

## North Northamptonshire Planning Committee (North) 7<sup>th</sup> June 2023

<b>Application Reference</b>	<b>NE/22/01271/FUL</b>
<b>Case Officer</b>	<b>Patrick Reid</b>
<b>Location</b>	<b>Olive Grove Nurseries Oundle Road Polebrook Peterborough PE8 5LQ</b>
<b>Development</b>	<b>Redevelopment of the site comprising the relocation and consolidation of the existing Olive Grove Garden Centre including associated polytunnels (to the south) and development of an elderly care home (Class C2) (to the north) with ancillary cafe and associated landscaping and car parking.</b>
<b>Applicant</b>	<b>Country Court Care Homes 5 Limited</b>
<b>Agent</b>	<b>Boyer Planning - Mr Arjun Lal</b>
<b>Ward</b>	<b>Thrapston Ward</b>
<b>Overall Expiry Date</b>	<b>27 January 2023</b>
<b>Agreed Extension of Time</b>	<b>12 June 2023</b>

This application is brought before the Council's Planning Management Committee as the Parish Council have objected to the application and the Officer recommendation is for approval.

### **Appendices:**

Appendix A: Material Considerations - Need, demand and supply of care bed spaces

#### **1. Recommendation**

---

- 1.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement by [add date here] (or other date to be agreed).
- 1.2 That should the Section 106 Legal Agreement not be completed by [add date here] (or other date to be agreed) that it be delegated to Officers to REFUSE planning permission.

## **2. The Proposal**

---

- 2.1 The application seeks planning permission for an elderly care home, ancillary café a redevelopment of an existing garden centre along with associated car park and works. As part of the redevelopment of the site, the garden centre and nursery still in operation would be scaled back to cover part rather than all of the application site.
- 2.2 The development would comprise a main building as the care home, to be positioned toward the north-western part of the site. The use of the western part of the site would be for the care home, whereas the eastern part of the site would accommodate the garden centre use. A building comprised of polytunnels would house the horticultural use. Centrally there would be a building housing a café. The front of the site would primarily be used as the access and parking area.
- 2.3 The care home would be two-storey in height and would accommodate 68 care bedrooms, all with wet rooms, as well as various communal rooms and facilities. External space associated with the care home would include a landscape garden on its north-western side.
- 2.4 The proposed floor space for the care home is 4,552 sqm for the care home and 1,372 sqm for the garden centre. The existing garden centre covers 3,605 sqm of tradable floor area, resulting in a reduction of 2,233 sqm.(approximately).
- 2.5 The garden centre would be redeveloped toward the south-eastern part of the site. Polytunnel structures would be set back from the road, as well as a café between the two main uses. It is proposed to utilise the existing vehicular access into the site and reconfigure the parking space.

## **3. Site Description**

---

- 3.1 The application site comprises an area of developed land to the east of Oundle and the west of Polebrook. It is an irregular shaped parcel of land that is occupied by a garden centre, a café and plant nursery. There are a number of buildings across the site as well as a large area of space used for car parking. The land includes a garden centre and associated nursery as well as a café. Planning history shows these being extended and altered over time.
- 3.2 The site is in a rural context with the majority of the surrounding land being in agricultural use. It is positioned on the northern side of Nene Way, an A road, which joins to Oundle around 1.3 miles away across the A605. To the east, the village of Polebrook is located around 0.6 miles away by road.
- 3.3 The site is relatively flat and includes an undefined parking area to its front behind hedging. A number of brick buildings toward the west of the site are located near to the access.

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

---

- 4.1 16/01285/FUL – Construction of opening canopy over plant display area joining existing buildings and extension to car parking – Approved – 15.09.2016
- 4.2 14/01250/FUL - Extension to existing building to allow for relocation of shop and expansion of cafe seating area, including new coffee serving bar and customer toilets, with associated ancillary works – Approved 08.09.2014
- 4.3 13/02032/VAR - Variation of condition 3 to the allow the sale of hot food on the premises pursuant to planning permission EN/11/00049/FUL - 'Erection of new timber building to provide new customer entrance and exit, coffee bar/cafe with seating area, retail space and farm shop and covered walkway and link' dated 14.04.11 – Approved 20.02.2014
- 4.4 12/01983/FUL – Outdoor seating area enclosure associated with existing cafe – Approved – 30.10.2013
- 4.5 12/01359/FUL - Extension to barn to create new storage area, change of use of existing barn to re-house farm shop and expansion of coffee shop seating within existing shop area – 20.12.2012
- 4.6 09/01511/FUL – Replacement of temporary building (residence) with another temporary building (residence) - EN/09/00096/FUL – Approved – 26.09.2009

#### **5. Consultation Responses**

---

A full copy of all comments received can be found on the Council's website [here](#)

##### **5.1 Polebrook Parish Council**

At this meeting the Parish Council resolved to unanimously object to the planning application. Their major reasons for objecting are listed below

The Parish Council consider the proposed development to be excessive in size. The Parish Council wish to remind NNC of the existing planning restrictions within the current consent accounting for the site being rural and agricultural and not part of an existing community. Concerns expressed about the development setting a precedence for further applications and creation of development erosion in the area. The location does not have the infrastructure to support the excessive proposed development. The location is remote and does not provide accessibility to the centre of the village.

Concern expressed regarding light pollution and management of wastewater from the site and how this will be processed. The existing structure is a one storey building of temporary structure, the proposal is for a permanent two storey structure and contravenes the consent in the existing consent. This is a significant planning change more suitable for an urban environment as opposed to open countryside. Consent for C2 on the plantation land area will undermine the existing planning restrictions on the temporary dwelling ref EN/05/00177/FUL.

