of £26,290 is required, to contribute towards the improvement, enhancement or expansion of Library facilities to serve the development.
- It is expected that this development may require a minimum of 2 fire hydrants depending on site layout / density requirements and location of existing provision in the surrounding area;

(14.01.2021) An additional scheme (Option C) was submitted by the applicant which comprises *68 dwellings, including shop unit (Use classes A1, A2, A3, B1(a), D1, D2) and associated works.*

The officer has provided an updated response in relation to the revised scheme:

- Due to the level of capacity available in the immediate vicinity, no s106 contribution will be required towards Early Years Services and Primary



Education infrastructure if approved based on the current variations of the dwelling mix.

- A s106 contribution towards Secondary Education will be required

	Option A	Option B	Option C
Cost	£70,200	£78,390	£30,420

- A Libraries Contribution will be required

	Option A	Option B	Option C
Cost	£14,375	£16,479	£9,154

- It is expected that this development may require a minimum of 2 fire hydrants depending on site layout / density requirements and location of existing provision in the surrounding area;

(08.06.2021) An additional scheme (Option D) was submitted by the applicant which comprises *48 dwellings*.

The officer has provided an updated response in relation to the revised scheme:

- Due to the level of capacity available in the immediate vicinity, no s106 contribution will be required towards Early Years Services and Primary Education infrastructure if approved based on the current variations of the dwelling mix.
- Option D would result in a s106 contribution of £113,562 towards Secondary Education,
- A Libraries Contribution will be required

	Option A	Option B	Option C	Option D
Cost	£14,375	£16,479	£9,154	£9,242

- It is expected that this development may require a minimum of 2 fire hydrants depending on site layout / density requirements and location of existing provision in the surrounding area;

#### 5.15 Neighbours/Responses to Publicity

Letters were sent to 80no. neighbouring units. LPA has received 9 objection letters from neighbouring residents. The issues raised are summarised below:

- Consultation period
- Principle of residential use
- Overdevelopment of the site
- Overbearing and oppressive impact due to proposed buildings height
- Loss of privacy/overlooking
- Loss of sunlight and natural light
- Highway safety
- Increased traffic and parking related impact within the area
- Potential pollution during the demolition and construction period
- Visual impact and out of keeping with the established neighbourhood
- Impact on the existing trees near the eastern boundary including maintenance of these trees
- Increased risk of flooding
- Potential nuisance during the construction period
- Potential risk on security?

- Impact on existing service arrangements of businesses on George Street
- Potential congestion on George Street
- Impact on local services and emergency vehicles due to increased traffic and congestion
- Noise pollution
- Potential risk of environmental hazards due to asbestos within the current building
- Potential risk of damage to the adjoining properties and surrounding soil
- Negative impact on the value of the properties

## **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 Healthy and Safe Communities

9- Promoting Sustainable Transport

12- Achieving well-designed places

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

### 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

List relevant policies here:

Policy 1 – Presumption in Favour of Sustainable Development

Policy 3 (Landscape Character)

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

Policy 7 (Community Services and Facilities)

Policy 8 (North Northamptonshire Place Shaping Principles)

Policy 9 (Sustainable Buildings)

Policy 10 (Provision of Infrastructure)

Policy 12 (Vitality and Viability of the Town Centre)

Policy 28 (Housing Requirements)

Policy 29 (Distribution of New Homes)

Policy 30 (Housing Mix and Tenure)

### 6.4 Emerging Part 2 Local Plan (P2LP)

Policy 1- Open Space, Sport and Recreation

Policy 6- Green Infrastructure Corridors

Policy 12- Custom and Self-Build

Policy 15- Specialist Housing and Older People's Accommodation

Policy 22- Regeneration Strategy for Corby Town Centre

Policy 24- Corby Town Centre Redevelopment Opportunities

Policy TC3 – Former Co-Op, Alexandra Road

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Layout, Design and the Effect on the Character and Appearance of the Surrounding Area
- Neighbouring Amenity
- Housing Supply
- Standard of Accommodation
- Access and Parking

### **7.1 Principle of Development**

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

7.1.2 The Part 2 Local Plan (P2LP) for Corby was submitted to the Secretary of State in December 2019 and is currently undergoing independent examination. It should be noted that given the stage the Local Plan Part 2 has reached in its preparation; it is allocated more than moderate weight in the determination of the application.

