

North Northamptonshire Area Planning Committee (Corby) 22 July 2021

Application Reference	NC/21/00034/RVC
Case Officer	Babatunde Aregbesola
Location	Village Centre adjacent Parcel 5 Roman Road Corby Northamptonshire
Development	Variation of condition 2 (approved plans) under planning reference 20/00301/RVC approved 12/11/2020 amending 17/00702/DPA approved 21/05/2018; to include 20-4514 L Block D Amended Landscape Plan V1 and 1616-VC-P120 Village Centre Previous Approved and Proposed Layout.
Applicant	JME Developments Ltd
Agent	Mr Mark Flatman
Ward	STAVIL - Stanion and Corby Village
Overall Expiry Date	26.04.2021
Agreed Extension of Time	28 th July 2021

List of Appendices

None

Scheme of Delegation

This application is brought to Planning Committee because Little Stanion Parish Council has raised a material planning objection against the variation of condition 2 (s73) application pursuant to application reference 20/00301/RVC approved amending 17/00702/DPA. The Parish Council has insisted the application be brought before the Planning Committee for consideration.

1. Recommendation

1.1. That planning permission be GRANTED subject to conditions.

2. The Proposal

2.1 The application seeks variation of condition 2 (approved plans) under planning reference 20/00301/RVC approved 12/11/2020 amending 17/00702/DPA.

Condition 2 of the previous planning permission states that: The development shall conform in all aspects with the plans and details approved under application 17/00702/DPA, as amended by non-material amendment approval 18/00484/NMA, as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

- P001 (Red Edged Village Centre Location Plan)
- P101 Rev D (Village Centre Site Layout)
- J156B - 152 Rev D (Proposed Road Markings)
- P101 (Village Centre with Topo Survey)
- P110 (Proposed External Stores)
- P200 and P201 (Block A Proposed Floorplans and Elevations)
- P300, P301, P302 (Block B Proposed Floorplans and Elevations)
- P400, P401, P402, P403, P404 (Block C Proposed Floorplans and Elevations)
- P500, P501, P502, P503 (Block D Proposed Floor Plans and Elevations)
- P600, P601 (Block E/Village Hall Proposed Floor Plans and Elevations)
- J156B-151 Rev B (Proposed Levels)

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

2.2 The applicant seeks to amend the approved schedule of drawings currently approved pursuant to planning permission 20/00301/RVC (17/00702/DPA) to facilitate the discharge of the reserved matters in respect of parcel 5 following the grant of outline planning permission 17/00703/OUT issued on 6 September 2018.

2.3 Following the grant of outline planning permission 17/00703/OUT, and having consequently now designed a detailed housing layout, two modifications are contemporaneously required to adjacent existing grants of planning permission to the north and south of Parcel 5 to achieve the effective dovetailing of the jigsaw. This application is to facilitate the amendments required to the north and is contemporaneously submitted with the corresponding reserved matters application pursuant to 17/00703/OUT.

2.4 In the case of 20/00301/RVC (17/00702/DPA) situated to the north of Parcel 5, the existing approved store for 16 cycles, Store D3, that will serve the village centre Block D is proposed to be relocated from being situated to the north of Parcel 5 plot 14 to a position within Parcel 5 north of Plot 11. This relocation facilitates a more appropriate garden configuration for Plot 14 whilst still maintaining the existing approved cycle store provision, albeit to now be relocated to within Parcel 5, but still contained adjoining and serving the car park associated with Block D of the village centre.

2.5 The configuration of the Parcel 5 layout also results in a landlocked rectangle of land north of plot 21 and west of plots 27 and 28. The second land rationalization at the interface between Parcel 5 and the Village Centre consequently proposes that this parcel of land be amalgamated with the existing 25 space village centre public car park to deliver a 30% capacity increase through the creation of a further 8 car parking spaces. This is effectively therefore an unexpected and beneficial planning gain for the wider Little Stanion community by creating

additional public parking spaces to facilitate drop-off and pickup of children from the primary school and also for those visiting the village centre retail units and village Hall.

- 2.6 The third land rationalization is the amendment to the village centre landscaping in the area between the car park serving Block D and the public car park south of the village school. This introduces 3 ornamental trees into the rear gardens of plots 13 and 14 in a comparable manner to the tree planting for all other individual plots within Parcel 5 Landscape Masterplan. It also provides for a seamless contiguous continuation of the landscaping and accompanying element of the footpath link that is proposed within the Parcel 5 reserved matters application to link Parcel 5 with the village centre to improve overall pedestrian accessibility.

3. Site Description

- 3.1 The application site is 1.43ha (3.53 acres) of land accessed from Roman Road at Little Stanion, Corby. Development of apartment blocks has begun in accordance with a previously approved scheme (17/00702/DPA). The site is situated roughly centrally within the village, immediately adjacent to the main access route and primary school.

Little Stanion New Village is located to the southeast of Corby and is accessed via the A43 and Longcroft Road. The topography of the site is such that it gradually drops from north to south.

