

Strategic Planning Committee

5th April 2023

Application number:	NC/22/00294/DPA
Case Officer	Fidel Miller
Location	Land North of Gretton Road, Corby, Northamptonshire, NN17 3AS
Development	Erection of logistics warehouse with associated offices, car parking, landscaping, engineering, drainage and infrastructure works, including creation of new access onto Corby North Orbital Road
Applicant	Mulberry Commercial Developments (Midlands) Limited
Agent	Pegasus Group
Ward	Corby Rural Ward
Overall Expiry Date	17/10/2022
Agreed Extension of Time	24/04/2022

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1. Scheme of Delegation

- 1.1. This application was brought to Committee because it falls outside of the Council's Scheme of Delegation because there are material objections to the proposal it therefore comes before the Strategic Committee for determination.

2. Background

- 2.1. This application is brought back to committee following a resolution to defer at the meeting on the 20th February 2023 for the following reasons:
- That the applicants Investigate the merits of repositioning the building further away from the nearest residential properties by relocating the car park, offices and main staff entrance to the eastern elevation and to assess the benefits/ drawbacks of this configuration.
 - Biodiversity Net Gain (BNG): To increase BNG within the site, and to clarify the current level of net gain related to the proposed development, and how it relates to adopted policy and legislation.
 - The applicant in respect of its current and amended proposal to consider further screening of the development on its eastern and south-eastern boundaries (amendments to the green bund and trees planting). These amendments to be combined with further acoustic fencing as required.

3. Recommendation

- 3.1. That planning permission be APPROVED subject to conditions and a legal agreement as set out in the original report and subsequently reviewed in this addendum report. The final set of proposed planning conditions are appended. (See Appendix 4)

4. Proposal

- 4.1. The proposed development as submitted previously to the Committee involves the erection of a logistics storage and distribution facility (Use classes B2, B8 and E(g)(i) with a gross area of 46,451sqm. Please refer to Appendix 1 for full details.
- 4.2. Following the deferral, the applicants have submitted a set of documents including a supporting statement along with a number of drawings. The proposed amendments would be as follows:
- The footprint of the main building would be repositioned 3m to the west.

- 13 HGV trailer bays would be removed from the southwestern corner of the hard landscaped area which increases the area of soft landscaping.
- Increased bunding to the eastern and south-eastern boundaries.
- Introduction of an acoustic fence adjacent to the eastern and south-eastern boundaries.
- Introduction of a further 1365 sapling, semi-mature and mature trees (circa 70% increase).
- Biodiversity Net Gain improvements:

- o Total net unit change from -6.53 to -5.03
- o Total on-site net % change plus -21.12% to -16.28%

Results with offsetting from land bank

- o Net gain of + 0.6 habitat units
- o Total on-site net change % plus off-site surplus +1.95%.

4.3. The proposed amendments would provide additional screening and an improved level of visual protection in relation to zone 1 of Priors Hall.

4.4. Members also requested that the applicants consider an alternative layout that would involve the repositioning of the proposed building to increase the separation distance from Priors Hall zone 1. An indicative alternative layout was produced by the applicant to this affect along with associated technical reports (see appendix 4). The alternative layout and associated reports will enable members to understand the rationale behind the amendments proposed.

5. Consultation Responses:

6.1. Key consultee comments for the deferred application are set put in Appendix 1 have been sought on the revised proposal. Both internal/external consultees and neighbours have been consulted. A full copy of all comments received will be made available on the public access system:

6.2. Internal consultees

Consultee	Comments
Trees and landscaping	<ul style="list-style-type: none"> - The alterations to the planting scheme will help to further improve the screening and landscape value of the development and will provide a well-structured woodland feature. - No comments in relation to the indicative layout were made.
LHA	<p>Objection to the indicative layout for the following reasons.</p> <ul style="list-style-type: none"> - There are concerns with its compliance with standards with respect to the stagger distance from the existing junction of Kestrel Road in particular and the interrelation between vehicle movements exiting both of these junctions. It appears the access would be shared with that associated with the existing lodge. Given the Council's policy to prevent sharing of a private access between commercial and residential uses, this may limit the usability of the lodge. There are also concerns with the significant increase in vehicular movements across Gretton Road in the vicinity of the existing residential development and its impacts when amalgamated with traffic associated with the Priors Hall development. Whilst the removal of a tree is not a material highway concern, it is thought the existing tree adjacent to the existing access would likely need to be removed to accommodate a means of access and its associated visibility splays. - No objection to proposed development
LLFA	<ul style="list-style-type: none"> - No objection subject to condition
Environmental Services	<p><u>Noise</u></p> <ul style="list-style-type: none"> - All 3 proposed site plans and I side with the applicants that Indicative Alternative Site Plan is the least desirable from a noise control perspective. Moving the car park to the most sensitive part of the site introduces a potentially problematic noise source in closer proximity to residential properties. Typical noise types from car parks include, engine noise, people noise (raised voices), impact noise from car doors opening/closing. The hard reflective surface of the car park would only increase the overall noise output from the site. <p>Additionally, in this layout, the building would provide less screening</p>