7.1.3 Policy 1 of the North Northamptonshire Joint Core Strategy (NNJCS) 2016 outlines the presumption in favour of sustainable development that is contained within National Planning Policy Framework (NPPF) 2019, and that the Local Planning Authorities should be taking a positive and proactive approach to applications as a result.

7.1.4 Policy 7 of the North Northamptonshire Joint Core Strategy (NNJCS) 2016 supports the retention and enhancement of open space, allotments, playing fields and other sports and recreation buildings and land, which are identified as key community assets. P2LP Policy 1 requires new developments of 10 or more dwellings to provide new or improved open space, sport and recreational facilities in accordance with the latest Open Space, Sport and Recreational Facilities Assessment to meet the needs arising from the development. Where possible new open spaces, sports and recreational facilities should be linked to the wider green infrastructure corridor network to encourage physical activity, social cohesion and promote healthier and more active lifestyles.

7.1.5 Policy 12 sets out the requirements for supporting the vitality and viability of the town centres in North Northamptonshire, which include securing and maintaining a vibrant mix of retail, employment, leisure and cultural facilities and supporting the provision of additional residential uses. The site is within the main town centre of the growth town of Corby, which is identified within the adopted North Northamptonshire Joint Core Strategy (JCS, 2016) as the focus for infrastructure investment and higher order facilities to support major employment, housing, retail and leisure development.

7.1.6 Policy 24 within the submitted Part 2 Local Plan (P2LP) for Corby identifies this site as one of four mixed use redevelopment opportunity sites within the town

centre, which are expected to be the main locations for new development growth within the town centre and contribute towards the provision of comparison shopping floorspace requirements as set out within JCS Policy 12. P2LP Policy 24 is accompanied by Policy TC3, which sets out detailed guidance for this site to provide a mixed use development including a range of town centre uses and a policy compliant mix of around 150 dwellings to continue the positive transformation and regeneration of the town centre.

- 7.1.7 The above policy supports higher density development to maximise the town centre location and in doing so make the most efficient use of land; however, this should include innovative and contemporary proposals with high standards of architectural design to continue the regeneration and compliment the other modern buildings within the town centre.
- 7.1.8 The site is within an identified sub-regional green infrastructure corridor. JCS Policy 19 and P2LP Policy 6 seek to protect and enhance the identified green infrastructure corridors by ensuring new development does not compromise their integrity, and where possible new development should aim to provide connections to existing corridors.
- 7.1.9 JCS Policy 30 sets out the requirements for housing developments to provide a mix of dwelling sizes and tenures to meet current and forecast accommodation needs. P2LP Policy 12 seeks a proportion of serviced building plots to enable the delivery of custom and self-build housing to meet local demand on sites of 20 or more dwellings, subject to viability and the nature of the proposed development.
- 7.1.10 Policy 30 also encourages housing development for market and affordable housing to make provision to meet the specialised housing requirements of older households. P2LP Policy 15 requires developments of 50 or more dwellings to design a proportion of the housing specifically to meet the identified needs of older households and others with a need for specialist housing; subject to evidence of local need; the scale and location of the site; and viability.
- 7.1.11 The applicant has submitted four options for redevelopment of the subject site. The proposed options comprise options A-C (95, 110 and 68 residential units respectively) and D for a total of 48 residential units, comprising 42 houses and 6 flats, with no commercial floorspace which moved further away from Policy requirements objectives for positive transformation of town centre regeneration.
- 7.1.12 In terms of options A-C the redevelopment of this key opportunity site within Corby town centre for a mix of residential and commercial uses is supported in principle as outlined within P2LP Policy TC3; however, there are a number of policy requirements which is considered in more detail in the following sections.
- 7.1.13 Corby Housing Team has responded to the application with a request for 30% provision of affordable units to be provided within the scheme for options A-C. The applicant has submitted a Viability Appraisal which demonstrates that due to viability issue this scheme would be unable to provide policy compliant contribution towards affordable housing. An independent assessment of the Viability of the proposed scheme has been carried out by White Land Strategies Ltd (WLSL) and they have concluded their assessment as follows:

