

North Northamptonshire Planning Committee (South) 22nd November 2023

Application Reference	NE/22/00234/FUL
Case Officer	Paul Bland
Location	Chelveston Energy Innovation Park
Development	Replacement and improvements to existing site access with a new site access road and gatehouse
Applicant	Federal Estates Ltd
Agent	Savills UK
Ward	Higham Ferrers
Original Expiry Date	25th April 2022
Agreed Extension of Time	30th November 2023

Scheme of Delegation

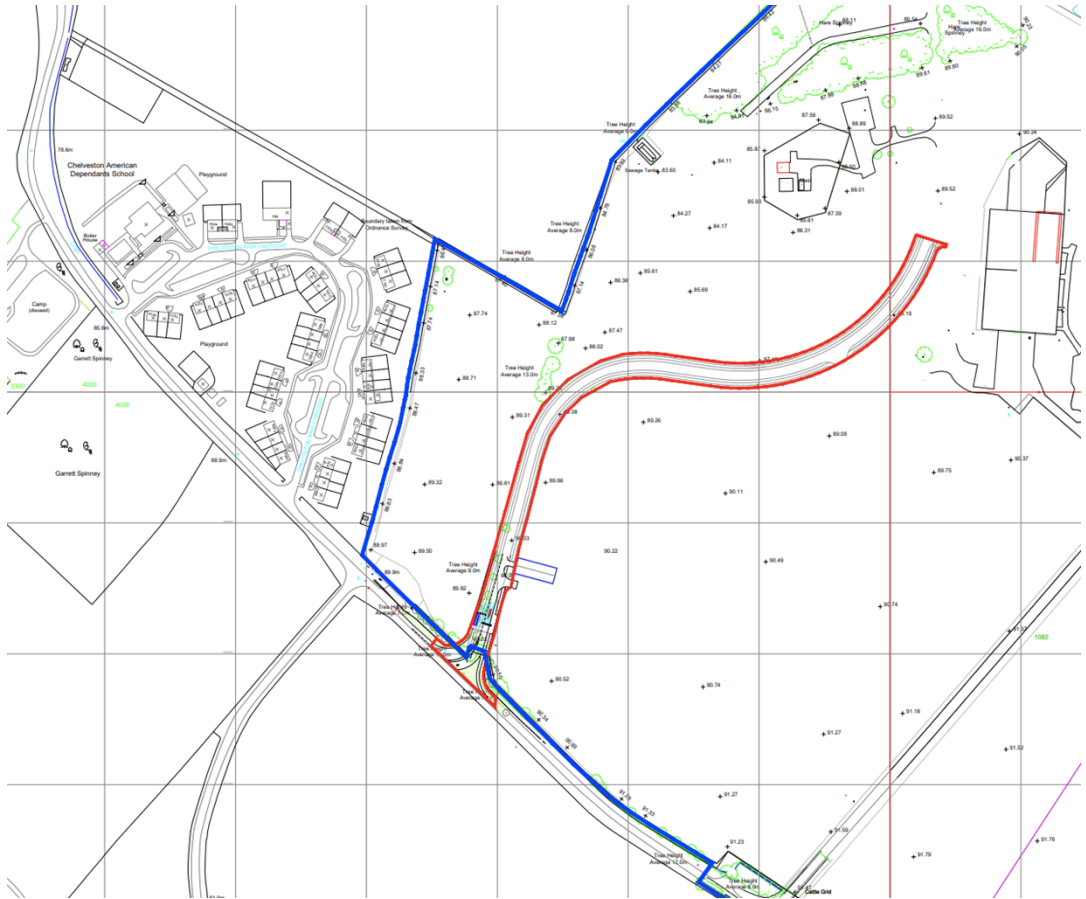
This application is brought before the Planning Committee (South Area) because it falls outside of the Council's Scheme of Delegation. This is because the Council has received more than 10 objections from members of the public and from local Town and Parish Councils.

1. Recommendation

- 1.1 That planning permission be **GRANTED** subject to conditions.

2. The Proposal

- 2.1 This planning application is for 'Full' planning permission for a re-positioned main vehicular access route to serve the approved Chelveston Energy Innovation Park (CEIP), and a new security gatehouse along the proposed new route. The proposed new route is accessed from Church Lane, approximately 100 metres from the junction with the main highway at Rushden Road / Bidwell Lane. The proposal includes highway improvement works to Church Lane, and also to the right-turn junction from Rushden Road / Bidwell Lane. The development area required to create the new access, gatehouse and internal access road is 0.9 hectares.