Policy 11 - The network of urban and rural areas

States "The rural areas 2a) Development in the rural areas will be limited to that required to support a prosperous rural economy or to meet a locally arising need, which cannot be met more sustainably at a nearby larger settlement;". The Parish Council do not have evidence of any identified need for this size and scale of residential care home and wish to view the justification.

Policy 13 states "The scale and nature of the development will not exceed identified needs and must be appropriate to the surroundings, minimise impacts on the environment and be supported by existing or new infrastructure". The Parish Council do not have evidence of any identified need for this size and scale of residential care home and wish to view the justification

Policy 25 - Rural economic development and diversification

8.24 States "Policy 25 seeks to ensure the economic sustainability of rural communities, whilst avoiding urbanisation through excessive levels of traffic, noise and light pollution. This is important in maintaining the attractive mixed rural/urban character of North Northamptonshire." The Parish Council believe a development of this size and scale goes against the JCS.

II. Ensuring high quality development

Connectivity point 4.4 states "the importance of having local facilities within walking distance, but noted that if there are barriers, such as major roads, which need to be crossed to access these facilities this can be a significant issue for parents, children and young people as well as elderly people." The Parish Council believe the proposed location of a residential care home in such a remote location does meet the criteria in the JCS.

The Parish Council believe this application contravenes many of the policies contained in the JCS due to its remote location and accessibility issues for residents.

## 5.2 Neighbours / Responses to Publicity

A total of thirty-one representations have been received, of which 24 are in objection and 7 in support. The matters raised are summarised below:

- Light pollution;
- Increase in traffic;
- Need for a care home unclear;
- Greenbelt land (Officer comment: the land is not Greenbelt)
- Visual impact on the landscape/Nene Valley;
- Wildlife impact;
- Impact on schools and doctors;
- Residents would feel isolated and away from the town;
- Cold and windy site not suitable;
- Access onto the road a concern;
- Impact on Ashton Conservation Area;
- Design concerns;
- Reliance on cars;
- It was once an agricultural site;

- Precedent for future developments;
- Poor pavement access;
- Poor sewage system;
- Conflict with Neighbourhood Plan (Officer comment: there is no neighbourhood plan);
- Insufficient parking;
- Loss of agricultural use (Officer comment: the site is not agricultural);
- No employment for local people;

Comments in support summarised below:

- No greater traffic than currently;
- Benefit to the community;
- Sympathetic design;
- No impact on local residents;
- A much needed facility;
- Residents would have good views;
- Good quality care home;
- Nationally suitable care for people with dementia is much needed.

### 5.3 Local Highway Authority (LHA)

Comments summarised as follows:

- In this instance given the minimal increase in trips in the AM peak and that the marginal increase in trips associated with the proposal does not meet the test relating to NPPF policy and that of a severe impact. Therefore, the visibility splays can be considered acceptable.
- Please note that on receipt of planning consent, and in order to carry out works within the highway the applicant will be required to enter into a Section 278 agreement with the LHA. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.
- The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install or alter the site access and the vehicle crossover of public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.
- Please ensure that the applicant is made fully aware of their responsibilities in respect of Byway No. NP13 which runs in close proximity to the proposed. With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements (standards listed).
- The proposed development is unlikely to generate significant impact on the network.

#### 5.4 Northamptonshire Fire Service

Please ensure the pre-planning guidance is consulted, in particular access to the building.

#### 5.5 Ecology

The applicant has not demonstrated that the proposal would deliver a net gain in accordance with JCS Policy 4, NPPF paragraph 174 or recent appeal decisions (APP/Y3940/W/21/3278256, APP/Y3940/W/21/3282365, APP/P1940/W/21/3289305). Until the Environment Act secondary legislation is passed next year, and due to resource limitations, the council is not currently pursuing net gain on applications which do not require a habitat survey as set out in the Biodiversity SPD. The application site is just within 100m of a Local Wildlife Site, which would normally trigger a habitat survey. However, the application site habitat is largely hardstanding with no ecological value so on balance I will not be asking the applicant to provide a net gain assessment in this case.

#### 5.6 Police

Northamptonshire Police have no objection or concerns with this application as proposed. All crime prevention related measures quoted within the original submitted documentation, dated 28th Oct 22, should be implemented as agreed.

#### 5.7 Council Commissioning and Performance Team

As per our recent market review and Market Sustainability Plan, North Northamptonshire Council has received a number of enquiries from larger/national providers looking to acquire land and build care homes in North Northamptonshire. This, in addition to expansion plans from existing providers will see a potential 400 additional beds joining the market in the next 5 years, 351 of these by the end of 2025.

The Authority has reviewed its current demand and can confirm the following:

NNC currently has 12 residential or nursing placements, out of the current 116 referrals currently with brokerage, where there is an expression from the family that they would like to consider homes within East Northants. Of these 12 referrals to only 6 of these exclusively request for the East Northants area. At least 3 of these referrals are already in homes within East Northants either as Assets below, Health Funding transfer or a Hospital Discharge Pathway.

##### Breakdown of Needs:

Res	3
Res De	5
Nursing	2
Nursing DE	2

##### *Current Homes within East Northants*

Currently there are 14 care homes within East Northants offering services to 65+ either Residential or Nursing. These care homes currently have a capacity

for 501 people. NNC currently has 177 placements within these homes. NNC is currently using 35.3% of the available beds within East Northants. Based on NHS capacity tracker data there is currently 58 vacancies within these care homes (11.5%).

Taking into account population growth, anticipated demand and existing and planned provision, the Authority would be cautious about the sustainability of further care home development in this area.

Should Country Court Care Homes Ltd wish to continue with their application, we would ask you to consider providing nursing support and/or care and support to those with dementia to ensure we are able to meet our population's increasing needs in the future.

I have provided a link below should you wish to review the Market Sustainability Plan in full.