- *The Applicant's scheme as presented is considered unviable in relation to the full policy compliant contribution.*
- *WLSL has modelled adopting standard benchmarks for viability testing and conclude a surplus is available to enable the scheme to make a contribution either to enhanced S106 as a cash contribution or to contribute to affordable housing however the affordable housing contributions enabled do not meet policy and are as follows:*
  - *Option B at 3.6% (4 units)*
  - *Option C at 10% (7 units)*
- *On this basis the recommendation would be that the review concurs with the Applicant that the Policy Compliant scheme with S106 is not viable but that a surplus exists to allow a contribution towards affordable housing on both submitted models.*
- *The modelling assumes the demolition costs are justifiable but these may reduce potentially when the Applicant completes their investigations.*

7.1.14 It should be noted that, the Plan-wide viability assessment completed in July 2019 by BNP Paribas to support the preparation of the P2LP included the former Co-op site as one of the tested site typologies within the assessment. This assessment considered both tested scenarios, at 110 and 150 units, to be viable at standard build costs inclusive of 20% affordable housing, but also for the 110 unit scenario to be viable at standard build costs inclusive of up to 40% affordable housing. The Plan-wide assessment considered a lower BLV to reflect current values for this site; however, the viability assessments submitted on behalf of the applicant and the independent viability assessment do not reflect this assumption and therefore, show a much lower percentage of affordable housing to be viable on this site.

7.1.15 Local Plans Officer was consulted in relation to the viability of the proposed development and provided the following comments:

*...It is acknowledged the viability of this site is an issue to be considered in determining the precise proportion and tenure mix of the residential units in line with JCS Policy 30; however, it is considered that the iterative options as presented through the evolution of this application do not fully support efforts to achieve the positive transformation of the town centre as outlined within the P2LP and JCS.*

7.1.16 Moreover, Northamptonshire County Council has responded to the application with a request for s106 contributions towards key services and provision of fire hydrants.

7.1.17 In the light of the above, it is considered that the proposed options A-C fails to comply with Policy 30 of the Joint Core Strategy in relation to s106 contribution for the proposed development.

7.1.18 An additional scheme (Option D) was submitted by the applicant which comprises 48 dwellings. The scheme outlined within option D would consist of 100% affordable housing. It is acknowledged that option D would make a positive contribution to meeting the Council's affordable housing requirements; however, the delivery of affordable housing is only one policy outcome for this proposal. However, it cannot justify departure from Policy TC3. Any

redevelopment scheme in this location needs to be considered within the wider context of the accommodation needs and regeneration aims of the town centre.

7.1.19 As outlined above, the continued regeneration of Corby town centre is a Council priority, in particular this site is identified as a town centre redevelopment opportunity site within the Part 2 Local Plan for Corby, which is supported by P2LP Policies 24 and TC3 and reinforced by JCS Policy 12.

7.1.20 P2LP Policies 24 and TC3 allocate this site for mixed use development of around 150 dwellings requiring the site to contribute towards the provision of comparison shopping floorspace requirements set out within JCS Policy 12. The proposed removal of all commercial floorspace and providing lower density scheme within option D, does not meet the requirements of these policies.

7.1.21 The applicant has provided letters from Jones Lang LaSalle Ltd (JLL) who were appointed for marketing the site on behalf of Evolve Estates. These letters were submitted to justify the shift of the proposed options from A to D. The accompanied cover letter (received on 27.04.2021) with Option D Masterplan refers to further marketing evidence that the applicant is coordinating and intends to submit to the Council; however, no further information appears to have been submitted at the time of writing this report. It is considered that the submitted letters are not sufficient enough to justify a departure from Policies. And, Local Plans Officer's extensive comments and observations also reinforces this significant departure from P2LP.

7.1.22 It should be noted that, no clear indication has been made by the applicant throughout the submission that whether the Council should consider any particular option for the subject site. But states that the parameters of the outline application are to allow for a scheme of up to 110 dwellings to be delivered. It should be noted that the submitted parameters and illustrative plans are indicative only for access, scale, layout, density et al LPA considers merits of the proposal which at present fails to comply with the key Policy requirements.