3.2

4. Relevant Planning History

A planning history search exercise was carried out on 20.09.2020 to reveal the following relevant planning site history:

Application Reference	Proposal	Status
18/00484/NMA	Non-Material amendment to 17/00702/DPA (phasing plan, fire hydrants and layout)	Approved 19 th July 2018
17/00702/DPA	Full Planning Application for the erection of 66 two bedroomed apartments, 598sqm of retail falling within use classes A1,A2,A3,A4 and A5, 435sqm community hall, associated car parking spaces and all associated works.	Granted Permission 21 st May 2018
08/00071/DPA	Full application for the mixed use square with 44 dwellings, retail units and school drop off and collection area.	Granted Permission 29 th July 2008
04/00442/OUT	Residential development of not more than 970 dwellings; public open space, primary school and community facility, associated development including provision of roads	Granted Permission 05 th July 2006

	and infrastructure, access from Longcroft Road.	
20/00301/RVC	Variation of Condition 13 (CCTV) pursuant to planning permission 17/00702/DPA (Full Planning Application for the erection of 66 two bedroomed apartments, 598sqm of retail falling within use classes A1,A2,A3,A4 and A5, 435sqm community hall, associated car parking spaces and all associated works): CCTV Provision at the Village Centre	Application Permitted 12.11.2020

Various other discharge of condition, non-material amendment and reserved matter applications have also been dealt with following from the above applications.

5. Consultation Responses

A full copy of all comments received can be found on the Council's website by visiting the link below: [NC/21/00034/RVC | Variation of condition 2 \(approved plans\) under planning reference 20/00301/RVC approved 12/11/2020 amending 17/00702/DPA approved 21/05/2018; to include 20-4514 L Block D Amended Landscape Plan V1 and 1616-VC-P120 Village Centre Previous Approved and Proposed Layout. | Roman Road Corby Northamptonshire](#)

5.1 Little Stanion Parish Council

1. The Parish Council received the above application after requesting to be included in the observation process. Again, your office failed in their duty to notify Little Stanion Parish Council when initially proceeding with this application. When the letter finally arrived, it was received with a further 4 applications, 2 applications on the same number with different descriptions. It is the understanding of the Parish Council that the following references have not been distributed to the resident's NC/21/00032/CON, NC/21/00033/RVC (twice) and NC/21/00033/RVC.
Therefore, the residents are unable to make an informed decision and comment according. Your department are in breach of your own Regulations/Standing Orders and we must insist that no further action is taken by CBC and the DCC until residents have received all 5 applications and given a chance to reply within the statutory period.
2. Please provide full evidence of where all of the planning application references have been displayed within Little Stanion.
3. It would appear from the drawings submitted by the applicant, that no turning circle has been provided for vehicles such as refuse collectors. On this note, we already have other examples in Little Stanton where the DCC has failed to enforce the correct space for this, now causing an issue with NCC regarding road adoptions.
4. Effects on trees. In Little Stanion this applicant has already shown flagrant disregard on this matter, trees were cut down without permission, damaging the environment and destroying the habitat of nesting birds such as Red Kites which are now a protected species. If this application is allowed to go ahead, this will cause further disruption and devastation along the same path.
5. Continuing with wildlife, it is noted from the applicant's submitted site plan, that plots 29 to 51 inclusive, are planned to be sited adjacent to the area

known as "Badger Alley". The construction works and then human activity, is without question likely to cause harm and/or disruption to the local badger population. Please see <https://www.gov.uk/guidance/badgers-protection-surveys-and-licences> for current rules regarding their protection. It is also noted that the applicant has fail to provide any details of how they intend to address this.

6. Highway safety and traffic impact, the applicant has shown on the plan submitted that there would only be one entrance/exit in to the area of development via Roman Road. Little Stanion already suffers with a number of issues on this road, with vehicles often travelling in excess of the speed limit. This road is also on the bus route. It is the firm belief of the Parish Council that this one entrance/exit is a potential accident hot spot. Furthermore, the number of properties the applicant is proposing to build (99), includes a high proportion of 4, 5 and 6 bedroomed homes which increases the number of vehicles in the area feels like it is more than the current road network can cope with. This in turn will have a knock-on effect increasing the pressure on the roundabout at the junction of Longcroft Road/A43 and A6116. This roundabout has suffered a number of road traffic accidents of late mainly at the key times of day around the school run traffic.
7. There is also a concern with visibility at the entrance/exit junction with properties sited at the edge of the junction. It is felt that the planting shown on the plan would obscure vehicles exiting the development and when turning right will require vehicles pulling out to an unsafe distance to gain full view of any oncoming traffic.
8. Visual impact and design, it is noted by the Parish Council the applicant is proposing a number of three-storey properties. Whilst Little Stanion does have some three-storey homes already constructed it is felt that the planned number within the total is out of keeping with the rest of Little Stanion.
9. Loss of **privacy**, the applicant has shown on the submitted plan, a play area and a games area. Whilst the Parish Council welcomes amenities for residents, it must be pointed out that the aforementioned areas will have an impact on a number of properties facing them, both with loss of privacy, visual impact design, and a potential nuisance from noise. If this is allowed to go ahead some form of screening should be considered. It should also be noted when the home owners of the afore mentioned properties bought their homes, they had no idea that a play park would eventually be right outside their doors. The above could also come under your heading of **Overshadowing, Dominate** or oppressive **impact matters**. It is a concern of the Parish Council, that plots 28 & 29 will have a playing pitch used by small school children.
10. Turning now to Relevant planning policies, we refer to the Contract Rights Third Party Act 1999 -

s1(b) of the Act states, "purports to confer a benefit" on us. The Parish Council can claim, that a promise was made to the Residents (the Purchasers) that the developer will provide a village Hall, a shop and other amenities etc., when the last house was built and sold".