Site Plan – new access route shown in red

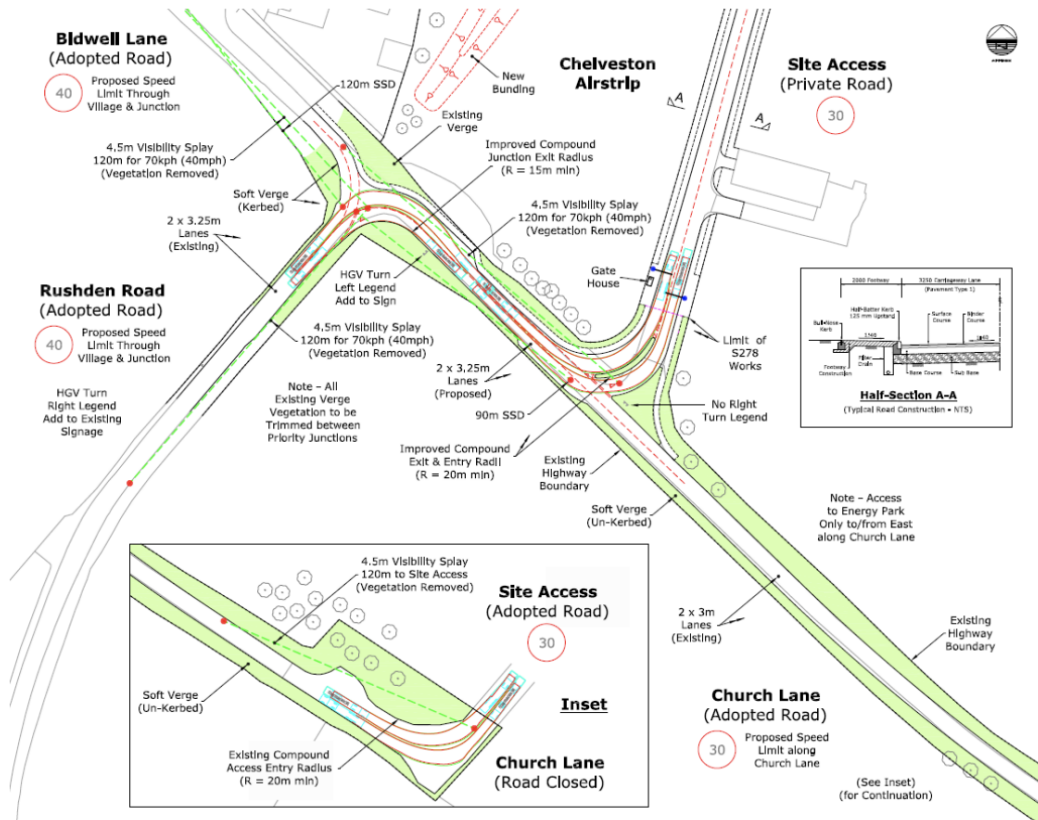


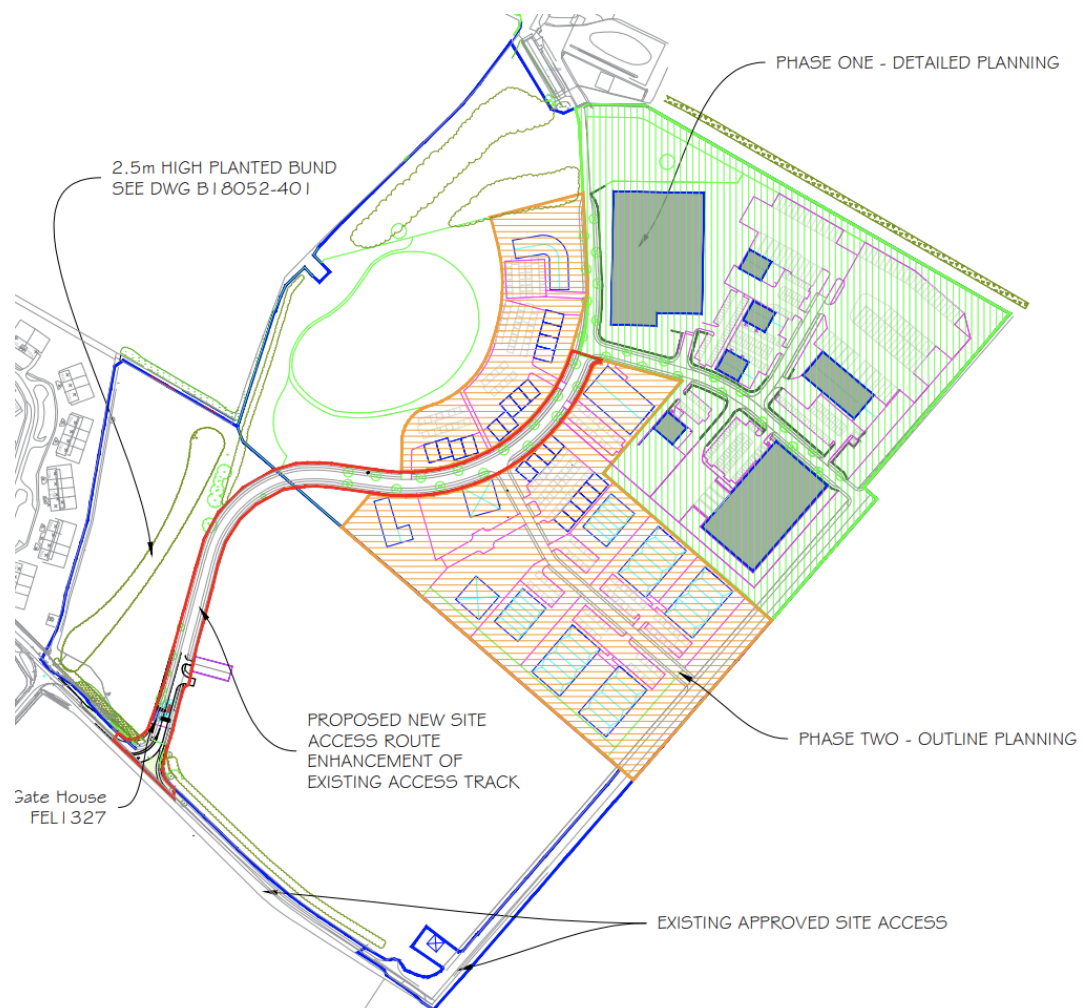
Figure 5: Site Access Proposals
Plan showing new site access route proposals

2.2 The proposal has three main aims:

- To create a more efficient and higher quality dedicated 'business park' style main vehicular access route to serve the approved CEIP site.
- To separate vehicular movements related to the approved CEIP site from the existing vehicular movements related to the adjoining operational Chelveston Renewable Energy Park (CREP) site. Traffic destined for the CEIP site would take a priority left-turn from Church Lane into the CEIP site; whilst traffic destined for the CREP site would continue along the existing Church Lane route, turning left further along at its end and onto the existing concrete access road which leads to the CREP facilities.
- To improve the safety of users of the Public Rights of Way (PROW) network accessed from Church Lane by reducing pedestrian conflicts with CEIP site traffic as the site develops and becomes established over time.