#### 5.7 Sport England

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

#### 5.8 Nature Space

- The development falls within the amber impact risk zone for great crested newts. Impact risk zones have been derived through advanced modelling to create a species distribution map which predicts likely presence. In the amber impact zone, there is suitable habitat and a high likelihood of great crested newt presence;
- There are 4 ponds within 500m of the development proposal. The nearest pond was on the northern red line boundary. The other three ponds lay 285m south, 280m west, and 455m north west;
- There are great crested newt records within 500m of the site;
- limited connectivity between the development and surrounding features in the landscape.

#### Summary

The applicant has provided an ecological report, Ecological assessment Olive Grove Oundle, Polebrook, 13th April 2022, Tyler Grange Report No. 14097. Within this report it states that:

-GCN was recorded via eDNA in the pond 280m south of the site and the results from the nearest pond to the site came back inconclusive.

#### Conclusion and recommendation for conditions:

I am satisfied with this ecological report and the recommendation for a licenced approach. If a licenced approach is not taken, then further information will be required in the form of investigative surveys to fully assess potential impact on GCN.

Therefore, in line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must either:

- Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through North Northamptonshire Council's District Licence; or
- Provide further information in line with Natural England's Standing Advice, to rule out impacts to great crested newts, or demonstrate how any impacts can be addressed through appropriate mitigation/compensation proposals\*; or
- If it is determined that there is no suitable habitat impacted on site and the likelihood of GCN is very low, then a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist may be acceptable for the development.

## 5.9 North Northamptonshire Council Education

I am responding on behalf of North Northamptonshire Council's Education, Libraries and Digital Infrastructure services on which this development would have an impact.

This response follows the principal guidance in the adopted 'Creating Sustainable Communities - Planning Obligations Framework and Guidance Document (2015) (as amended)', which follows the tests of paragraph 57 of the National Planning Policy Framework (2021), and is therefore relevant to this planning application.

From the information received regarding this application, it is understood that the development would comprise construction of 68 no. bed Care Home and associated works, with the proposed mix of units as follows:

o 68 x 1 bed units

These figures have been used to guide this response.

### Education

Due to the proposed nature and mix of the development, it is expected that there will not be any pupils of Early Years, Primary or Secondary age fully resident in the properties. As a result, no S106 obligations will be required from this scheme if approved in its current form towards education infrastructure. This position will be reviewed in the event of any changes proposed and/or effected during the planning process.

### Libraries

North Northamptonshire Council is the Library authority for the area in which the application site is situated. Where a new development will generate additional need and library space requirement, the library service requires contributions towards the costs of providing new, extended and/or improved library facilities to support the delivery of growth. This may include contributions towards maintained library facilities and services, as well as community-managed libraries where applicable. This development is expected to impact



on the current level of library provision as the new residents moving into the developments utilise existing facilities.

The Library service has adopted the National Library Tariff formula produced by the Museums Libraries and Archives Council (MLA). This includes:

- A minimum standard of 30 sq. metres of new library space per 1,000 Population.
- A construction and initial equipment cost on a per sq. metre basis (adjusted to reflect Northamptonshire building costs), based on BCIS building costs for public libraries. In order to adequately serve the growing community, improvements to the Library service are planned which will enable more flexible spaces to be available to the public, with improved facilities and an increased range of services. A schedule of works will be determined subject to available budget. These improvements are intended to support the provision of Library services to meet the needs of current and planned for population growth, to ensure adopted national and local standards of service can be maintained, and to contribute towards delivery of the Council's prevention and other strategies. In order to establish a proportionate cost towards the new works, the Library service utilises cost multipliers as per our adopted guidance.

Local planning and library authorities are recommended to adopt a minimum tariff of £90 per person in new housing. This is adjusted for Northamptonshire to £88 per person, based on BCIS building costs. Further information on these calculations can be found in the adopted Creating Sustainable Communities - Planning Obligations Framework and Guidance Document (2015).

The following outlines the cost per dwelling type based on the expected numbers of residents for each type of unit:

Size of Dwelling	1 bed	2 bed	3 bed	4+ bed
Cost per unit	£109	£176	£239	£270

A Libraries Contribution of £7,412 is therefore required, to contribute towards the improvement, enhancement or expansion of Library facilities to serve the development. This figure will be reviewed, with a specific project identified, at such time as the S106 for the development is entered into.

#### Digital Infrastructure

To help boost fibre broadband connectivity to new developments, the following Informative is proposed for inclusion in any decision notice, should permission be granted in relation to this application:

The North Northamptonshire Joint Core Spatial Strategy 2011-2031 policy 10 (e), Provision of Infrastructure, encourages developers to provide for fast broadband to new buildings (including but not exclusive to housing, commercial, retail or leisure) by partnering with a telecommunications provider or providing on site infrastructure to enable the premises to be directly served - this should be gigabit capable and where possible, full fibre connectivity. This supports the government's Gigabit programme and local targets to see 80% full fibre and 90% gigabit coverage by the end of 2028.

Developers should approach telecoms providers at the earliest opportunity to agree gigabit-ready infrastructure and connectivity plans. The network

capability delivered by full fibre technology supports the fastest broadband speeds available, is considered future proof, and will bring a multitude of opportunities, savings and benefits. It may also add value to the development and is a major selling point to attract potential homebuyers and occupiers, with many people now regarding fast broadband as one of the most important considerations.

Efficiencies can be secured if ducting works and other network infrastructure is planned early and carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works- specifically Volume 1 Specification Series 500 Drainage and Ducts, and Volume 3 Highway Construction Details Section 1 - I Series

Underground Cable Ducts. These documents can be found at:

<http://www.standardsforhighways.co.uk/ha/standards/mchw/index.htm>.