7.1.23 Overall, the prospective redevelopment of this site of opportunity is welcomed in principle; however, it is considered that the proposal would undermine Council's efforts to successfully achieve the positive transformation and regeneration of the Town Centre. There are only a finite number of opportunities within the town centre to deliver the type of transformation outlined within P2LP and the applicant has failed to provide any robust evidence to justify the departures from the Development Plan.

7.1.24 The proposal is contrary to the objectives of the above policies which is the focus for infrastructure investment and higher order facilities to support major employment, housing, retail and leisure development within this Town Centre regeneration site. Policy 1 of the JCS states that - *development should contribute to delivering the Plan Vision and Outcomes through compliance with the relevant policies of this Plan. Development that conflicts with policies of the Plan will be refused unless material considerations indicate otherwise.* The proposal is therefore unacceptable in principle.

**7.2 Layout, Design and the Effect on the Character and Appearance of the Surrounding Area**

- 7.2.1 Chapter 12 of NPPF attaches great importance to the design of the built environment. It goes on to advise that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to make places better for people.
- 7.2.2 The site is within the main town centre of the growth town of Corby, which is identified within the adopted North Northamptonshire Joint Core Strategy (JCS, 2016) as the focus for infrastructure investment and higher order facilities to support major employment, housing, retail and leisure development.
- 7.2.3 JCS Policy 8 advocates developments to create local character by responding to the site's immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of that local character without stifling innovation.
- 7.2.4 Policy 12 – Town Centres and Town Centre Uses of the JCS stipulates that the vitality and viability of the town centres in North Northamptonshire will be supported through the provision of well-connected places – particularly focused on connections to the centre through the use of street and green space connections. The Policy also states that town centres are required to have a mix of uses – with services and jobs located where people can get to them easily, including by foot, bicycle and public transport and that town centres will provide streets for all which are designed to be safe, pleasant, lively and characterful.
- 7.2.5 P2LP Policy 24 is accompanied by Policy TC3, which sets out detailed guidance for this site to provide a mixed use development including a range of town centre uses and a policy compliant mix of around 150 dwellings to continue the positive transformation and regeneration of the town centre.
- 7.2.6 Policy TC3 defines the site as being allocated for around 150 dwellings and outlines that applications on this site should take account of the following key principles:
- Include a range of appropriate town centre uses;
  - Layout and density maximises the town centre location;
  - Provision of flats or apartments with varying heights that complements the surrounding mix of uses. A scheme involving the stepping down of building blocks from the south-western corner towards the eastern boundary would be welcomed in design terms to minimise the impact on neighbouring residential properties;
  - High quality architectural design;
  - Proposals should improve the overall appearance of The Site, in particular fronting Alexandra Road;
  - Connectivity within and beyond The Site is of key importance, particularly links to the town centre with connected from this site to the Cube;
  - Proposals should consider incorporating innovative solutions such as basement parking or deck parking;
  - Proposals should maximise opportunities for biodiversity enhancement and habitat connectivity by improving green infrastructure links to the nearby Hazel and Thoroughsale woodland;
  - Noise attenuation measures due to proximity to neighbouring commercial uses and Alexandra Road.

7.2.7 The current proposal within option A-C introduces mixed use development within the established context and endeavours to create a sense of place. The option details for the residential elements are as follows:

	Houses		Apartments		Total
	1 Bed	2 Bed	1 Bed	2 Bed	
<b>Option A</b>	15	28	20	32	95
<b>Option B</b>	10	19	33	48	110
<b>Option C</b>	35	18	7	8	68

7.2.8 Overall, the site layout is positive, in particular by providing a strong network of streets in a legible hierarchy. The above options will enable the site to offer a range of unit sizes, from 1 and 2 bed apartments through to semi-detached and terraced properties. This will ensure that the development is accessible to all users and will offer a range of property sizes to attract a range of demographics to the live at the site. The approach to the architecture, and in identifying the principle of reflecting the traditional building materials in a modern idiom which will allow the development to sit comfortably within its surroundings whilst also being ‘of its age’ instead of referring to a pastiche design which is not the vernacular of Corby. The precedents shown in the DAS are positive examples of townhouse contemporary design and this style of development will be welcomed at the Alexandra Road site.