Under s106 Agreement a promise was made to Corby Borough Council by Corus UK to provide these facilities/amenities for the residents, and under s4 of the said Act, it further states "Enforcement of contract by promisee", it means that it does not affect any right of the promisee to enforce any term of the contract, the Parish Council can argue that "a promise was made, hence the purchase of properties in Little Stanion, so that is consideration given to purchase".

In Provender v Wood (1627) 124 ER 318, it held that the claimant (Provender) as a 3rd party has a right to sue the Defendant (Wood). Here are the brief FACTS: Wood agreed with Provender's father to pay £20 to Provender after Provender and Wood's daughter were married. Wood did not pay, and Provender brought action.

The ISSUE was: Can Provender, who was not a party to the agreement, but is the beneficiary of the money, can bring an action for enforcement?

The DECISION of The Court "Finding for the plaintiff" -i.e.; Provender. Other points to consider is that CBC has a "Duty of Honesty", This duty applies to all contracts regardless of contractual intention, although it is not a term, it does forbid lying or knowingly misleading on matters directly related to the performance of the contract. The Parish Council further believes that Corby Borough Council and its Development & Control Committee and the applicant have breached the S106/S106a agreement by permitting the development of the 15 homes, see 19/00541/REM and this development of a further 99 homes, which will put the total more than the 970 that permission was originally granted for, see 04/00442/OUT.

Observations and remarks

1. Regarding both the play area and games area, we would like to draw your attention to a previous application by the applicant at Little Stanion that CBC passed where a full-sized sports pitch was stated would be installed. This was promised but never delivered and allocated on land that did not belong to the applicant. We do not wish to see history repeating itself.
2. In a pre-Christmas DCC meeting on Zoom regarding CCTV within Little Stanion, a council officer informed the DCC that a certain block of apartments was going to be built within a certain time period. This has turned out not to be the case, therefore misleading DCC members in their decision-making process. In addition to these 99 homes and the said block that the applicant still has to start work on, will without question impact on the lives, safety (CCTV) and the wellbeing of the community.
3. The promised new village hall has been proven to have fallen outside the time frame of the phasing plan laid down from the construction of the village hall. The applicant has shown disregard for the planning permission granted, on document reference
17 00702 DPA VILLAGE CENTRE CONSTRUCTION SEQUENCE DIAGRAM-69485. The DCC accepted that block E and the village hall would be completed within 2 years of planning permission being granted. Today this block has not even been started.
4. Any conditions imposed by the DCC to the developer have not been enforced. We are given to understand the developer was to have paid E9,000 to CBC for the services of the Monitoring Officer. Both CBC/DCC never follow up, checked on or enforced planning conditions.
5. Within the 99 planned new homes, will bring families and children and cars. The village primary school is already oversubscribed. Where are these infant children supposed to go for education? It also highlights the fact all secondary aged school children leave the village
by car or bus to travel to their schools. It is not ideal that these children will have to wait for school transport on the main road leading to the Euro Hub. Day and night HGV are passing in and out to pick up or drop off or simply stay overnight. This is far from ideal.
6. Without question, the residents of Little Stanion collectively say the applicant should be required to finish what they have started and promised, both to CBC, the Parish Council and the residents before being allowed to move onto

other works.

7. It is clearly wrong of both CBC and the DCC to allow just the one officer to make a recommendation to the DCC. This is not normal practice. They should base their judgement on facts which is sometimes lacking. They are duly elected councillors with a duty of care. It has been shown that some members of the DCC have never been to Little Stanion and one has been recorded as saying - *where is Little Stanion?*

Therefore, in closing The Parish Council would like to extend to members of the DCC by prior appointment, please come and meet the Parish Council in Little Stanion to enable us to show you the situation firsthand.

5.2 Neighbours/Responses to Publicity

No representation received.

5.3 Local Highway Authority (LHA)

Following the initial objections raised by the LHA, the applicant submitted a revised plan and a support letter to address the issues by the Highway Officer and hence the holding objections were removed.

5.4 Tree /Landscape officer

After viewing the proposed Landscape Plans on the DMS File, produced by Lockhart Garratt, the array of different Species Types of plants to be incorporated in the scheme around the site, will give some kind of all year-round attraction. Also, the choice of species is low maintenance. With regards to amended Landscape block D, Plan V.1, the spring Bulb Species choice and Specimen tree choice, will add colour and interest, within the blue line area of the site. However, has a method statement been produced for the aftercare, establishment maintenance of the planning scheme, to ensure a successful scheme?

In response to the above, this application NC/21/00034/RVC is to vary the existing approved landscape scheme for this part of the village centre that is part of the overall landscaping approval 20/00317/CON approved on 8 October 2020 discharging condition 11 of 20/00301/RVC (formerly 17/00702/DPA).