## **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) (2021)

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 4 - Biodiversity and Geodiversity

Policy 5 - Water Environment, Resources and Flood Risk Management

Policy 6 – Development on Brownfield Land and Land affected by Contamination

Policy 7 – Community Services and Facilities

Policy 8 - North Northamptonshire Place Shaping Principles

Policy 9 - Sustainable Buildings

Policy 11 - The Network of Urban and Rural Areas

Policy 15 - Well Connected Towns, Villages and Neighbourhoods

Policy 22 - Delivering Economic Prosperity

Policy 23 - Distribution of New Jobs

Policy 25 - Rural Economic Development and Diversification

Policy 28 – Housing Requirements

Policy 29 – Distribution of New Homes

Policy 30 – Housing Mix and Tenure

### **6.4 Rural North, Oundle and Thrapston Plan (RNOTP) (2011) (Local Plan Part 2)**

Policy 2 - Windfall Development in Settlements

Policy 4 - Green Infrastructure

Policy 5 - Transport Network

## 6.5 Submission Version (March 2021) East Northamptonshire Local Plan Part 2

Policy EN1 – Spatial Development Strategy

Policy EN3 – Settlement Boundary Criteria – Freestanding Villages

Policy EN5 – Development on the Periphery of Settlements

Policy EN13 – Design of Buildings/Extensions

Policy EN18 – Development of commercial space to support economic growth for smaller and medium sized enterprises

Policy EN20 – Relocation and/or expansion of existing businesses

Policy EN30 – Housing Mix and Tenure to meet Local Need

Policy EN31 – Older Peoples Housing Provision

## 6.6 Other Relevant Documents

Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)

Northamptonshire County Council - Local Highway Authority Parking Standards

Northamptonshire County Council – Planning Out Crime Supplementary Planning Document (December 2003)

Joint Planning Unit – Design Supplementary Planning Document (March 2009)

Biodiversity Supplementary Planning Document (February 2016)

North Northamptonshire Council Market Sustainability Plan (March 2023)

## **7. Evaluation**

---

The key issues for consideration are:

- Principle of Development
- Material Considerations - Need, demand and supply of care bed spaces
- Quality of Care Accommodation
- Location of the proposed care home
- Economic impact – garden centre redevelopment, care home and café
- Design and Visual Impact
- Highway Matters
- Impact on Neighbouring Amenity
- Environmental Matters
- Flood Risk and Drainage
- Ecology
- Planning Obligations

### **7.1 Principle of Development**

7.1.1 The proposal is for a combination of residential and commercial uses in a location outside of any settlements. The starting point for considering the principle of the proposed development is the development plan, which at the current time comprises the North Northants JCS 2011-2031 (adopted 2016) and saved policies of the Part 2 Local Plan. Material considerations including the National Planning Policy Framework (NPPF), as well as the guidance within the NPPGs are to be taken into consideration. For the former East

Northamptonshire area within North Northamptonshire, a Part 2 Local Plan is at a point of examination having been submitted in March 2022. This is also a material consideration.

7.1.2 Starting with the adopted development plan, a number of policies are relevant due to the mixture of commercial and residential uses proposed. As the proposal is for a care home, the use class is C2 which relates to residential institutions. The development plan policies do not make a distinction between residential institutions and dwellings and as such the same policies apply in this regard. Policy 11 sets the broad basis for residential distribution across North Northamptonshire. Policies 28, 29 and 30 provide further policy on the distribution of housing, housing requirements and housing mix. Policy 11 of the JCS sets a vision for the urban and rural areas. Part 2 (a) of Policy 11 is applicable as sets out that '*Development in the rural areas will be limited to that required to support a prosperous rural economy or to meet a locally arising need, which cannot be met more sustainably at a nearby larger settlement.*' Policy 13 relates to developments in the rural areas. Part (1) sets out the parameters for potential residential development in such areas, including making provision for affordable housing schemes. Part (2) refers to residential development and relates primarily for housing for rural workers.

7.1.3 In terms of housing requirements, Policy 28 sets out that for East Northamptonshire, there is a need for 8,400 new dwellings across the plan period. The Policy does not make reference to residential institutions, only dwellings which are the different use class of C3. Policy 29 covers the distribution of 'new homes'. The Policy has an associated hierarchy of settlements. The wording of the policy makes reference to housing development in the 'rural areas' being managed by Policies 11 and 13. Reference is also made to Part 2 Local Plans and Neighbourhood Plans. At this time there is no adopted or made such plans.

7.1.4 The proposal does not comply with the adopted housing provision policies due to its location. A number of material considerations are relevant need to be taken into account in the planning balance.

## 7.2 **Material Considerations - Need, demand and supply of care bed spaces**

7.2.1 The matters of need and supply for care bed spaces is of significance in the assessment of the merits of the proposal. A detailed section on this matter is included at **Appendix 1**.

## 7.3 **Quality of Care Accommodation**

7.3.1 It is appropriate to acknowledge that not all care home spaces recorded are of equal quality. Due to factors such as the age of the development, there are care homes that do not have ensuite bathrooms or wet rooms for each resident. There are also cases whereby the space of each room is less than is 'required' by market standards that apply to new care home. As an indication of the percentage nationally that have wet rooms for nursing care and dementia care, nationally the provision is 32.9% and 44.1% respectively. It also is noted that of the country's care bed supply of 460,613 units, 69.5% were build/registered prior to the year 2000.

7.3.2 The quality of care bed spaces can have significant implications for the wellbeing and health of the occupants due to various factors, including the spread of virus such as Covid-19 in circumstances whereby shared bathrooms is necessary. The proposal would provide each room with a wet room and it is considered that the quality of the accommodation would be to an acceptable standard.

#### 7.4 **Location of the proposed care home**

7.4.1 As the site is located in open countryside outside of either Oundle or Polebrook, it is necessary to consider the principle of suitability and sustainability of the site. Key factors would be in terms of site accessibility by car, service and staff vehicles, emergency services and more sustainable means of travel i.e. by foot and cycling and public transport to the proposed care home. The garden centre element of this proposal, is considered to have less impact given the extant use and its proposed reduced footprint on the site. Also, that a garden centre use is typically more associated with edge of town or more isolated location. The focus therefore is on the accessibility of the care home.