7.2.9 In terms of Option A, B and C a relatively modern design approach has been taken. The proposed blocks of flats are located to south-east corner of the site. The proposals are for up to six storey buildings fronting Alexandra Road and gradually steps down to 3-2 stories to the eastern part of the site. The DAS demonstrates that a height analysis of buildings in the vicinity has been carried out and it is considered that the approach to height is sound, with the lower height elements proposed for the most sensitive edges and the tallest on the key prominent corner location which is aligned with earlier design comments at the pre-application stage.

7.2.10 It should be noted that, this application is in Outline stage with all matters reserved except for access and scale. It is considered that the revised proposals within option A, B and C generally accord with Policy 8 and Policy 12 of the JCS as well as Policy TC3 which stipulates the requirements to be considered for any development at this site. However, the development also under utilises the site through all of the above options (up to 110 units) and the site is identified as being able to accommodate around 150 within the emerging Part 2 Local Plan.

7.1.17 An additional scheme (Option D) was submitted by the applicant which comprises 48 dwellings. Any redevelopment scheme in this location needs to be considered within the wider context of the accommodation needs and regeneration aims of the town centre. The proposed removal of all commercial floorspace along with a lower density scheme within option D, does not meet the requirements of the JCS policies.

**7.3 Neighbouring Amenity**

7.3.1 Policy 8 of the Joint Core Strategy stresses the need for the protection of amenity of neighbouring occupiers. Chapter 12 of the NPPF requires new



development to provide a good standard of amenity for all existing and future occupants of land and buildings. The submitted DAS has demonstrated that how the proposed scheme have carefully designed to minimize the impact on the adjacent properties, particularly to the residential properties along Richmond Road and focused the highest element of the development to the south west corner of the site.

7.3.2 It is considered that the proposed layout will ensure that no loss of privacy or light will occur to existing properties adjacent to the site. Furthermore, the relationship between the proposed units is considered to be reasonable in its amended form. The proposal is therefore in accordance with Policy 8 of the Joint Core Strategy in terms of neighbouring amenity and acceptable.

7.3.3 Several objections have been received from the neighbouring properties and the applicant has provided response to address those. The key points are as follows:

- Visual impact: *the maximum height of the scheme has been reduced to 6 storeys. This height represents an acceptable transition between the commercial buildings to the west (on the other side of Wood Street) with those which are lower to the east, on Richmond Road.*
- Residential amenity: *The scheme has been deliberately designed to 'step-down' in height towards Richmond Road to protect neighbouring residential amenity.*
- Highway impact: *The site is in a Town Centre location with access to amenities and public transport. As such, a reduced parking provision is considered appropriate and detail parking will be secured at reserved matters stage and, if necessary, undercroft parking could be provided for.*
- Noise impact: *The application is outline and this detail can be assessed at reserved matters stage. However, it is noted that the site is in a Town Centre location where it is anticipated that there is already quite a high prevailing noise level; it is not considered that the proposed residential use will create additional noise. If necessary, acoustic mitigation measures can be designed into the scheme.*
- Nuisance during construction period: *Should outline consent be granted, a Construction Management Plan would likely be conditioned. This would ensure that possible impacts that may arise from the works are appropriately identified, managed, and minimised.*
- Impact on existing tree's: *The applicant carried out a Topographical Survey which mapped the exact location of all trees within, and on, the boundary of the site. This, in turn, informed the Tree Survey and Constraints Plan. Whilst landscaping remains a reserved matter, it is envisaged that these trees will be retained, as shown on the submitted Illustrative Landscape Plan.*

## 7.4 Housing Supply

7.4.1 The Council's housing land supply position is set out in the AMR 2017/18 – Five Year Housing Land Supply (November 2019) which confirms that the Council is able to demonstrate a five year supply of housing land. On 27/08/19, a planning inspector considering a planning appeal at Grettton concluded that the Council has not demonstrated that they have a five year housing land supply. This

decision is a material consideration in the determination of this planning application. However, the appeal inspector states that the “decision is not a binding precedent which means that such arguments around housing land supply calculations could feasibly result in different conclusions in future appeals”. This is similar to the findings of the Inspector in the Stanion appeal insofar as the fragility, either way, of the Council demonstrating a five year housing land supply is finely balanced and the Council may be able to provide additional evidence in future to satisfy the NPPF test on deliverability. Further work has been undertaken since the Inquiry to strengthen the site specific evidence on deliverability in accordance with the revised National Planning Guidance (22/07/19) to reinforce the conclusions of the Councils five year housing land supply position and to inform updates. The application would make a significant contribution to the Council's housing targets.