The method statement for the maintenance regime for the landscaping at Little Stanion is contained within the 5th schedule to the S.106A modification for Little Stanion approved by the Council on 25 August 2016. That is, all landscaping is to be maintained by the management company, Little Stanion Farm Management Company (LSFMC) which is owned and administered by JME Developments.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

National Planning Policy Framework (NPPF) (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
- 15- Conserving and enhancing natural environment

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

- Policy 1 – Presumption in Favour of Sustainable Development
- Policy 3 – Landscape Character
- Policy 10 – Provision of Infrastructure
- Policy 11 – The Network of Urban and Rural Areas

6.4 Emerging Part 2 Local Plan (P2LP)

- Policy 1 – Open Space, Sport and Recreation
- Policy 6 – Green Infrastructure Corridors
- Policy 7 – Local Green Space
- Policy 11 – Delivering Housing

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Visual Impact
- Highway Matters

7.1 Principle of Development

The principle of mixed used development on this site has already been established with the granting of planning permission (17/00702/DPA) in May 2018. There has been no change in policy since the approval that would alter the principle of development with the extant permissions. The principle has therefore already been established and is not up for debate with this application. That said, the development of this site for mixed used purposes is still in accordance with the JCS and the NPPF. Thus, the principal of this development is still considered acceptable.

The applicant seeks to amend the approved schedule of drawings currently approved pursuant to planning permission 20/00301/RVC (17/00702/DPA) in order to facilitate the discharge of the reserved matters in respect of parcel 5 following the grant of outline planning permission 17/00703/OUT issued on 6 September 2018. The changes will involve the following:

- A. Relocation of the existing approved store for 16 cycles, Store D3, that will serve the village centre Block D is proposed to be relocated from being situated to the north of Parcel 5 plot 14 to a position within Parcel 5 north of Plot 11. This relocation facilitates a more appropriate garden configuration for Plot 14 whilst still maintaining the existing approved cycle store provision, albeit to now be relocated to within Parcel 5, but still contained adjoining and serving the car park associated with Block D of the village centre.
- B. The configuration of the Parcel 5 layout also results in a landlocked rectangle of land north of plot 21 and west of plots 27 and 28. The second land rationalization

at the interface between Parcel 5 and the Village Centre consequently proposes that this parcel of land be amalgamated with the existing 25 space village centre public car park to deliver a 30% capacity increase through the creation of a further 8 car parking spaces.

- C. The third land rationalization is the amendment to the village centre landscaping in the area between the car park serving Block D and the public car park south of the village school. This introduces 3 ornamental trees into the rear gardens of plots 13 and 14 in a comparable manner to the tree planting for all other individual plots within Parcel 5 Landscape Masterplan. It also provides for a seamless contiguous continuation of the landscaping and accompanying element of the footpath link that is proposed within the Parcel 5 reserved matters application to link Parcel 5 with the village centre to improve overall pedestrian accessibility.

No other material changes are proposed; therefore, the main consideration is on the impact of the proposed landscape on the character and appearance of the development area and Highway impact on the proposed additional car parks and relocation of cycle storage.

7.2 Visual Impact

In regard to design and impact on the character of the area, Policy 8 of NNJCS supports proposals to respond 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; ii. Responding to the local topography and the overall form, character and landscape setting of the settlement.

The proposed changes to provide additional car parking spaces, relocation of cycle storage and reconfiguration of some part of the development area to allow more plantings and to facilitate the development of adjacent site is not considered to significantly harm the character of the area and would not distort the design and layout of the original approved development.

Members are advised to note that this application does not seek to alter the principle relating to the provision of car parking space, cycle storage and landscaping, rather simply to rearrange the layout to facilitate the development of adjacent site to its full potential.

- 7.2.1 Policy 8 - North Northamptonshire Place Shaping Principles of NNJCS demonstrates the necessity of making safe and pleasant streets and spaces by ensuring a satisfactory means of access and provision for parking, servicing, and manoeuvring in accordance with adopted standards.

The proposal involves the relocation of cycle storage and creation of additional car parking spaces. Having been consulted, Highways Officer raises no material objection on the changes proposed and concluded that there are no highways implications because of the proposed development. The proposal will therefore accord the above policy.

8. Other Matters

- 8.1 Little Stanion Parish Council have objected to the proposal and three other applications related to the entire development as stated above.

The planning officer and applicant have responded to the above comments as follows:

1. For each submitted applications, up to 32 neighbouring properties were consulted. In addition, there was a press advertisement within Evening Telegraph for further public consultation and Site Notice was displayed.
2. Evidence of each public consultation are attached.
3. Alleged Absence of Refuse Vehicle Turning Circle - This allegation is factually incorrect. The tracking and turning information for both a refuse vehicle and a large family car is clearly denoted and demonstrated in purple and blue respectively within the submitted drawing J156-OCS-XX-XX-DR-C-5.107- S1-PO6 Engineering Layout drawing. These vehicle tracking paths denote that the required vehicle turning can be satisfactorily achieved within the layout.
4. Alleged Removal of Trees Without Permission - This allegation is factually incorrect. The reserved matters application site responding to outline planning permission 17/00703/OUT comprises of an existing cleared site devoid of vegetation. It has been in this state for many years as it comprises a parcel of land allocated and permitted for residential development within the overall Little Stanion new village development. Specifically, the reserved matters application proposal does not lead to any existing trees being removed.

However, in contrast, the proposal will result in the extensive planting of new trees within the proposed residential development. This is clearly evidenced within the detailed Insets 1-9 of the Parcel 5 Planting Layout 20-4266 V3 to form the overall Landscape Masterplan. 4.3 The philosophy of the landscape scheme is also detailed within sections 20 and 21 of the submitted Design and Access Statement. Consequently, the application proposal will result in a significant net biodiversity gain by comparison with the existing site condition.

