
UPDATE REPORT
Application for Outline Planning Permission

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

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

TERMINOLOGY AND BACKGROUND

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

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

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

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

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

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

CHRONOLOGY

Resolution to Approve

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

11. Recommendation

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

Direction

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

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

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

Additional Publicity

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

Further Representations and Responses

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

Updated planning conditions and s106 obligations

Section 106 Agreement

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

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

Planning Conditions

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

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

Consultation with the Secretary of State

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

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

OFFICER'S RECOMMENDATION

Preamble

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

Recommendation

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

10 November 2020

Officers to Contact

Edward Oteng

Email: Edward.Oteng@corby.gov.uk