7.4.2 However, it is considered that the proposed development has underutilises the site through all of the above options (48 to 110 units) and the site is identified as being able to accommodate around 150 dwellings along with mixed use within the emerging Part 2 Local Plan.

## **7.5 Standard of Accommodation**

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

7.5.2 No documents have been submitted to evidence that the proposed scheme is in accordance with the National Space Standards.

## **7.6 Access and Parking**

7.6.1 A new access point off Alexandra Road is proposed, which will serve the new apartments connecting to car parking and bicycle storage provided at the rear of the apartment blocks for sole use of the apartment residents.

7.6.2 For proposed dwellings along Wood Street, parking is provided in front of properties at 90 degrees to Wood Street, and a secondary access point located further along, providing vehicular and pedestrian access to the rear of the site. This will provide access to the remainder of the frontage parking for the dwellings within The Site.

7.6.3 It is proposed that the internal street should a shared surface that encourages pedestrian movement. There will be the potential for changes of surface to provide traffic calming opportunities that slows vehicular movement and provides a safer environment for pedestrians and cyclists. A turning facility is also illustrated, which will allow refuse and emergency vehicle access whilst providing access to additional parking.

- 7.6.4 With regard to car parking, each property has its own dedicated parking space. In terms of pedestrian and cycle access, the provision of safe and direct routes has been made within the site. Submitted Design and Access Statement (DAS) demonstrates that the layout has been arranged as a clear and secure internal road, with pedestrian priority and shared surfaces ensuring a safer and more secure development through a low speed home-zone neighbourhood.
- 7.6.5 In terms of access to local amenities, The DAS further states that the layout has been designed in accordance with a central axis and pedestrian crossing on Alexandra Road providing effective pedestrian connectivity from the 'Oasis Retail Park' opposite and Corby town centre beyond.
- 7.6.6 The Highway Authority have been consulted on this application and have not raised any formal objection on the grounds of highway safety and parking. In terms of proposed access, the officer confirms that the Alexandra Road access presents some concerns as it is, therefore we will require an RSA 1 / 2 to be carried out for this junction. The secondary access off Wood Street is acceptable but will require re-assessment once the quantum and mix of development are set.
- 7.6.7 In relation to the number of scheme submitted the highways officer provided the following observations:

*At present we feel that the scope for the site usage is too broad, with too many possible permutations for us to be able to solidify a response with a clear set of conditions. Due to this, we request a condition for an addendum TA (scope to be agreed with the LHA as per policy) once the quantum of development and use classes are known by the developer. This would also allow us to quantify any mitigation works accurately rather than on a worse-case scenario which we would have to adopt at present, and which may not transpire.*

- 7.6.8 Overall, the proposal is considered to be acceptable on highway safety and parking grounds at this stage and therefore accords with Policy 8 and 15 of the Joint Core Strategy.

## **7.7 Flood Risk and Drainage**

- 7.7.1 The applicant have submitted a Flood Risk Assessment along with a Drainage Strategy. Extensive consultation has been carried out with Lead Local Flood Authority to resolve raised concerns. Furthermore, Anglian Water and Environment Agency was also consulted in relation to drainage issue. No objection have been raised by the consultees and confirms acceptance of the submitted information at this stage of the application. However, recommends planning conditions to control this matter at the reserved matter stage.
- 7.7.2 Objection has been received from a neighbouring resident in relation to potential flood risk. Applicant has responded to this comment as follows:

*The site is within Flood Zone 1 which has the lowest probability of flooding. Accordingly, the site is suitable for residential development when appraised in line with the NPPF Test Guidance. A drainage strategy has been prepared, comprising a piped network with attenuation provided in below ground, geo-cellular storage. The surface water system will outfall to the public surface water*

*sewer located in Wood Street. Tanked permeable paving will be used for all private drives to provide a level of surface water treatment. The submitted Report shows that surface water attenuation can be accommodated on the site.*

- 7.7.3 Overall, the proposed development conforms to Policy 5 of the North Northamptonshire Joint Core Strategy (2016) as well as the National Planning Policy Framework (2019).