5. Impact upon "Badger Alley"- The reserved matters application has been submitted pursuant to the existing extent outline planning permission 17/00703/OUT. Condition 9 of that outline planning permission approved the contents of the Lockhart Garratt Ecology Report prepared and submitted pursuant to that outline planning application. Whilst the grassed strip bounded by hedgerows is colloquially known as "Badger Alley", the grassland is of low ecological value and there are no badger setts present within close proximity of the application site.
For the avoidance of doubt, the applicant is fully aware of its statutory responsibilities under the provisions of the Wildlife and Countryside Act 1981 and also the corresponding Protection of Badgers Act, 1992.
6. Highway Safety and Traffic Impact - Outline planning permission 17/00703/OUT required the submission and approval of a Transport Assessment under the provisions of condition 13 prior to the submission of the first reserved matters application. Accordingly, application 19/00245/CON was approved on 27 August 2019 fully discharging condition 13.

7. Paragraph 3.6 of the Officer Delegated Report in approving 19/00245/CON noted that the assessment found that:
“A review of the ‘2031 Do Something’ Junction 9 results for the Long Croft Road/Roman Road roundabout shows that the junction would operate with about 30% practical capacity to spare when flows from the proposed development is taken into consideration. The LHA therefore conclude that the development would have no detrimental impact on the performance of the Long Croft Road/Roman Road Roundabout.”

Other highway aspects were also examined as part of the Transport Assessment exercise and were found to be satisfactory to Northamptonshire County Council as LHA and consequently the condition was discharged.

Furthermore, the surplus 30% highway capacity of the local road network was in the context beyond that of the potential maximum of 135 dwellings that were granted outline planning permission under 17/00703/OUT. The current reserved matters application for Parcel 5 is only for 99 dwellings, and when this is considered in addition to the existing 15 dwellings approved for Parcel 6 under 19/00541/REM, the resultant total number of dwellings proposed to be constructed pursuant to 17/00703/OUT would be only 114 dwellings. This therefore falls within the range of 99 – 135 dwellings permitted by the outline planning permission but is also some 21 dwellings below the permitted maximum.

Within the LSPC letter of 25 February 2021 the PC suggest there is a “high proportion of 4-, 5- and 6-bedroom homes”. The mix of the proposed scheme is scheduled within paragraph 7.04 of the submitted Design and Access statement. A particular aspect of scheme is the inclusion of a study associated with each dwelling to facilitate home working. As a consequence, there are no 6 bedroomed dwellings, and only 5 x five bedroomed and 6 x four bedroomed dwellings, representing only 11% of the overall dwelling mix. This is therefore not a “high proportion” of the proposed housing mix. All dwellings provide for the requisite level of parking provision.

The speculative assertions of LSPC in relation to highway safety and traffic impact are therefore wholly unfounded and moreover not relevant to the consideration of this reserved matters application. The matter has already been addressed by the approval of 19/00245/CON discharging condition 13 of outline planning permission 17/00703/OUT.

8. Entrance/Exit Visibility - The submitted Engineering Layout drawing J156-OCSC-XX-XX-DR-C.5.107-S1-P06 shows achievable visibility splay sightlines from the junction of proposed road A3 with Roman Road of 2.4m x 45m. This splay therefore exceeds the minimum required splay of 2.4m x 43m and achieves a greater degree of visibility than the minimum required. 7.2 All the landscaping has been designed with regard to planting locations and species specified to ensure there is no adverse impact upon vehicle visibility.
9. Visual impact and design - LSPC suggest there are a number of three-storey properties proposed and are critical whilst acknowledging that this form of dwelling already exists elsewhere within Little Stanion. None of the dwellings are actually three-storey in the conventional sense, but there is extensive utilisation of the roof space to provide living accommodation within the dwelling

house types. The scope of the design of the proposed dwellings and the provision of living accommodation within the roof space was readily accepted and encouraged by the local authority representatives attending the Zoom design workshop on 26 May 2020.

10. Loss of privacy - The play area and games area referenced by LSPC already have the benefit of the existing planning permission 17/00701/DPA for the Little Stanion village open space. This is as required by the S106a Modification approved by the Council on 25 August 2016. Reference to the submitted 20-4266 V3 Landscape Masterplan, and, in particular, as detailed within the landscape design Insets 1-4, the manner whereby privacy and visual separation between the existing approved play areas and the proposed residential dwellings has been effectively addressed through the proposed introduction of separating landscaping.

This visual and physical separation is achieved through the inclusion of an extensive avenue of trees and associated shrub planting shown on the landscape masterplan delineating the southern boundary of road A3. This will therefore achieve the suggested aspiration of the LSPC. The overall Masterplan proposals for Little Stanion will be readily available for prospective purchasers of plots 7, 51-60 that front road A3 so they will be aware of the recreational amenity facilities further to the south of these dwellings prior to the decision being made to purchase. The issue of the potential for overlooking into the school playing fields from adjacent residential dwellings expressed by LSPC was also an issue of concern that was identified by the Borough Councillors at the Development Control Committee meeting when granting the outline planning approval in September 2018.