	<p>as the louvres would be facing the noise sensitive residential properties.</p> <p><u>Air quality</u></p> <p>- No in principle objection to the indicative plan subject to conditions.</p> <p><u>Light pollution</u></p> <p>No in principle objection to the indicative plan subject to conditions</p> <p>- Overall, the Proposed Site Plan with amendments is the less impactful option.</p>
Ecology	No comments

6.3. External Consultee

Consultee	Comments
Wildlife Trust	Improvements acknowledged and welcome, however, on site biodiversity net gain encouraged given the sensitive location of the site within close proximity to the Willowbrook Green Infrastructure corridor. Two conditions recommended in the event of a resolution to grant consent.

6.4. Neighbouring occupiers

Neighbour Notification

397 neighbouring occupiers were originally consulted, and their responses are contained in the Appended report (appendix 1) These include a summary of comments from the Weldon Parish Council and the Priors Hall Neighbours Association. A further consultation exercise has been made carried out in relation to the revised scheme on 07th March 2023. A summary of representations received are outlined below:

- Concern over size and proximity to residential areas
- light pollution at especially at night
- Noise pollution
- Loss of wildlife within close proximity to residential areas
- Air pollution
- Objection to the indicative plan and the access adjacent to Kestrel Road.
- Access to the employee and visitor parking area should be from the west of the site and pass across the site to the eastern car park.
- Combined impact of the proposed development with Shelton Road incinerator in terms of traffic and dual carriageway impact may not have been considered.
- Increased traffic

6. Revised application considerations

- Design considerations
- Ecology and Nature Conservation Biodiversity Net Gain
- Noise and Vibration
- Residential amenity
- Planning obligations

7. Design considerations

- 7.1. The revised proposal would increase the bunding and acoustic fencing along the eastern and southern boundaries. The applicant has also agreed to move 13no. HGV trailer parking bays from the south-eastern most corner of the service yard to the opposite side of the building along the northern elevation. This would increase the distance from 1 Hobby Drive (to the south east) to the nearest HGV parking space by 41 metres to now over 107 metres distance. The layout amendments result in the main building being slightly relocated further west, increasing the distance from residential properties by an additional three metres.

Visual and Landscape considerations

- 7.2. The woodland boundary along the northern side of the site would be retained and supplemented by new woodland planting with an enhanced woodland buffer created to the eastern side of the site as originally proposed. In order to address concerns raised members a further 1365 sapling, semi mature and mature trees along the eastern and southern boundaries are proposed to bring the total number to 1985 trees. This would exceed the number of originally proposed trees by 70% which includes 520 semi mature and mature trees. In this context the GI framework and its onsite applicability to minimise landscape and visual effects identified in the LVIA is therefore considered to exceed minimum requirements to ensure that the impact of the proposed development is within acceptable tolerances in respect to visual amenity impacts.

Investigation into the indicative site layout

- 7.3. As part of the investigation into the feasibility of an alternative layout the applicant has explored relocating the car park, offices and main staff entrance to the eastern elevation and the benefits/drawbacks of this approach. The alternative layout would involve the reconfiguration of traffic routing and the active frontage on to Gretton Road and closer to the existing housing within Zone 1. This includes site access, office elevation and visitor and staff parking areas within close proximity to the said main office. Along with a reduction to the floor space sought by 50,900 sq ft.
- 7.4. The tested alternative layout would bring the main office elevation and parking areas nearer to the existing residential areas in zone 1. The spatial constraints and topography would prevent a similar or enhanced level of bunding and screening, due to its siting and the requirement for sight lines to the car park to be maintained preventing. This would have the effect of increased perceived light pollution from column mounted lamps within

the car park along with further perceived loss of privacy caused by the active frontage. The vehicular access point to the car park would be located on Gretton Road. This arrangement would be necessary as an access route across the HGV service yard would not be feasible due to the conflicts between the different types of traffic. The siting of the access point on Gretton Road is a logical arrangement in this context however it would result increased vehicular movement along Gretton Road to the detriment of residents. Whilst it is acknowledged that the above outlined alterations would increase the separation distance with the nearest residential properties how this would be achieved would appear to result in a greater detriment to the residential amenity of residents.