## **8. Conclusion**

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- 8.1 The redevelopment of this site is welcomed in principle; however, it is considered that the proposal has failed to comply with the policy requirements, which could undermine efforts to successfully achieve the positive transformation and regeneration of the town centre. There are only a finite number of opportunities within the town centre to deliver the type of transformation outlined within P2LP and the applicant has failed to provide any robust evidence to justify the departures from the Development Plan.
- 8.2 In conclusion the proposed schemes are unacceptable in principle because the submitted options A, B and C fails to comply with Policy 30 of the Joint Core Strategy and paragraph 57 of the National Planning Policy Framework (NPPF) in relation to s106 contribution required for the proposed development.
- 8.3 Option D does not meet the requirements of the JCS Policy 12 as well as Policy 24 (Policy TC3) of the emerging Part 2 Local Plan (P2LP). Moreover, applicant has not provided any indication of the tenure mix in relation to 100% affordable scheme and has not submitted any s106 heads of terms to be considered by the Council. Accordingly, the proposal fails to accord with the National Planning Policy Framework, North Northamptonshire Joint Core Strategy and Emerging Part 2 Local Plan.

## **9. Recommendation**

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

## **10. Reasons for Refusal**

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- 10.1 In conclusion the proposed development is unacceptable in principle because the proposed options A, B and C fails to comply with Policy 30 of the Joint Core Strategy in relation to s106 contribution for the proposed development and paragraph 57 of the National Planning Policy Framework (NPPF). Option D does not meet the requirements of the JCS Policy 12; Policy 24 as well as Policy TC3 of the emerging Part 2 Local Plan (P2LP). Accordingly, the proposal fails to accord with the National Planning Policy Framework, North Northamptonshire Joint Core Strategy and Emerging Part 2 Local Plan.
- 10.2 The prospective redevelopment of this site is welcomed in principle; however, it is considered that the proposal would undermine Council's efforts to successfully achieve the positive transformation and regeneration of the Town Centre. There are only a finite number of opportunities within the town centre to deliver the type of transformation outlined within P2LP and the applicant has failed to provide any robust evidence to justify the departures from the