Consequently, this aspect has been addressed from the outset by the design of Parcel 5. Plots 28 and 29 therefore deliberately present blank gable walls facing towards the playing field. Moreover, the 578 plants proposed on planting Inset 9, in conjunction with the additional 8 acer trees, are to be located between these blank gable walls and the perimeter fencing of the school playing field. Once matured, this will create a dense impenetrable landscape buffer that will also further prevent potential overlooking into the school playing field from the residential development. This is a part of the layout that has been carefully thought through by the applicant and designed in response to effectively address this previously identified legitimate potential issue.

11. Relevant planning policies - LSPC refer to the Contract Rights Third Party Act 1999. However, in relation to the determination of these planning applications, this is an irrelevant piece of legislation as the applications are to be determined under the regulatory provisions enshrined in the 1990 Town and Country Planning Act. The applicant therefore suggests that there is no legitimacy to the point that LSPC is apparently seeking to make in the context of the determination of the planning applications. Reference is made by LSPC to the provision of a village hall, shops and other amenities. Whilst not relevant to the applications currently before the LPA, the applicant advises that these were all granted planning permission under planning permissions 17/001/DPA and 17/002/DPA, both granted on 21 May 2018. This was as required by the

provisions of the S106a Modification that had previously been issued by Corby BC on 25 August 2016.

Within that planning obligation a requirement was also placed upon JME Developments Ltd to submit a planning application to secure further residential development on Parcels 5 and 6. This was secured through the granting of outline planning permission 17/003/OUT on 6 September 2018. The reserved matters application in respect of the 15 dwellings of Parcel 6 was discharged on 10 March 2020 by the approval of 19/00541/REM. The 4 applications for Parcel 5 to which LSPC now objects collectively represent the final jigsaw piece of the planned Little Stanion new village. These are themselves all submitted in response to outline planning permission 17/003/OUT and which legitimises the principle of residential development on this land.

The applicant respectfully suggests that LSPC is wholly incorrect and is misdirecting itself through its continued reliance upon reference to the original outline planning permission 04/00442/OUT and associated S106 obligation. The submission of further reserved matters applications against this outline planning permission became no longer possible through the passage of time. Furthermore, the original S.106 obligation was superseded by the requirements within the S106a Modification approved by Corby BC on 25 August 2016. This underpins development at Little Stanion since that date.

Observations and Other Remarks Made by LSPC

1. Play and Games Areas - The applicant is unsure of the underlying point that LSPC is seeking to make. JME Developments Ltd owns all the land subject to the 4 applications before the local authority for the determination and therefore is legally entitled and fully able to implement all aspects of those applications once the permissions are granted.
2. Construction timing at Little Stanion - The suggestion by LSPC that a Council Officer can apparently definitively confirm at a Development Control Committee meeting the precise development timing when they themselves are not the developer is unlikely to have been the case. Whilst Officers of the Council may well have provided an indication of the development timescale that is anticipated, ultimately this is controlled by the developer as the party carrying out the construction work. However, LSPC must also appreciate that anticipated developer timescales can themselves be subject to the impact of externalities over which the developer has no control and that may in turn influence and amend intended development timescales.

For information, construction of Block D in the village centre will commence during late March 2021. There is a degree of impact upon the local Little Stanion community during construction work. However, this an inevitability, but importantly, only of a transitory nature.

3. Village Hall Construction - JME Developments Ltd reiterates that it is committed to the construction of the Village Hall but notes that this aspect is not relevant to the consideration of the 4 applications before the LPA. However, to facilitate construction of the Village Hall, an implementable planning permission was not secured until all the conditions precedent appended to planning permission 17/00702/DPA were discharged. The last of these in relation to the foul water drainage strategy was not approved until 30 July 2019 under

19/00246/CON. The implied 2 year period has therefore yet to expire. Furthermore, and notwithstanding, LSPC have also overlooked the worldwide Covid-19 pandemic and the consequential impacts and delays arising from this.

Monitoring Officer Payment - Any requirement for the payment of monies by a developer must be included within a S106 planning obligation. The applicable planning obligation is that of the S106a Modification issued by Corby BC on 25 August 2016. There is no requirement within that obligation for the payment of £9,000 for services of the Monitoring Officer.

Infrastructure capacity - The principal applications before the Council relate to the discharge of the reserved matters, NC/21/00031/REM, and the conditions precedent, NC/00032/CON. Both arise from the grant of outline planning permission 17/00703/OUT in relation to Parcel 5. The principle of residential development on the site has therefore been already firmly established and granted an extant outline planning permission. Issues of educational capacity are consequently not relevant to the consideration of the issues subject of the reserved matters and conditions precedent applications currently before the LPA.

Development Timescales at Little Stanion - The applicant is actively progressing the development and completion of all the remaining aspects at Little Stanion as expeditiously as possible. Condition 1 of outline planning application, 17/00703/OUT, requires the application for the approval of the reserved matters be submitted to the LPA within 3 years of 6 September 2018. The applications before the LPA are therefore in compliance with this timescale requirement.

- 8.2 Health Impact Assessment: Paragraph 91 of the NFFP states planning policies and decisions should aim to achieve healthy, inclusive and safe communities and, specifically, criterion c) of this seeks to enable and support healthy lifestyles, for example, through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of these aims to be achieved and therefore it is considered acceptable on health impact grounds. In addition, a contribution is sought towards healthcare services.