2.3 The currently approved route leading to the existing approved CEIP site vehicular access is shared by the CEIP and CREP traffic. It is in a more distant location, reached by travelling along the length of Church Lane and turning onto the concrete access road to the main CREP site.

2.4 The purpose of the proposed new gatehouse and barriers sited along the new access route leading from the new site entrance is to provide welcome, orientation, and site security for employees, visitors and businesses.



Site Plan showing new access route in context of wider CEIP site

2.5 The following documents and plans have been submitted as part of the application:

- Site Access Proposed Entrance Sheet 1 Aerial View (Drawing Number FEL1296-A, 25th May 2021)
- Site Access Proposed Entrance Sheet 1 Site Plan (Drawing Number FEL1296-A, 25th May 2021)
- Site Access Proposed Entrance Sheet 2 (Drawing Number FEL1296-B, 25th May 2021)
- Site Access Proposals (Drawing Number Figure 5.7-F, 20th June 2019)
- Proposed Gatehouse Floorplan and Elevations (Drawing Number FEL1327-A, 31st August 2021)
- Traffic Noise Assessment (Hayes McKenzie, 21st April 2023)
- Design and Access Statement (Savills, February 2022)

Background to the CEIP and CREP Sites

2.6 Planning permission for the CEIP site was approved by the former East Northamptonshire Council's Planning Management Committee on 30th March 2021 (ref: 19/01781/FUL).

2.7 The approved CEIP site is being developed to provide a range of highly sustainable employment floorspace with a 'unique selling point' of direct access to industrial scale power, in the form of renewable electricity delivered via a direct feed from the large-scale renewable energy generating facilities at the adjacent CREP site. The target business market for the CEIP site is energy intensive end-users.

2.8 The principle of development at the CEIP site is established, and implementation of the approved plans has commenced. Site layout, landscaping and SUDS infrastructure has been implemented, and a large new business unit has been constructed as the first phase of employment development on site. In granting the original CEIP site planning permission, full consideration was given to a wide range of potential local and environmental impacts, balanced with its economic development and sustainability benefits.

2.9 The CEIP site planning permission was part of a hybrid planning application, comprising:

- Full permission for a sustainable residential development of 120 dwellings redeveloping a separate existing industrial site in the ownership of the applicant at Higham Ferrers. (Note: this is a separate site which is not directly relevant to the current planning application under consideration).
- A combination of Full and Outline permissions for the phased development of a range of B1 / B2 / B8 employment buildings and ancillary uses with high sustainability credentials in a landscaped business-park setting to create the CEIP site. This enables the development of 32,900 square metres of commercial floorspace. (Note: this is the CEIP site, to which the current planning application relates).

- 2.10 Both the CEIP site and the CREP site are located on the former RAF Chelveston Airfield. The airfield was in continued military use from 1941 to 1977, and the site was then used as a military signals station until its demise in 2003 and subsequent disposal by the Ministry of Defence in 2005 (when it was purchased by the applicant).
- 2.11 The CREP site extends across the administrative boundaries of North Northamptonshire and Bedford Borough Council. However, the CEIP site is entirely within North Northamptonshire.
- 2.12 The applicant has developed the CREP site in phases since 2007, to create what is currently one of the UK's largest mainland renewable energy production facilities. It comprises a combination of renewable energy technologies including wind turbines, solar panel arrays, an anaerobic digestion building, a battery storage building, and ancillary buildings and infrastructure for switchgear, inverters and transformers, and the manufacture of solar panel equipment. Other permissions are in place for a biofuel plant and fuel storage tanks, a gas-powered electricity generating back-up facility, a hydrogen plant, and other ancillary buildings.
- 2.13 Renewable electricity generated at the CREP site is primarily exported into the National Grid. The efficiency and scale of the technologies on-site means that, increasingly, more renewable electricity is generated than can be accommodated by the National Grid.
- 2.14 Therefore, the applicant has secured a range of permissions to implement technologies on site to enable excess renewable energy to be stored (in batteries) and used for fuel production (hydrogen) to support peak national demand and be available for use by other energy intensive end-users (at the approved CEIP site) and potentially in the future also for other off-site users.

3. Site Description

- 3.1 The approved CEIP site is located in the south-western corner of the former RAF Chelveston Airfield. It is adjacent to the CREP site to the east and north. Agricultural fields lie to the west and south.
- 3.2 In terms of proximity to its nearest settlements, the CEIP site is:
- Adjacent to east of the former military, now privately owned, housing estate at Chelston Rise.
 - Approximately 1.3 kilometres south-east of Caldecott village.
 - Approximately 1.7 kilometres north of Newton Bromswold village.
 - Approximately 1.5 kilometres north-west of Yelden village.
 - Approximately 3.0 kilometres east of the towns of Higham Ferrers and Rushden.
- 3.3 The CEIP site is within Higham Ferrers Ward, and Chelveston-cum-Caldecott Parish, and is wholly within North Northamptonshire's administrative area.
- 3.4 Vehicular access to both the CEIP and CREP sites is via the adopted Church Lane, to the south of the CEIP site. Church Lane forks off to the south-east

from the adopted Rushden Road / Bidwell Lane main highway, south-east of the Chelston Rise residential estate.

- 3.5 In terms of the PROW network, Bridleway MM14 runs along Church Lane, connecting with Yelden to the south-east. It also connects, at a north-western facing right-angle, with Bridleway MM18 which runs along the eastern boundary of the CEIP site beside the main concrete access road for the CREP site which has been created from part of the former airfield taxi-way.
- 3.6 Other Public Rights of Way 'criss-cross' the CREP site via the concrete access road, and there is a public footpath immediately to the north of the CEIP site which connects to the north-west with Caldecott village.
- 3.7 The concrete access road is the main vehicular access for the CREP site, and along it is the existing approved main vehicular entrance into the north-western part of the CEIP site.
- 3.8 The nearest residential properties are at Chelston Rise, the former military housing estate that was associated with the operational airfield, and which has since been sold to private occupiers. The nearest houses to the proposed new access to the CEIP site are some 100 metres away.
- 3.9 The land upon which the proposed new access route will be situated is essentially brown-field land as it was previously developed extensively with military buildings and infrastructure associated with its long-term use by the Royal Air Force and the United States Air Force. Whilst the former military buildings which were in close proximity to the Chelston Rise residential estate have been cleared, the proposed new CEIP site main access route has been designed to follow a previous military access route into the base which remains as grassed-over concrete.