7.4.2 The site is around a mile or so by road outside of Oundle, depending on which part of the edge of the town is measured from. Due to the distance and nature of the road/pathway, and the age of prospective occupants this might inhibit access by walking to the village. The vast majority of access movements would be by motor vehicle. Some short cycle trips may be made from Oundle or Polebrook.

#### Traffic Impact

7.4.3 In terms of vehicular movements, these will be a combination of staff, visitors, deliveries and those of residents. Due to the nature of the care and the health of the residents, vehicular movements by care home residents are likely to be minimal. Medical appointments not possible on-site are likely to require accompanied transport as part of the care provision.

7.4.4 The submitted Transport Assessment and Plan have been assessed by the Local Highway Authority (LHA) who have provided comments on the application. The LHA advise that the development would result in a minimal 'increase in trips in the AM peak' and as such the visibility splays are acceptable. The comments are not in objection and find the access arrangements acceptable. From a highway safety perspective, the proposal is acceptable.

7.4.5 In considering the suitability of the site more broadly in terms of accessibility, the proposal is supported by a Transport Assessment. This includes an assessment of the reduced garden centre combined with the care home and café and concluded that the development would result in a net reduction in vehicular movements when assessed using TRICS data. The submission shows a net vehicular trip generation of -224 trips between 0700 and 1900. IN the AM peak hours there would be a minimal increase of 5 vehicles in the 0800 to 0900 hour. These calculations ae based in the reduction in the size and scale of the garden centre on the site, which is a use associated with relatively high numbers of vehicular movements.

- 7.4.6 Officers' consider that the TRICS data assessment to be an accurate assessment of vehicular movements associated with the current use and proposed mixed development. An anticipated reduction in vehicular movements to and from the application site weighs in favour of the sustainability of the development.
- 7.4.7 Part of the assessment of the location's suitability for the proposed care home is the nature of the use, which has a general presumption towards more accessible locations. In this case the development involves the 'reduction' of a garden centre and as such will incur a reduction in vehicular movements, even accounting for the addition of the care home. The suitability of the location for care home use is also appropriate for consideration independently.
- 7.4.8 The submitted case emphasises the benefits of the site for occupants, including the views that would be possible from the rooms and outside space. These benefits are presented as features that would be part of a quality living environment for people who may be unlikely to travel and walk beyond the building and premises for much of the time. This would appear to be a reasonable assertion if comparing it against a theoretical site without such positive views.
- 7.4.9 As set out previously, whilst care homes are residential in nature and historically have been largely treated without distinction from 'standard' housing. Historic evidence shows a significant shortage of appropriate accommodation for older people of all types. The locational demands and impacts for care homes do share similarities with 'standard' housing but there are distinctions. For instance, vehicular movements are more associated with staff such as carers, travelling for shifts, rather than occupants. This affects the times of day of travel as well as the volume of traffic. Therefore, it is considered that the care home use should be considered in broadly a similar way in terms of location, as standard housing, it cannot be considered identically.
- 7.4.10 In this case, the site is accessible off Nene Way around a mile or so outside of Oundle. Staff would be likely to travel by private motor vehicle and it is noted in the Travel Plan that the sharing of vehicles would be encouraged. Other visits, including from families and friends of occupants would largely be reliant on the private motor car. It is a consideration that it is reasonable to suggest that a reasonable proportion of these journeys would be by the private motor vehicle if a care home was located centrally within Oundle. The area is relatively rural and there are limitations on public transport availability between the villages and settlements of the 6 mile catchment area. Therefore, it is noted that the site is primarily accessible by private motor vehicle and that a proportion of visits would be by a similar means in a town centre location. In purely locational terms for residential purposes however, the location weighs against the proposal in the planning balance.

## 7.5 **Economic impact – garden centre redevelopment, care home and café**

- 7.5.1 Paragraph 8 of the NPPF 2021 sets out that there are three interdependent strands of what constitutes 'sustainability'. The development would have an economic impact, which in addition to the social and environmental considerations, combine to reflect the NPPF's definition of sustainability. The development of the site is part residential for elderly care plus a café and

garden centre the latter typically located in open countryside or edge of settlements. The current site is commercial in its nature but involves a garden centre/nursery rather than a urban type commercial use.

- 7.5.2 The supporting statement by the applicant states that the site occupier, Olive Grove Garden Centre, is at long-term risk due to financial pressures in recent years. The redevelopment of the site would help to ensure the long-term retention of a modified, but fit for purpose garden centre.
- 7.5.3 Policy 22 of the JCS seeks to contribute to a net increase of 31,100 jobs by 2031. The Policy sets broad basis of supporting and enhancing existing employment sites and previously development land. As the site is occupied by a garden centre used for retail, the site is previously developed/brownfield. In this regard, the proposal to re-use the land is supported by the Policy.
- 7.5.4 Policy 25 refers to rural economic developments and it sets out the type of developments that it seeks to support. Part (2) refers to sustainable rural diversification activities to support the ongoing viability of the existing businesses. In this case, the proposed mixed development could in principle support the ongoing viability of a modified garden centre. However, the applicant has not provided details of the financial constraints and therefore a case has not been made on viability grounds. Therefore, another operator could potentially acquire the existing business and continue a horticultural operation. Less weight can therefore be given to the economic benefits of the part retention of the garden centre.

#### Employment benefits

- 7.5.5 The development would create local employment with a total of 33 staff daily across the day and night shifts. Plus, the café and the garden centre, would generate a total of 32 full-time employees, compared to only increased from the current 4 staff associated with the current garden centre. In this regard, the proposal would provide economic benefits of 28 additional full-time jobs equivalents which weights positively in the planning balance.
- 7.5.6 The long-term benefits associated with care home will benefit the local economy. Aside from employment, the increase in spending on goods and services locally from the operator, occupants, staff and visitors will represent an economic benefit. The extent of such is likely to be relatively modest. Overall, the economic benefits of the scheme weigh in favour of the proposals.