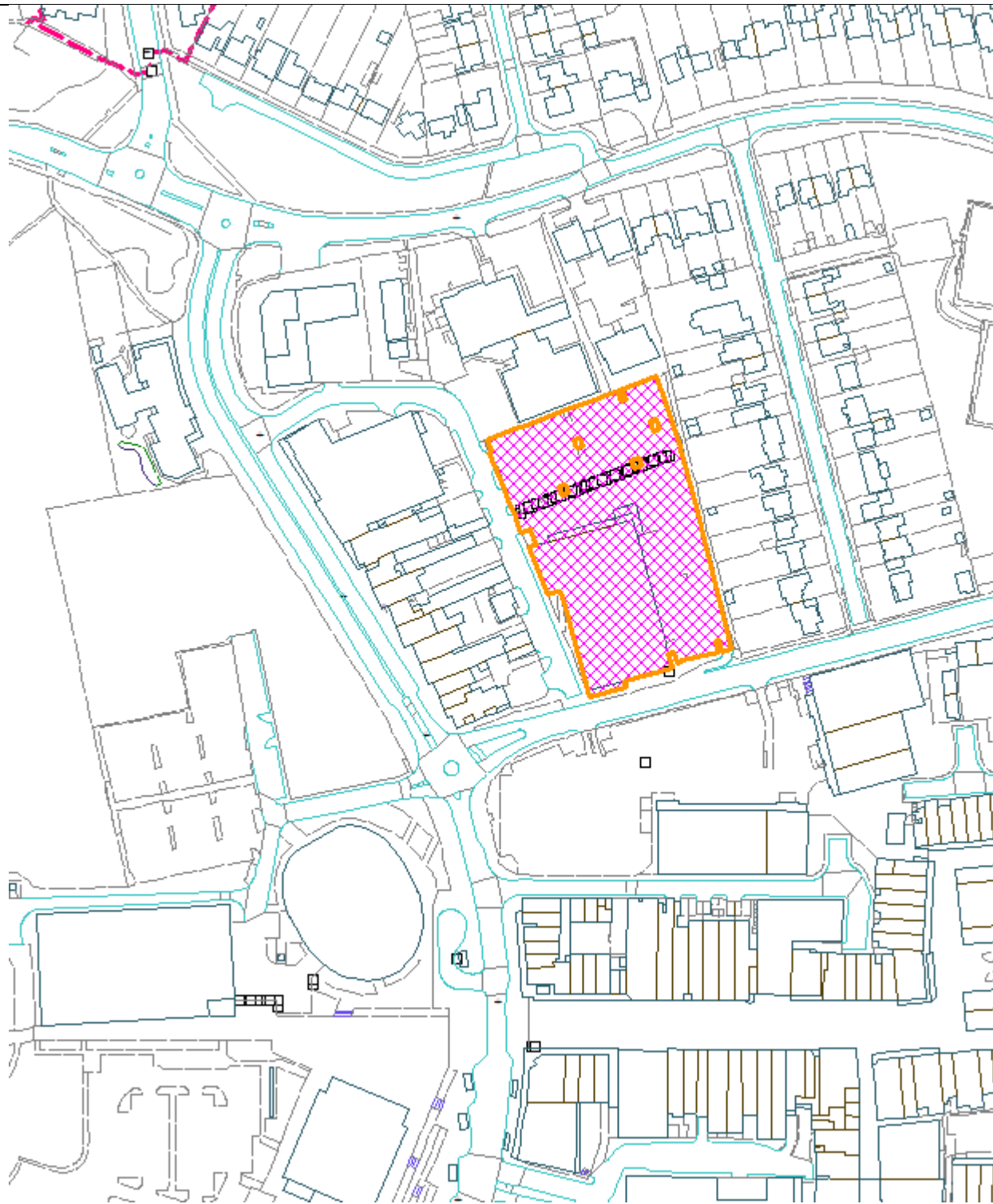
Development Plan. The proposed scheme moved further away in evolution from compliance to policy and therefore runs the danger of undermining an emerging Local Plan advanced on route to adoption.

## **11. Schedule of Plans and Documents**

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Site Location Plan, Dwg. No.P18-1946 018  
Illustrative Masterplan Option A, Dwg No. P18-1946 013 D  
Illustrative Masterplan Option B, Dwg No. P18-1946 015 D  
Illustrative Masterplan Option C, Dwg No. P18-1946 020 A  
Proposed Concept Layout Option, Dwg No. 01014-S2-P4  
Parameters Plan, Dwg. No. P18-1946 014 H  
Illustrative Landscape Masterplan Option A, Dwg No. P18-1946\_16A  
Illustrative Landscape Masterplan Option B, Dwg No. P18-1946\_17  
Illustrative Landscape Masterplan Option C, Dwg No. P18-1946\_21  
Design and Access Statement, P 1 8 - 1 9 4 6 \_ 2 0 1 B, December 2020  
Planning Statement and Statement of Community Involvement, P18-1946 REV A  
Economic Viability Analysis 'Option B', December 2020  
Economic Viability Analysis, December 2020  
Air Quality Statement for the proposed development at Alexandra Road, Corby, Version 2, July 2020  
Swept Path Analysis Western Access 11.210m Refuse Vehicle, P18-1946 FIGURE 5 A  
Swept Path Analysis Southern Access 11.220m Refuse Vehicle, P18-1946 FIGURE 6 A  
Swept Path Analysis Southern Access 5.079m Large Car, P18-1946 Figure 7  
Drainage Design Statement; R-DS-21123-01-02, Revision 02, July 2020  
Phase I Desk Study;  
Note on Energy and Sustainability Strategy;  
Transport Statement  
Travel Plan;  
Arboricultural Survey and Impact Assessment, April 2020  
JLL Letter dated 18.11.2020  
Email from JLL on Dwelling Mix

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**Co Operative Retail Services Ltd , Alexandra Road, Corby, NN17 1PE**  
**Planning Application Reference: 20/00155/OUT**  
**Planning Committee Date: 21/06/2021**