4. Relevant Planning History

4.1 19/01781/FUL: Approved by East Northamptonshire Council Planning Management Committee – 30th March 2021

Hybrid application comprising:

- **Site 1:** Full planning permission sought for Federal Estates land off Newton Road, Higham Ferrers: demolition of industrial buildings and redevelopment to create 120 dwellings with highway works, battery storage area, landscaping, acoustic fencing and bunding. (Note: Site 1 is a separate site, within the town of Higham Ferrers, and so is not relevant to the current planning application under consideration).
- **Site 2:** Outline planning permission with all matters reserved except access sought for a phased development of land at the Chelveston Renewable Energy Park with: (2a) 10,000sqm of replacement employment space - six buildings in B2/B8 Use Class - and a 4,900sqm building for vertical farming in horticultural/agricultural use with highway works, and landscaping (Full planning permission); and (2b) Development of up to 18,000sqm of employment space - B1/B2/B8 Use Classes - with a maximum of 2,000sqm of B1 Use - and provision of a

primary substation. (Note: Site 2 is the relevant planning history for the current planning application under consideration, as it established the CEIP, adjacent to the CREP).

4.2 **NE/22/00844/CND: Pending Consideration**

Discharge of conditions pursuant to 19/01781/FUL (as per the hybrid planning application referred to in paragraph 4.1 above).

5. **Consultation Responses**

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

Ward Councillor Responses

5.1 Higham Ferrers Ward Councillor (30th March 2022)

A Ward Councillor has responded to highlight the objections (as opposed to making an objection) made by local residents to this application, particularly in relation to highway, noise and fume pollution impacts:

- The original CEIP proposals (19/01781/FUL) and the current planning application's potentially increased HGV impacts on Chelston Rise residents contravene Chelveston-cum-Caldecott Neighbourhood Development Plan Policy REN 1 regarding resisting of development in this location "... to minimise the cumulative impact on the rural landscape".
- Impacts of cars and HGVs queueing and backing onto the adopted highway.
- The approved access point for the original CEIP approval (19/01781/FUL) provides greater ability to contend with potential tailbacks / queues, especially with HGVs, because there is more capacity in the original 400 metre long access route.
- Noise disturbance is likely to increase because of the closer proximity of the new access to the houses at Chelston Rise (100 metres away) and the landscaped bund is unlikely to mitigate the noise impacts arising from the full development of the site.
- Potential 24 hour operation of the CEIP site could be implemented, giving rise to concerns by residents about noise impacts on what remains a rural settlement away from main roads.
- Fumes from HGVs and vehicles which may be idling at the proposed gatehouse (100 metres away) could be carried by the wind, further affecting the residents of Chelston Rise.
- Enhancement and protection of public rights of way along the former airstrip is welcomed but the original CEIP site permission secured that.

Parish / Town Councils

5.2 Chelveston-cum-Caldecott Parish Council (5th May 2022)

The Parish Council objects to this application as follows:

- General Amenity: Will the proposed new vehicular access cause a greater nuisance to the amenity of the residents of Chelston Rise than the existing approved access?
- Noise: Will the existing approved landscape bund provide sufficient noise attenuation from the proposed new vehicular access, which is closer to Chelston Rise than the approved access by some 300 metres? Could the height of the approved landscape bund be increased above the level of the first-floor bedroom windows of the houses that back onto the CEIP to reduce potential noise impacts? If not, the original approved CEIP access should be used to ensure that Chelston Rise residents are not impacted by additional traffic noise from the CEIP.
- Impact of queuing: Will the proposed new gatehouse promote car and HGV vehicle queuing beyond the access point and along Church Lane and potentially onto the adopted highway at peak times?
- Refusal Request: Refuse application to ensure CEIP traffic continues to use approved site access further away from Chelston Rise.
- Suggested Refusal Reasons: Increased noise impact on Chelston Rise, particularly at night; and obstruction hazard to other road users through queues extending back onto the Caldecott / Newton Bromswold road.
- Suggested Site Access Closure Condition if Permission Granted: "The new site access road is to be closed to all traffic between 23:00 to 07:00. Reason: To minimise the noise nuisance whilst nearby residents are sleeping. If the applicant wishes to operate 24 hour access, then all traffic should be diverted to the existing site access route between 23:00 – 07:00".

5.3 Further Chelveston-cum-Caldecott Parish Council (5th May 2022)

The Parish Council responded further to this application, as follows:

- If one allows a little leeway and rounds this worst case figure of 8 HGV movements per In parallel with the above, because Hayes Mackenzie have identified issues with modelling low numbers of vehicle movements (para 5.2 states the highest peak hour traffic flows for the site access roads are less than 200 and for this reason, combined with the number of junctions that need to be taken into account, it has been decided that it would not be appropriate to model the traffic noise using CRTN and that a more bespoke modelling technique would be required), this Council requests a further planning condition (should NNC be minded to grant the application) to be implemented once the access road is in use up to 10 HGV movements per hour (inbound or outbound) then this Council requests a planning condition should NNC be minded to grant the application.
- Requested condition: The number of HGV movements through the new access road shall be limited to 10 HGV movements per hour (inbound or outbound). Reason - To protect the amenity of the nearby residents at Chelston Rise and to ensure the noise mitigations are appropriate to the declared HGV hourly traffic volumes.
- Should the applicant decide in the future that the number of HGV movements was likely to exceed this number, a new noise assessment would be submitted for the new hourly HGV movements to aid NNC determine if additional mitigation measures would become necessary.