## **7.6 Design and Visual Impact**

- 7.6.1 The site is occupied by the garden centre and plant nursery and associated buildings in a rural location surrounded by agricultural land. The local landscape is characterised by agricultural fields and relatively gentle changes in gradient. The public space from which the site is most evident from is the adjacent highway, 'Nene Way', which is a two-lane road with a relatively wide verge on either side at the point of the site.

#### Pre-Application Advice

It is also noted that the design of the proposal has been informed by pre-

application advice undertaken prior to the receipt of the application. The applicant engaged with Officers' prior to the this submission and the scale design layout of the development has benefited from these discussions.

- 7.6.2 The submitted details for the elderly care home specialising in dementia care, are as follows:
- 68 one-bedroom care spaces, all with wetrooms
  - Communal space including dining room, lounge, reception, garden, activity room
  - Assisted bathrooms
  - Cleaning store, laundry, plant, circulation space, kitchen
- 7.6.3 The extent of land to be used for the development is largely that which is occupied by the current garden centre and the associated parking space and plant nursery. The most significant 'change' is the introduction of a residential building on the site of the current garden centre, and how this would appear in the surrounding context. The
- 7.6.4 At the site frontage, the 2 storey building shape materials, fenestration, internal arrangements. Although two storeys in height would constitute a more prominent built form at a greater scale and massing than the current garden centre, the use of a flat roof is preferable to a pitched roof due to the height differences. The care home building would comprise the largest mass of built form and would be visible from the road. Although a two storey building, in order to meet density requirements for this type of accommodation the footprint of the building would be extensive, and to reduce height the roof would be flat.
- 7.6.5 The application is also supported by a Landscape Visual Assessment.(LVA) The applicant has commissioned a LVA to establish that the landscape effects would not be significant upon completion of the development, including the landscaping. The landscaping scheme involves substantial hedge and tree planting along boundaries around the care home, which would limit its visual impact in the countryside setting. The conclusions of the LVA assessment are considered acceptable.
- 7.6.6 The proposed care home, would change the character of the site and its immediate surroundings but not as such to warrant a refusal of permission. This is because, the broader landscape impact is considered to be limited due to the relatively low profile of the buildings and the integration of new landscaping within the application site and its boundaries. This has softened the impact of the proposed development upon the transition to more open areas of countryside which adjoin.
- 7.6.7 In terms of the design of the care home itself, has progressed building upon the pre-application and more recent discussions. It also takes account of the care needs and benefits of occupants. The siting of the care home, the café and the garden centre are a logical approach to the development of the site. The low-profile design of the building would limit the visual impact of the development.
- 7.6.8 Other aspects of the design, including the siting of the parking, residents' outside space and the entrance to the care home is considered appropriate for



the site. The materials indicated on the elevations, including timber cladding battens, is considered to be an attractive approach to the building and its location. The design is considered a well reasoned approach to meeting the spatial needs of the development in a sensitive and high quality manner whilst providing the functional requirements of the different elements.

## **7.7 Highway Matters**

7.7.1 In terms of highways safety, access and parking, it is noted that the LHA do not object to the application for the reasons cited previously. A reduction in vehicular movements overall, an established access and sufficient parking spaces are considered to ensure the development is served by suitable highway demands.

7.7.2 The care home would include a total of 25 staff for the day shift and 8 for the night shift. It also notes that around 22 visitors would arrive on a typical weekday. Servicing vehicular movements are also taken into account in the submitted Transport Assessment reviewed by the LHA. Across the site, the LHA have raised no concern at the proposed parking provision of 88 parking spaces for the different uses.

7.7.3 The matters of the access and parking can be suitably controlled by condition if permission is to be granted.

## **7.8 Impact on Neighbouring Amenity**

7.8.1 There are no residential properties in the immediate vicinity that would be affected by the development. The site is relatively isolated and as such the development would not materially affect the amenities of nearby properties.

## **7.9 Environmental Matters**

7.9.1 The Council's Environmental Protection Team were consulted by no response is noted on file. In terms of noise, contamination and odour, there is no indication that the development of the site would be subject to unacceptable impacts in these regards.

7.9.2 In this case it is appropriate for the Council to attach a construction management condition that limit the hours of construction and require measures to control mud and other debris, as well as other controls, during the construction phase.

## **7.10 Flood Risk and Drainage**

7.10.1 The application is supported by a Flood Risk Assessment and Drainage Strategy for the site which is all within Flood Zone 1 which is low risk. The applicant's drainage report sets out on-site measures proposed, including the use of permeable ground and cellular storage crates.

7.10.2 At the time of writing no response has been received from the Lead Local Flood Authority (LLFA). Notwithstanding this a safeguarding condition is proposed to ensure that the key objectives of the flood risk report are implemented, if permission is to be granted.

## 7.11 Ecology

- 7.11.1 The application is supported by an Ecological Assessment and it has been subject of a consultation response from the Nature Space Team. The response received indicates that the site has the potential for great crested newts and that a biodiversity net gain assessment is not necessary.
- 7.11.2 The comments received in relation to great crested newts (GCN) Nature Space Team require surveys to establish the extent of the presence or absence of GCNs. The application was submitted in October and the comments received note that GCN surveys should be carried out in the spring. Taking a proportionate approach, whilst the comments received express a preference for surveys to be undertaken prior to determination, it is considered in this case, reasonable that such surveys be secured by a pre-commencement condition. The condition/s would ensure that, in the event the presence of GCNs is found, appropriate movement of them, including licencing, be secured so no harm occurs.