9. Conclusion

- 9.1 The proposed variation of condition 2 (Approved Plans) of planning permission 20/00301/RVC amending 17/00702/DPA is considered acceptable. The details hereby submitted do not cause any significant harm to the character of the area, the amenity of the nearby occupiers would not be unduly impacted, and highway safety will not be jeopardised as a result of the proposed changes.

The proposal is therefore considered to be in accordance with Policies 1 and 8 of the North Northamptonshire Joint Core Strategy 2016 and the National Planning Policy Framework 2019 and no other material considerations indicate that the policies of the development plan should not prevail. Furthermore, the decision has been reached taking into account the requirements of the National Planning Policy Framework and is therefore recommended for approval.

10. Recommendation

10.1 The recommendation is for approval subject to conditions below

11. Conditions

1. The development hereby permitted shall begin before the expiration of 3 years from the date of planning permission reference 17/00702/DPA dated 21.05.2018.

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 shall conform in all aspects with the plans and details approved under application 17/00702/DPA, as amended by the non-material amendment approval 18/00484/NMA, and also the non-material amendment 20/00551/NMA together with this variation of condition approval NC/21/00034/RVC shown in the applications as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

- a) 17/00702/DPA approved 21 May 2018
 - b) P001 (Red Edged Village Centre Location Plan)
 - c) P101 Rev D (Village Centre Site Layout)
 - d) J156B-152 Rev D (Proposed Road Markings)
 - e) P101 (Village Centre with Topo Survey)
 - f) P110 (Proposed External Stores)
 - g) P200 and P201 (Block A Proposed Floor plans and Elevations)
 - h) P300, P301, P302 (Block B Proposed Floor plans and Elevations)
 - i) P400, P401, P402, P403, P404 (Block C Proposed Floor plans and Elevations) P500, P501, P502, P503 (Block D Proposed Floor Plans and Elevations) P600,
 - j) P601 (Block E/Village Hall Proposed Floor Plans and Elevations)
 - k) J156B-151 RevB (Proposed Levels)
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- l) S.96a 20/00551/NMA approved 6 January 2021
 - m) 1616-P500 rev A Block D Ground Floor and First Floor Plans (Received 9 December 2020) Supporting Letter (reference 17/018/MJF) dated 10 December 2020
 - n) S.73 NC/21/00034/RVC
 - o) 1616-VC-P001 Red Edged Site Location Plan
 - p) 20-4514 L Block D Amended Landscape Plan V1
 - q) 1616-VC-P120 RevA Village Centre Previous Approved and Proposed Layout
 - r) 1616-P5-P01 RevA Proposed Site Layout
 - s) 1616-P5-P03 Rev. B Proposed Boundary Treatments
 - t) 20-4266 Parcel 5 Planting Layout V3 Inset 1
 - u) 20-4266 Parcel 5 Planting Layout V3 Inset 8
 - v) 20-4266 Parcel 5 Planting Layout V3 Inset 9
 - w) 20-4266 Parcel 5 Planting Layout V3 Landscape Masterplan NTS

x) Supporting Letters (reference 20/009/MJF) dated 24 January, 2, 3 and 16 March 2021

3. No development shall take place other than in accordance with the Construction Management Plan (JME 2018) as approved under application 18/00455/CON on 15th October 2018.

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

4. No development shall take place other than in accordance with the recommendations contained within the approved Flood Risk Report (OCSC, 2017), which shall be implemented in full and retained thereafter.

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site in accordance with Policies 5 and 8 of the North Northamptonshire Joint Core Strategy.

5. No development shall take place other than in accordance with the recommendations contained within the approved Drainage Strategy (OCSC, 2017), which shall be implemented in full and retained thereafter.

Reason: to ensure a suitable relationship with water environment and to avoid flood risk, in accordance with Policies 5 and 8 of the North Northamptonshire Joint Core Strategy.

6. No development shall take place other than in accordance with the recommendations contained within the approved Ecology Report (Lockhart-Garrett, 2017), which shall be implemented in full and retained thereafter.

Reason: To ensure a net gain in biodiversity is provided across the site, in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy

7. The retail units hereby approved shall benefit from the following uses:
 - Unit 1 - use classes A1 (shops), A2 (financial and professional), A3 (restaurant and café), A4 (drinking establishment)
 - Unit 2 - use classes A1 (shops), A2 (financial and professional), A3 (restaurant and café), A4 (drinking establishment)
 - Unit 3 - use classes A1 (shops)
 - Unit 4 - use classes A1 (shops), A2 (financial and professional), A3 (restaurant and café), and A5 (Hot Food Take-Away)

Reason: In the interests of safe operation of the facility and ongoing maintenance thereof, in accordance with Policy 7 of the North Northamptonshire Joint Core Strategy.

8. The development shall not proceed except in accordance with the agreed phasing sequence plan P104 unless variations are agreed by the Local Planning Authority.

Reason: To ensure that the development is satisfactorily phased and co-ordinated.

9. No development shall take place other than in accordance with the provisions set out within the approved details for Bird and Bat Boxes as approved under application 19/00292/CON on 19th July 2019 unless variations are agreed by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy

10. No development shall take place other than in accordance with the provisions set out within the approved details for Enclosures and Boundary Treatments as approved under application 18/00533/CON on 15th October 2018 unless variations are agreed by the Local Planning Authority

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

11. No development shall take place other than in accordance with the provisions set out within the approved details for Hard and Landscaping as approved under application 20/00317/CON on 8th October 2020 unless variations are agreed by the Local Planning Authority

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy

12. No development shall take place other than in accordance with the provisions set out within the approved details for implementation of the Foul Water Drainage Strategy as approved under application 19/00246/CON on 30th July 2019.