This approach would give the applicant certainty in being able to operate the new access road, whilst providing a mechanism to mitigate increasing noise nuisance on the nearby neighbours should the numbers of HGVs increase over time.

- Requested condition: Once the access road is in use, noise measurements will be taken at the site boundary with Chelston Rise at the height of the first floor windows so as to verify the actual noise emissions. If the noise levels are higher than modelled, additional noise mitigations shall be implemented. Reason - To protect the amenity of the nearby residents at Chelston Rise and to ensure the theoretical noise modelling is representative of the actual noise.
- The site boundary is chosen because the planning condition has to be on land the applicant controls, but at ground level any measurements would be shielded by the bund, whereas the Chelston Rise first floor windows will not be, so the measurement device will need to be elevated (e.g. pole mounted, scaffold tower) to achieve a true reading.

5.4 Higham Ferrers Town Council (19th May 2022)

The Town Council objects to this application, as follows:

- Noise: Support comments made in Chelveston-cum-Caldecott Parish Council response, with particular reference to the proximity to Chelston Rise and the impact of noise on the residents.
- Vehicle Queuing: Concerns about the potential queuing of works vehicles on the highway close to a nearby junction and a 90 degree bend that will make the likelihood of obstruction to fellow road users very high.
- Night-time Closure of Access Road to Traffic: Express specific support for the part of the Chelveston-cum-Caldecott Parish Council response that seeks the closure of the new site access road to all traffic between 23:00 to 07:00 if permission be granted to minimise the noise impact on local residents.
- Highways Safety: Note and uphold the LHA comments regarding the need for a Traffic Regulation Order, signage and a Stage 1 Road Safety Audit.

5.5 Further Higham Ferrers Town Council Response (15th June 2023)

The Town Council responded further to this application, as follows:

- The council note the response from Chelveston Parish Council and agree with their request and proposed wording for a planning condition to control the number of HGV movements and a condition requiring noise measurements and associated mitigation once the road is in use.

Neighbours / Responses to Publicity

5.6 A total of 20 objections have been received from local residents. The objections relate predominantly to potential impacts arising from the proposal on the amenity of the Chelston Rise residential estate, adjacent to the CEIP site. The material issues raised are summarised as follows:

- Impact of additional traffic on Chelston Rise and Caldecott village.
- The roads cannot accommodate additional large vehicles.
- The new access arrangement is not necessary as the existing approved access arrangement is fit for purpose.
- The access point from main adopted highway junction with Rushden Road / Bidwell Lane is dangerous, especially if queuing back from the proposed new access occurs.
- The proposed new access is too close to the main highway and is therefore dangerous.
- Noise levels will increase from traffic to the detriment of local residents.
- Future increased / 24 hour working patterns could further increase noise and pollution.
- The proposed new access location is too close to Chelston Rise housing and may have noise and pollution impacts on residents.
- The approved / constructed landscaped bund is not high enough to be effective in mitigating against increased site noise and pollution.
- Pollution levels will rise through closer proximity of CEIP vehicles, especially if queuing / waiting at the gatehouse, to the Chelston Rise residential area.
- The landscaped bund is not as per approved plan therefore is not as effective as it should be in screening the CEIP development from Chelston Rise.
- The CEIP building layout should be revised rather than the access.
- Traffic controls agreed under previous planning permission are not workable.
- Defined footpaths should be installed for safety along the route to designated footpaths to reduce conflict between pedestrians and vehicles heading to and from the CEIP and CREP.
- General impact on peace, quiet of rural / semi-rural location.
- The noise survey does not satisfactorily cover the impacts of the proposal, particularly the noise associated with HGVs and other vehicles idling and stopping and starting at the gatehouse.

5.7 NNC Local Highway Authority (LHA) (17th May 2022)

In respect of the above planning application, the Local Highway Authority (LHA) has the following observations, comments and recommendations:

- The LHA have concerns regarding the 2 x 3-metre-wide lanes leading to the existing access as they are not consistent with the proposed 2 x 3.25-metre-wide lanes for the new access. The narrower width may lead to overloading and damage to the verge and carriageway edge.
- Any HGV restrictions and right turn bans will require a Traffic Regulation Order (TRO) which would be subject to consultation and may or may not be agreed. The relevant signage will need to be delivered under a standard S278 agreement.
- All signage and lining will be required to clearly indicate priority, as the development access will appear to be the main route.
- The LHA requires that a Stage 1 Road Safety Audit (RSA1) be carried out at the access. The RSA brief and auditor CV's should be sent to the LHA for approval, prior to the undertaking of the RSA1.

5.8 Further NNC LHA Response (21st November 2022)

The LHA's further response was as follows:

- I can confirm we have now received the Stage 1 Road Safety Audit. This has been reviewed and the Highway Authorities Road Safety Audit Team is content that the problems raised have been addressed by the designers' responses.

5.9 Further NNC LHA Response (17th June 2023)

The LHA's further response was as follows:

- The Stage 1 Road Safety Audit has been reviewed and the Highway Authorities Road Safety Audit Team is content that the problems raised have been addressed by the designers' responses.

5.10 National Highways (16th May 2022)

- The proposal is unlikely to have a significant impact on the operation of the Strategic Road Network. National Highways therefore has no objection to this application.

5.11 NNC Environmental Protection (26th April 2022)

- Environmental Protection has no comments to make with respect to this planning application.