## 7.12 Planning Obligations

- 7.12.1 The consultation exercise has resulted in requests for s106 contributions towards mitigating the impact on libraries. The request for a contribution towards the local library due to the impact on the service is considered justified due to the population of the care home and the potential use of their facilities. This would be secured via a Section 106 Agreement.
- 7.12.2 As a care home for the elderly specialising in care for people with dementia, the provision of care is evidently an inherent part of the use of the development. The securing of the use including details of care can be secured via a Section 106 Agreement, along with the library contributions requested.

## 8. Other Matters

---

- 8.1 Neighbour comments: The representations received have raised a combination of matters, several of which are addressed within the report. Those that are not are addressed include the following. One matter raised was a loss of 'greenbelt' land. The site is not Greenbelt, as is no land within North Northamptonshire.
- 8.2 Parish Council comments: The Parish Council objected on the basis of the following matters: size, 'agricultural' use, further developments in future, infrastructure, access, light pollution, need and location. These matters are addressed in the main body of the report in the main, however specific matters are addressed here. In terms of the existing use, it is a garden centre and café, and therefore not agricultural. The reference to 'future developments' is unclear insofar as the nature of concern is not expressed. More fundamentally however, each application has to be assessed on its own merits.
- 8.3 From the comment relating to 'infrastructure' impact, it is not apparent which aspect. The application has been assessed on its impacts, including the highway and libraries. Matters of size, light pollution, need, scale and location are addressed within the report.

- 8.4 Other concerns raised include that the site is windy and cold and that residents would feel isolated from the town. These matters of perception are not considered to materially affect the consideration of the proposal. It also is considered that the development would not materially affect Ashton Conservation Area. A concern about a conflict with an Oundle Neighbourhood Plan was cited, but no such made plan exists.
- 8.5 There is no evidence to indicate that the care home would impact on the local medical services. No request for planning obligations of such has been received. Other concerns raised include that the site was once agricultural. As a garden centre occupies the site, the agriculture ceased and the proposal therefore represents a redevelopment of the site. Concerns about potential expansion are not a material consideration.
- 8.6 Equality: The proposed care home for older persons, including those with dementia, makes provision of accommodation for this aspect of society. It is acknowledged in national policy and guidance that there is an increasing need to provide suitable accommodation for this part of society. In this regard, the proposal is not considered to raise equality concerns.
- 8.7 Health Impact Assessment: Paragraph 92 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. The care home is designed to help the health and wellbeing of the occupants and is therefore considered to provide health benefits.

## **9. Conclusion / Planning Balances**

---

- 9.1 The application has been assessed by officers in the context of both National and Local plan policy. The proposal comprises a residential element in this case 68 bedroom care home (Class C2 residential institution). This has then been integrated with a café shop and a smaller garden centre. The 'residential' element of the proposal conflicts in principle with the Council's housing strategy as such uses are directed towards more sustainable locations closer to established settlements. The proposal therefore conflicts in principle to some extent with Policies 11 and 29 of the JCS and this weighs against the proposal.
- 9.2 However, there are significant material considerations to be taken into the planning balance of the assessment of the public benefits of the proposal, primarily the contribution of 68 care bedroom units towards meeting a significant unmet need of care bed spaces within North Northamptonshire. Current analysis indicates a reliance on windfall sites for care home bed spaces, due to a lack of sites being allocated for elderly care housing and a shortage across North Northamptonshire. The proposal therefore represents a windfall site albeit outside of a settlement, as part of a redevelopment of a garden centre.
- 9.3 The weight to be attributed to the provision of 68 care bed spaces is considered to be substantial in the context of the identified need and the apparent lack of supply coming forward or allocated. This approach is

considered to reflect that of the Planning Inspectorate in a number of recent appeals.

- 9.4 The quality of accommodation and the benefits it would provide for the residents is considered to weigh in favour of the proposal albeit to a modest extent in the planning balance. Evidence presented shows that of the care home bed spaces that currently exist, a large proportion do not have their own ensuite or wet room and do not meet standards for new-build care homes.
- 9.5 In respect of the smaller garden centre, it would benefit from modernisation to improve its facilities, a positive factor which complements the main use. In terms of the visual impact, it would be limited due to the low profile of the care home in its rural setting integrated with landscaping. The design of the development, including the care home building itself, is considered to represent high quality design both aesthetically and in terms of the function of providing a suitable space for care provision for people in need.
- 9.6 The proposal is considered to be acceptable in terms of drainage, ecology and the impact on libraries, subject to suitable conditions and a S106. The care provision is recommended to be secured via a S106.
- 9.7 A fundamental aspect of the NPPF is the goal of sustainable development, ensuring that economic, environmental and social needs are met. Public benefits would be a result of the development, including the social and economic benefits relating to meeting an unmet specialist housing need, the health benefits to occupants as well as the employment and spending benefits locally from the construction and those long-term. A net increase in 28 full-time equivalent jobs and the spending benefits to the local economy weigh in favour of the proposal.
- 9.8 The submitted Alternative Sites Assessment demonstrates a lack of suitable sites in preferable locations. It is also noted within the LPP2 that there are no sites allocated for care homes and as such their development is reliant on windfall sites. The development would cause a low level of visual harm, although it is noted it is a redevelopment of a part brownfield site and as such the harm is limited.
- 9.9 The planning balance is not straightforward in this case, in part due to the nature of the development plan context for care homes and then current evidence concerning need, supply and quality. Taking into account the development plan, the emerging plan and the evidence on need and supply, the benefits of the development are considered substantial towards meeting a significant shortage of care bed spaces, for which there is no apparent supply to come forward elsewhere. The contribution towards the significant unmet care needs are considered to have a positive impact in terms of meeting the specialist housing needs of the elderly. The health benefits are considered to be significant and whilst the spatial strategy seeks to direct residential uses to settlement locations, in this case the balance is in favour of the identified public benefits.