- 7.5. In summary the alternative layout would be likely to result in increased vehicle movement closer to residents with potential increases in perceived light pollution and perceived reductions in air quality. Moreover, the reduction in floor space along the lines explored would be inconsistent with the operational requirements of the end user. For these reasons the applicant has not sought to progress this layout. It is acknowledged that the indicative alternative layout would increase the separation from zone 1. However, this would appear to be achieved through increased detriment of the residents and future occupier of the proposed development. For this reason the application is not pursuing this option. Therefore, this approach does not appear to achieve the optimum outcome for all stakeholders. The Council's internal consultation responses back up this claim.

8. **Ecology and Nature Conservation Biodiversity Net Gain**

- 8.1. The policy comments are as per the deferred application report. Following the deferral, the applicant has submitted an updated biodiversity impact assessment and biodiversity net gain matrix. The assessment indicates that the total net unit change would reduce to -5.03 biodiversity units compared to the previous figure of -6.53.
- 8.2. The applicant's offsetting proposal involves using the third-party land bank, the Metric stipulates that 1.2 ha of arable land is converted to neutral grasslands. Under the current local policy there is no specific net gain target however it is anticipated that the requirement for 10% net gain will become mandatory from November 2023 subject to the necessary legislation being approved by HM Government. The additional bunding and landscaping area created to the eastern end of the development has allowed for additional planting of trees and grass lands which have aided biodiversity reinstatement on site. Subsequently, the net loss on site for the revised scheme submitted for the March 2023 Strategic Planning Committee is -5.03 units. The off-site land bank and will achieve

a net gain of +0.6 habitat units (+1.95%) which would be consistent with current policy requirements.

9. **Noise and Vibration**

- 9.1. The NPPF, Paragraph 185, requires the LPA to “ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”

Noise

- 9.2. The policy comments are as per the deferred application report. The revised layout increases the separation distance between the built development and the eastern and south-eastern boundaries. This is enabled by way of the removal of 13 HGV trailer bays from the south-eastern corners of the service yard to the opposite side of the building along the northern elevation. Further bunding is proposed along the eastern and southern boundaries along with an acoustic fence. The added mitigation from these amendments is that the increased bunding and screening and the increased overall distance between the proposed development and zone 1. For these reasons it is considered that the proposed development exceeds minimum acceptable tolerances in terms of noise pollution. The Council’s environmental Health officer has confirmed that the proposed development would be acceptable in this regard (see section 6.2).

10. **Residential Amenity**

- 10.1. The policy comments are as per the deferred application report. The revised layout proposes 62 HGV parking spaces along the southern edge of the hard surfaced area of application site which is a reduction in the concentration of HGV spaces located closest to zone 1 of the Prior Hall Park SUE. This when considered along with the increased number of planting along these boundaries, the increased number of semi mature and mature trees, increased height of bunding and acoustic fencing ensures any impact experienced would be within acceptable tolerances.
- 10.2. For the reasons considered above while it is acknowledged that the proposed development would result in some impact to neighbouring occupiers it is considered that this would be within acceptable tolerances. The proposed development is therefore not considered to result in any significant adverse impact to the residential amenity of neighbouring occupiers and would as such comply with the policies outlined above.

11. **Planning Obligations**

11.1. Guidance for the use and application of planning obligations is contained within the Corby Planning Obligations SPD 2017. North Northamptonshire which seeks the following contributions by way of section 106.

- 1 x Bus stop maintenance
- Operator Travel Plan and associated Monitoring Fee
- Megarider ticket for the local area, for employees
- Employment Skills and training
- Weldon Lodge restoration
- CNOR central reservation reinstatement in the event of the completion of the final phase of its delivery.

11.2. Officers are satisfied the contributions/obligations meet the 3 tests for planning obligations.

12. **Conclusions and recommendation:**

12.1. After careful consideration, officers consider that the proposed alterations to the proposed development sufficiently addressed the reasons for deferring this application proposal on the 20/02/2023 strategic planning committee. The revised proposal would be acceptable in respect to design, size and siting. The enhanced bund, acoustic fencing together with the increased amount of planting scheme to screen the building and reconfigured HGV parking areas are also considered to be improvements.

12.2. The impact resulting from the proposed development namely environmental, visual, amenity and other impacts then need to be balanced with the economic benefits in terms of investment and employment. The environmental impacts can be mitigated through safeguarding planning conditions and section 106 obligations. In reaching this conclusion, officers have attributed significant weight to the socio-economic benefits of the development, in terms of its ability to generate inward investment into Corby and to secure future jobs. Officers consider that these concerns can be appropriately addressed through a planning condition. Also subject to conditions and a s106 agreement the designated heritage asset can be made watertight and then restored to comply with LB legislation and brought back into a beneficial residential use.

Recommendation:

- 12.3. For the reasons outlined above officers consider the proposed development to be acceptable on balance and therefore consistent with Development Plan policies. Within this context officers respectfully request delegated authority from members to grant planning permission, finalise the wording of conditions and enter into the Section 106 Agreement based on the Heads of Terms set out in this report.