5.12 Further NNC Environmental Protection (8th June 2023)

NNC Environmental Protection's further response was as follows:

- I have been consulted with respect to noise on this application for the relocation of the access road into the innovation centre permitted under 19/01781/FUL. Further to my earlier comments a traffic noise assessment has been submitted to assess any impact on properties in Chelston Rise from relocation of the access road. Based on the submitted traffic noise assessment there is no objection to the proposed development. Noise should not result in adverse impact on nearby residential properties. See comments below.
- The assessment is based on the background (baseline) noise measurements from the 2009 survey and are considered to be conservative. The survey location is at the rear of Chelston Rise and in all likelihood baseline noise levels have increased in the intervening years due to the expansion of the CREP. From the survey data it has been possible to determine a background noise level for the peak one hour AM and PM periods. This is thought to be representative of the bulk of traffic flow to the innovation centre. Also peak, maximum noise levels have been assessed with particular reference to the night time.
- From the assessment it is unlikely that noise during the peak one hour time periods will result in adverse noise impact. Although no night time assessment has been carried out the peak AM hour level just meets the

night time Lowest Observed Adverse Effect Level (LOAEL). As such noise should not result in adverse impact.

- Predicted peak, maximum noise levels at the most exposed property are no higher than 46.3dB LAmax outside a first floor window. A level of 45dB LAmax within bedrooms is the accepted threshold for sleep disturbance. Allowing for 10-15dB reduction through a partially open window peak, maximum noise levels will be well within this criterion.
- The noise assessment has taken into account the provision of the landscape bund agreed under 19/01781/FUL. This bund should be in place prior to the first use of the relocated access road.

5.13 NNC Nature Development (13th May 2022)

- Nature Development has no comments to make at this time.

5.14 Further NNC Nature Development (13th May 2022)

- Design and Access Statement accompanying this application have been reviewed. There are no objections regarding this application. It is noted that the proposal is to upgrade an existing hard ground access track, as verified on Google Earth (accessed 16/6/23).

5.15 NNC Principal Regeneration Officer (14th July 2022)

- By enabling this new access route to the employment area of the site it will provide a more accessible route for the end users of the units and will offer a better entrance and gateway for potential higher end / HQ opportunities (sense of arrival).
- The new access will separate the employee travel route into site from existing heavy plant and lorries / including currently East Northants recycling lorry movements (NNC).
- Improved security for the employment area of the site. In discussion with the site owner and agent, it could be argued that as the site is already so secure (for the wind turbine and solar arrays feeding into the National Grid) they will be attracted to a site that has added layers of security from an already secure base (as currently exists).
- Will clearly define the employment zone of the site.
- By creating an additional entrance, it will help lessen the chance for pinch points to occur at peak travel times (ie queueing traffic at security posts).
- I note that one potential issue appears to already have been addressed on the near side of the site where the terraced rows of occupied houses are located - an earth bund has been created from materials elsewhere on site and this has already been topped with planting to create a screening. On inspection of the bund it is also a good distance away from the proposed access point.
- In conversation during the site tour with the Site Manager it is clear that a lot of thinking and resource has gone into the environmental considerations of the site and even though a brownfield site and an ex-airfield there is established planting (mature oak trees) that have been included in the management and retaining of coppices/small woodland areas to create an environment that would be conducive to employees wellbeing.

National / Regional / Sub-Regional Context:

- Industrial Strategy / Build Back Better is the Government's publication setting out its plans to support economic growth through significant investment in infrastructure, skills and innovation.
- North Northamptonshire represents an integral component of the Oxford-Cambridge Arc, a designated national growth area that comprises three of the most successful and fastest growing cities in the UK. It has been identified by Government as a location for transformational growth, and the opportunity exists - supported by the right interventions and investment - to amplify the Arc's position as a world-leading economic place capable of supporting the Government's Industrial Strategy aim to boost the productivity and earning power of people across the UK. The area already contributes £111bn of GVA to the UK economy per year and has the transformative economic potential to contribute nearly £200bn by 2050.
- South East Midlands Industrial Strategy: Following publication of the Government's national Industrial Strategy (and more latterly 'Build Back better') the South East Midlands Local Enterprise Partnership (SEMLEP) produced a Local Industrial Strategy (LIS) covering the South East Midlands.

North Northamptonshire Economic Strengths and Competitive Advantage:

- Strategic location and connectivity: National and international connectivity; location within key growth clusters (including Oxford to Cambridge Arc and Midlands Engine); proximity to global assets.
- Proven growth location: A good place to do business; a thriving enterprise culture; supported by land available and space to grow.
- Strong labour supply: Extensive local labour pool; and access to higher level skills, innovation and collaboration opportunities (linked to Universities within Oxford to Cambridge Arc).
- Cost competitive location: Relatively affordable location for businesses and residents; and 'More for your money' in North Northamptonshire.
- Quality of life: Quality of natural environment: and good location for employees and their families to live and work.

Existing Sector Strengths:

- Logistics: North Northamptonshire has a natural geographic advantage: the major ports are all within 3 hours and over 95% of the UK's population is within a four-hour drive time.
- Manufacturing: North Northamptonshire has a long manufacturing tradition and is now home to a range of innovative and advanced manufacturing sectors ranging from materials and components, motorsport engineering and food production.
- Supply Chains: The area also performs a critical role in the supply chains for wider industries including those with real growth potential.
- Construction: North Northamptonshire has nationally significant levels of planned growth in terms of housing, commercial space and an expanded infrastructure network.

North Northamptonshire Council's Corporate Plan:

- This Plan outlines the following vision, values and key commitments for the area. The priorities within the corporate plan that are relevant and would support the progress of this application are: Attract tourism, visitors and inward investment; and Support the creation of high-quality, better skilled jobs.

Conclusion:

- From an Economic Development and Regeneration perspective I would support this proposal for the reasons given in the summary of this document.