## **10. Recommendation**

---

- 10.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement by [dated to be agreed with Applicant)
- 10.2 That should the Section 106 Legal Agreement not be completed by date to be agreed with Applicant) that it be delegated to Officers to REFUSE planning permission.

## 11. Conditions

---

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following plans:

- Existing Site Location Plan rev. A ref. 434\_PL\_01\_100;
- Proposed Site Plan rev. F ref. 434\_PL\_00\_200;
- Site Access Arrangement ref. ITL16401-GA-005 ref. B;
- Proposed Elevations rev. B ref. 434\_PL\_00\_310;
- Proposed Elevations ref. 434\_PL\_00\_311 rev. A;
- Proposed Plan – Ground Floor rev. D ref. 434\_PL\_00\_210;
- Proposed Plan – First Floor rev. D ref. 434\_PL\_00\_211;
- Proposed Roof Plan rev. C ref. 434\_PL\_00\_212;
- Proposed Site Elevations rev. A ref. 434\_PL\_00\_300;
- Proposed Detailed Room Layouts ref. 434\_PL\_00\_400;
- Proposed Detailed Room Layouts ref. 434\_PL\_00\_300;
- Detailed Room Layouts Type B1/B2 – Opt 1 & 2 ref. 434\_PL\_00\_401;
- Rendered Room Plan Type B1/B2 – Opt. A ref. 434\_PL\_00\_402;
- Proposed Detailed Room Layouts ref. 434\_PL\_00\_403;
- Proposed Sections – Internal Courtyard ref. 434\_PL\_00\_320 rev. A;

Reason: In order to clarify the terms of the Planning Permission and to ensure that the development is carried out as permitted.

3. The access hereby approved shall be constructed in full prior to the use or occupation of any part of the development. The access shall be in accordance with the following submitted details:

- Site Access Arrangement ref. ITL16401-GA-005 ref. B;

Reason: To ensure the site access is appropriately designed to serve the development, in accordance with Policy 8 of the JCS.

4. Prior to the occupation of the care home, the car park shown on Site Plan rev. F ref. 434\_PL\_00\_200 shall be developed and made available for parking and shall thereafter be retained as such.

Reason: To ensure adequate parking provision.

5. The landscaping of the development hereby permitted shall be carried out strictly in accordance with following plans received by the Local Planning Authority :

- General Arrangement ref. 051034-EN-XX-00-DR-L-101rev. P01;
- General Arrangement ref. 051034-EN-XX-00-DR-L-102 rev. P01;
- Landscape Strategy ref. Figure 27;

Reason: In order to clarify the landscaping terms of this consent.

6. The landscaping works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

Reason: To ensure the landscaping is undertaken and maintained in suitable time relating to the occupation of the care home.

7. Prior to the development above the slab level, full details of the external materials, including samples and product details, for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity.

Reason: To safeguard the visual amenity of the area in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy 2016.

8. The garden centre hereby approved shall not be open to the public outside of the hours of 09=8:00 to 18:00 Mondays to Saturdays, and 10:00 and 16:00 on Sundays and Bank Holidays:

Reason: To ensure the activity at the garden centre from public access does not unacceptably impact on the amenities of the adjacent care home.

9. The drainage works for the hereby approved development shall be undertaken in accordance with the following submitted details prior to the first occupation of the development hereby permitted:

- Drainage Strategy and SuDS Assessment produced by Motion dated 01 July 2022.

Reason: To ensure the drainage works are undertaken in accordance with the approved details.

10. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved surface water scheme has been submitted in writing by a suitably qualified

independent drainage engineer and approved by the Local Planning Authority The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV Confirmation that the system is free from defects, damage and foreign objects.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

11. The recommendations of the submitted Ecological Assessment dated April 2022 shall be complied with as part of the development. In for the avoidance of doubt, the measures set out in the following shall be followed:
  - Impacts, Mitigation and Enhancement Strategy.

Reason: In the interests of the ecology of the area.

12. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details in accordance with a timetable to be agreed.

Reason: In the interests of ensuring the development has an appropriate ecological impact.

13. At all times during the carrying out of operations authorised or required under this permission, best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

Reason: To ensure the protection of the local amenity throughout construction works.

14. Prior to commencement of development to submit to the Local Planning Authority for written approval a Construction Traffic Management Plan (CTMP). The CTMP will include details of the construction traffic daily timetable, confirming no construction traffic will arrive on site before 8.00am and after 6.00 pm Monday to Friday, before 8.00am and after 1.00 pm on a Saturday and with no construction vehicles to attend the site on a Sunday or Bank Holiday. The CTMP will include details of site access and egress points together with how any mud/detritus originating from the site is to be removed from the surrounding highway at the end of the working day. The CTMP will also include the provisions to be made on-site for contractor parking provision.

Reason: In the interests of residential amenity, highway safety and visual amenity in accordance with the North Northamptonshire Joint Core Strategy (2016).

15. There shall be no burning of any material from site preparation works (i.e. clearance of trees, scrub, vegetation, internal fittings etc).

Reason: To minimise the threat of pollution and disturbance to local amenity.

16. Details of any external lighting shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and wildlife and local light-sensitive development from light pollution.

17. If, during development, contamination not previously considered or identified becomes known to the Applicant, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.



Reason: To ensure all contamination within the site is dealt with. This will ensure the amenity of the site and prevent the potential harmful effects of contamination on the proposed use.

18. The tree and arboricultural work shall be undertaken in accordance with the submitted plan and details:

- Tree Protection Plan ref. 4377.Olive Grove.Boyer.TPP;

Reason: To ensure the site does not cause unacceptable harm to trees on and around the site.

19. No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority.

Reason: To ensure the protection of the local amenity throughout construction works.