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy.

13. A scheme showing the details of CCTV to be installed at the development shall be submitted to and approved by the local planning authority in writing. Block C, phase 5, shall not be commenced before the scheme is approved and carried out.

Reason: To design out crime and promote the well-being in the area. This will ensure the development is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

14. Retail Units 1, 2 and 4 hereby permitted shall not be occupied within classes A3, A4 or A5 until details of the means of ventilation for the extraction and disposal of cooking smells/fumes have been submitted to and approved in writing by the Local Planning Authority for that retail unit in accordance with the following:

- a) Prior to the commencement of use hereby approved by this condition for each of retail units 1, 2 and 4 cooking equipment installed shall have an associated

odour control system; details of which shall be submitted to and approved by the Local Planning Authority. The scheme and any required works shall thereafter be maintained in accordance with the approved details.

- b) Prior to the commencement of the use hereby approved by this condition for each of retail units 1, 2 and 4 a scheme for the acoustic treatment of the odour control system to prevent the emissions of noise affecting noise sensitive premises shall be submitted to the Local Planning Authority for approval.
- c) Upon completion of all works to implement the approved scheme by this condition for each of retail units 1, 2 and 4, testing shall be carried out and a report submitted to the Local Planning Authority to verify the scheme effectiveness. The scheme approved by the local planning authority shall be fully implemented in accordance with the approved details before the use, subject of this condition, commences. The scheme and any required works shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of residential amenity with regard to odour and noise.

- 15. No use under Classes A3, A4 or A5 within Retail Units 1, 2 and 4 hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing, by the Local Planning Authority, an Odour Management Plan, setting out cleaning, maintenance and filter replacement policies. The plan should include a written recording system to record and demonstrate when all such work is carried out. The approved Odour Management Plan shall be complied with throughout the duration of the use.

Reason: To safeguard the amenity of nearby premises and the area generally in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

- 16. No building or use hereby permitted shall be occupied other than in accordance with the provisions of the lighting scheme approved under application 20/00403/CON on 11th March 2021 in respect of Blocks A and B unless variations are agreed by the Local Planning Authority. In respect of Blocks C, D and E (Village Hall) no building or use hereby permitted shall be occupied or use commenced until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority. Artificial lighting to the development must conform to the requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone – E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN1, dated 2005.

Reason: For the avoidance of doubt and in order to safeguard the amenities of adjoining residential occupiers in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

- 17. No occupation shall take place until the approved scheme for the provision of fire hydrants (as shown on site layout P101 Rev A) has been implemented in full. The fire hydrants and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable and retained thereafter.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with the requirements of Policy 10 of the North Northamptonshire Joint Core Strategy.

18. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the following requirements:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options and proposal for of the preferred option(s).

Where remediation is necessary, all works associated with the permission must cease and a remediation scheme must be prepared, submitted to and approved in writing by the Local Planning Authority before works can re-commence. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works on site management procedures. Scheme must ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is the subject of approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors. This will ensure the development is in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

19. The Approved Travel Plan (J156 Travel Plan Rev 4) shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

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

20. No development shall take place other than in accordance with the provisions set out within the approved details for RSA and-Site Engineering, Construction and Drainage Land is approved under application 18/00531/CON on 21st November 2018 unless variations are agreed by the Local Planning Authority.

Reason: For the avoidance of doubt.

21. No development shall take place other than in accordance with the provisions set out within the approved details for Highway Layout and Tracking Details as approved under application 18/00494/CON on 12th September 2018 unless variations are agreed by the Local Planning Authority.

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

22. In the event of any of the streets associated with the residential element of this proposed development not been proposed for adoption as public highway, the following conditions apply;

- a) Details of a site management company and associated management and maintenance methodology of the street within the development, to operate in perpetuity, will be submitted to the planning authority and agreed in writing prior to the commencement of development;
- b) The streets in any event be required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to 1st occupation of any dwelling;
- c) That prior to 1st occupation of any dwelling a legal undertaking is provided by the developer that the streets will not be put forward for adoption and will remain private in perpetuity; and,
- d) That the streets will be identified as private through the use of appropriate private Street nameplates on the entrances to the development and from the public highway (to be placed within the site).

Reason: To ensure a suitable form of development in accordance with the requirements of Policy 8 of the North Northamptonshire joint Core Strategy.

23. The provision of the EV charge points and feed pillars shall be installed as shown on the approved plan 1616-PP011 Rev A in respect of Blocks A, B and D as partially approved under application 20/00318/CON on 29th of September 2020.

For the avoidance of doubt in respect of EV charge point provision for Block C, either Option 1 or Option 2 as shown on the approved plan 1616-PP011 Rev A, but not both, shall be installed. Prior to the first occupation at Block C, confirmation shall be submitted in writing to the local planning authority confirming which of EV Charge Point Option 1 or EV Charge Point Option 2 is to be installed in respect of Block C and that identified EV Charge Point Option shall be installed to serve Block C.

Reason: To support sustainable transport objectives in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.