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) (2023)
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 2: Historic Environment
Policy 3: Landscape Character
Policy 4: Biodiversity and Geodiversity
Policy 5: Water Environment, Resources and Flood Risk Management
Policy 16: Connecting the Network of Settlements
Policy 22: Delivering Economic Prosperity
Policy 23: Distribution of New Jobs
Policy 25: Rural Economic Development and Diversification
Policy 26: Renewable and Low Carbon Energy

6.4 Emerging East Northamptonshire Local Plan (LPP2) (2021)

EN1: Spatial Development Strategy

6.5 Chelveston-cum-Caldecott Neighbourhood Plan (2017)

Policy REN 1: Specific Policy Statements relating to the former Chelveston Airfield

7. Evaluation

7.1 Principle of Development

- 7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. This is echoed within Paragraph 47 of the NPPF 2023.
- 7.1.2 The principle of development for the Chelveston Energy Innovation Park (CEIP) is established through the approval of planning application 19/01781/FUL on 30th March 2019 by the former East Northamptonshire Council's Planning Management Committee. This planning permission has been commenced through the implementation of infrastructure, circulation, landscaping, drainage works, and the construction of an employment unit.
- 7.1.3 The current planning application is to provide a different main access route into the site to enable future development to be delivered more efficiently. The proposed new access route into the CEIP site seeks to separate the traffic generated by the CEIP site from the traffic using the existing vehicular access route for the existing operational Chelveston Renewable Energy Park (CREP site); enable the creation of a better quality 'business park' style entrance to the CEIP site; whilst also improving the safety of other road and PROW users in the vicinity of the CEIP and CREP sites, which would constitute a significant public benefit in terms of usability and safety.
- 7.1.3 It is considered that the proposal complies with Policy 16 of the North Northamptonshire Joint Core Strategy and also with Policy REN 1 of the Chelveston-cum Caldecott Neighbourhood Plan.

7.2 Landscape and Visual Impact

- 7.2.1 It is considered that the design of the new access route has very limited visual impact. The route enters into the CEIP site from Church Lane and proceeds towards the main CEIP development area through relatively flat, open ground. A landscaped bund has already been created to the east of the site which, as the planting establishes, will significantly reduce views across the site towards the new access route from the rear of the houses on Chelston Rise (some 100 metres distant to the east). There are no other significant viewpoints towards the access route from the surrounding countryside.
- 7.2.2 It is considered that the proposal is acceptable and complies with Policy 3 of the North Northamptonshire Joint Core Strategy.

7.3 Highways Matters

- 7.3.1 The highways impacts are considered to be acceptable. The design of the new access point and consequent highway improvement measures on the Church Lane and Rushden Road / Bidwell Lane adopted highways have been subject to a Road Safety Audit and approved by the Local Highway Authority. The off-site highways and junction works can be secured through

a S278 Agreement. National Highways was consulted on the planning application and have no objections.

- 7.3.2 Objectors raised the potential issue of vehicles entering the CEIP site queuing to move past the security gatehouse, and consequently causing danger if a queue backed onto the adopted highway. However, the LHA's Road Safety Audit has cleared the proposed design in this respect.

7.4 **Impact on Neighbouring Amenity**

- 7.4.1 The main point of objection from the local residential community and the Town and Parish Councils is that the new access route it is located closer to the Chelston Rise residential estate than the previously approved main access route. The current approved main access route (via Church Lane and the concrete airfield track leading to the CREP site) is some 300 metres away from the Chelston Rise properties; whilst the proposed new access route is some 100 metres away.

- 7.4.2 This proposed changed location for the new access route has given rise to local concerns that there will be unacceptable noise impacts on Chelston Rise caused by the CEIP site traffic using the route on an unrestricted 24 hours per day basis. It is contended that this will be exacerbated by vehicles, especially HGVs, stopping at the proposed gatehouse with engines idling, and then accelerating away to their destination on the CEIP site. There is particular concern that this activity will lead to unacceptable noise all day but particularly throughout the night-time – affecting sleep for local residents. It is also contended that this will have a negative impact on air quality in the area.

- 7.4.3 The objectors have suggested that the potential negative impacts could be remedied by limiting the use of the new access route between 10:00pm and 07:00am, with traffic accessing the CEIP site within those restricted hours being directed to use the existing approved access. A planning condition has been suggested by Chelveston Parish Council (and supported by Higham Ferrers Town Council) to secure this.

- 7.4.4 In addition to this, the Parish has put forward, and the Town Council has supported, a further planning condition to secure the monitoring of actual noise impacts from the CEIP site access once it becomes operational, with a mechanism to seek further mitigations if noise levels exceed the forecast levels.

- 7.4.5 The Council's Environmental Protection team has assessed the Noise Impact Survey submitted as part of this planning application. They also made the original assessment on the Noise Impact Survey submitted as part of the overall CEIP site planning application which was approved in 2019. On the basis of their assessment, they have concluded that "Based on the submitted traffic noise assessment there is no objection to the proposed development. Noise should not result in adverse impacts on nearby residential properties".

- 7.4.6 The concerns of the Town and Parish Councils and the local residents at Chelston Rise are understood, and the careful thinking behind the

suggested planning conditions for a night-time use restriction of the access and monitor actual noise generation following the implementation of the new access route is appreciated. However, the evidence presented by the applicant and assessed by the Council's Environmental Protection team is that traffic noise should not result in adverse impacts on nearby residential properties.

- 7.4.7 As a result of this, it is not possible to support the planning conditions suggested by the Parish and Town Councils. The statutory tests for planning conditions are that they must be "... necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects." (paragraph 56, NPPF 2023). In this case, given the evidence, the suggested planning conditions are not necessary. In addition, the suggested planning condition for the night-time use restriction of the access would not be reasonable as the CEIP site has planning permission for 24 hour operation.
- 7.4.8 The local concerns about the potential for queuing traffic at the gatehouse to have a detrimental impact on air quality are not considered to be valid. The design of the access and gate-house arrangements is not intended to generate queuing, and this has also been taken into account in the Local Highways Authority's Road Safety Assessment.
- 7.4.9 It is considered, therefore, that there are no unacceptable impacts on neighbouring amenity arising from this planning application.

7.5 **Flood Risk and Drainage**

- 7.5.1 The design of the proposed new access route will need incorporate sustainable drainage features to ensure that is satisfactorily drained. Such features are able to be accommodated within the adjoining land, and can be secured through planning condition.
- 7.5.2 It is considered that the proposals are able to be satisfactorily drained using sustainable drainage systems which can be secured by condition in order to comply with North Northamptonshire Joint Core Strategy Policy 5.

7.6 **Ecology**

- 7.6.1 The proposals are limited to the construction of a new main access route to the CEIP site by widening and improving an existing grassed-over concrete access route related to the former military use of the site. The Council's Nature Development team has no objections to the proposals.
- 7.6.2 It is considered that the proposals do not have an adverse impact on the ecology and biodiversity of the site.

7.7 **Heritage and Archaeology**

- 7.7.1 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) of the

Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

7.7.2 Paragraph 199 of the NPPF 2023 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

7.7.3 The proposal has a neutral impact on heritage assets. Whilst there are a number of heritage assets in and around nearby towns and villages, this proposal is located far enough away to cause no harm to the character or setting of any Conservation Area, Listed Buildings, or archaeological features.

7.7.4 It is considered that the proposal complies with the requirements of the NPPF and with Policy 2 of the North Northamptonshire Joint Core Strategy.

7.8 **Planning Conditions**

7.8.1 It is considered that planning conditions are required:

- Full Planning Permission Time Limit
- Development in Accordance with Approved Plans
- Hours of Work
- Drainage
- Highway Details and Improvements

8. **Other Matters**

8.1 Equality Impacts: It is considered that the proposal subject to this planning application has no negative impacts on equality.

8.2 Health Impacts: It is considered that the proposal subject to this application will achieve healthy, inclusive and safe communities by enabling safer access to the CEIP and CREP sites and also for users of the local PROW network therefore it is considered acceptable on health impact grounds.

9. **Planning Balance and Conclusion**

9.1 The key issues to be weighed in the planning balance are the applicant's wish to create a better and safer access to the approved CEIP site, whilst also improving access to the CREP site and to the local PROW network, against the concerns of local residents and Town and Parish Councils in respect of highways safety, traffic noise, and to an extent air quality.

9.2 It is considered that the proposals are compliant with national and local planning policy frameworks. Given the consultation comments from the Local Highways Authority and the Council's Environmental Protection team that highways and traffic noise impacts arising from the proposal are acceptable and that no significant increase in additional air pollution is likely

to arise, it is considered that the proposals set out in this planning application are acceptable and that planning permission should be granted subject to conditions,

10. Recommendation

10.1 That planning permission be **GRANTED** subject to conditions.

11. Conditions

1 Full Planning Permission Time Limit

The development hereby permitted begin no later than the expiration of three years from the date of this planning permission.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended.

2 Development in Accordance with Approved Plans

The development hereby permitted shall be carried out in accordance with Drawing Numbers:

- Site Access Proposed Entrance Sheet 1 Aerial View (Drawing Number FEL1296-A, 25th May 2021)
- Site Access Proposed Entrance Sheet 1 Site Plan (Drawing Number FEL1296-A, 25th May 2021)
- Site Access Proposed Entrance Sheet 2 (Drawing Number FEL1296-B, 25th May 2021)
- Site Access Proposals (Drawing Number Figure 5.7-F, 20th June 2019)
- Proposed Gatehouse Floorplan and Elevations (Drawing Number FEL1327-A, 31st August 2021)

Reason: To accord with the terms of the planning application, for the avoidance of doubt, and in the interests of good planning.

3 Hours of Work

No 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, Bank or Public Holidays unless otherwise agreed with the local planning authority.

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

4 Drainage

Prior to the commencement of development, details of the surface water drainage scheme for the entirety of the approved new access route and junction shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include: 1. Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed surface water drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). 2. Details of the drainage systems are to be accompanied by full and appropriately cross-referenced supporting surface water drainage calculations. Surface water drainage calculations

should also include an assessment of a surcharged outfall. 3. Cross-sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all vortex flow control and other flow control devices. 4. Full details of the proposed surface water outfall location, where this crosses third party land details should be provided confirming the acceptability of this with landowner. 5. Operation and maintenance details, including the details of the party responsible for the ongoing maintenance and operation of the proposed SuDS should be made available. 6. Survey details confirming the level detail of the receiving watercourse outfall, including bank and bed level.

Reason: To ensure satisfactory and sustainable drainage of the approved new access route and junction.

5 Highway Details and Improvements

No development shall be commenced until full engineering, street lighting and constructional details of the access arrangement in accordance with drawing no Figure 5-F dated 20th June 2019 by Lawrence Walker Limited have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

12. Informatives

1 Fast Broadband - Informative for Major Developments

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>.

Streetworks UK Guidelines on the Positioning and Colour Coding of Underground Utilities' Apparatus can be found here National Joint Utilities Group (streetworks.org.uk). Proposals should also be compliant with Part R, Schedule 1 of the Building Regulations 2010 (soon to be amended to strengthen requirements for gigabit connectivity to new dwellings) and the Approved Document R.

Some telecoms network providers have dedicated online portals providing advice for developers, including:

Openreach Developer Portal (openreach.co.uk)

Virgin Media <http://www.virginmedia.com/lightning/network-expansion/property-developers>

Gigaclear networkbuildcare@gigaclear.com (rural areas and some market towns)

OFNL (GTC) <http://www.ofnl.co.uk/developers>

CityFibre <http://cityfibre.com/property-developers>

Details of other fibre network providers operating locally can be found here <http://www.superfastnorthamptonshire.net/how-we-are-delivering/Pages/telecoms-providers.aspx>.

For help and advice on broadband connectivity in North Northamptonshire email the Superfast Northamptonshire team at bigidea.ncc@northnorthants.gov.uk