

North Northamptonshire Area Planning (Kettering) Committee

03/03/2022

Application Reference	NK/2021/0306
Case Officer	Sean Bennett
Location	The Hermitage, Desborough Road, Brampton Ash
Development	Full Planning Permission: Redevelop eastern half of business to provide new employment units (Class E -formerly B1)
Applicant	Mr T S Guinness, Alistructures Ltd
Agent	Mr Justin Fox Fox Architects Ltd
Ward	Welland
Overall Expiry Date	15/07/2021
Agreed Extension of Time	04/03/2022

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

Scheme of Delegation

This application is brought to committee because Brampton Ash Parish Council has a material written objection

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions

2. The Proposal

- 2.1 Full Planning Permission: Redevelop eastern half of business park to provide [11] new employment units (Class E -formerly B1)
- 2.2 The proposal will involve the phased demolition of the site's following existing 1816.06sqm of light industrial (former agricultural) accommodation:

Existing Light Industrial Accomodation Schedule					
Unit Number	Zone Name	Area SQ M	Area SQ FT	Use	Quantity
A	Bespoke Oak	155.26	1,671	Light Industrial Spaces	1
B	Arcrite	326.99	3,520	Light Industrial Spaces	1
C	Vacant	512.04	5,512	Light Industrial Spaces	1
D	Vacant	445.15	4,792	Light Industrial Spaces	1
E	UK Outdoor Living	211.11	2,272	Light Industrial Spaces	1
F	Ancillary Accomodation	165.51	1,782	Light Industrial Spaces	1
		1816.06	19,549 sq ft		6

- 2.3 And is proposed to be replaced with 11 new industrial units, totalling 2057.07sqm arranged in a handed question mark shape with a central parking and servicing courtyard consisting of the following:

Proposed Accomodation Light Industrial					
Unit Number	Zone Name	Area SQ M	Area SQ FT	Use	Quantity
01-00	Net	155.15	1,670	Light Industrial Spaces	1
02-00	Net	142.20	1,530	Light Industrial Spaces	1
03-00	Net	183.00	1,970	Light Industrial Spaces	1
04-00	Net	182.36	1,963	Light Industrial Spaces	1
05-00	Net	234.08	2,520	Light Industrial Spaces	1
06-00	Net	129.76	1,397	Light Industrial Spaces	1
07-00	Net	220.38	2,372	Light Industrial Spaces	1
08-00	Net	182.32	1,962	Light Industrial Spaces	1
09-00	Net	182.66	1,966	Light Industrial Spaces	1
10-00	Net	182.66	1,966	Light Industrial Spaces	1
11-00	Net	262.50	2,826	Light Industrial Spaces	1
		2057.07	22,142 sq ft		11

- 2.4 The total increase in sqm would be 241sqm or 11%. The existing office accommodation toward the western/ front part of the site is unchanged. 50 car parking spaces (including 7 disabled spaces) are proposed together with 4 motorcycle spaces and 32 cycle spaces.
- 2.5 Essentially the purpose of the proposal is to provide smaller and modern purpose built industrial premises for existing and new occupiers to replace the larger existing unwieldy units.

3. Site Description

- 3.1 The site is located off the B576 Desborough Road, approximately 2km north-east of Desborough, 1.8km south of Brampton Ash and approximately 200m east of the A6 roundabout close to the junction of Hermitage Road and the B576. Eckland Lodge, which consists of an established and further developing employment/ industrial site is located close to the south-east.
- 3.2 The site consists of the former farmyard associated with Hermitage Farm, with the Farmhouse adjacent to the west. The site is enclosed by the B576 Desborough Road to the south and farmland to the north and east. The site has two main

accesses served off the Desborough Road, one that serves the application site and another that serves the wider site's Office accommodation. There is a third access off Hermitage Road that serves the Farmhouse – this would be closed off to the commercial use by the proposal.

- 3.3 The site consists of four linear former agricultural buildings, used for light industrial purposes since 2015, grouped toward the western edge of the site with the eastern part consisting of hardstanding.

4. Relevant Planning History

- 4.1 KET/2017/0228 – Full Application - Conversion of 1 agricultural barn to B1 office including the installation of mezzanine, glazed screen, rooflights and windows; and 1no. agricultural barn to residential annex including private office with associated works including 4no dormer openings, windows, and external staircase. Creation of 8 car parking spaces – APPROVED – 21/07/2017
- 4.2 KET/2012/0563 – Full Application - Change of use of agricultural barns to industrial units with external alterations and associated car parking and landscaping – APPROVED – 29/10/2012 – IMPLEMENTED
- 4.3 KET/2010/0844 – Full Application - Change of use and conversion of agricultural buildings into B1 office use, existing barn to B2 use, provision of 24 parking spaces and associated landscaping – APPROVED – 22/07/2011

5. Consultation Responses

A full copy of all comments received can be found on the Council's website at: <https://www.kettering.gov.uk/planningApplication/search>

- 5.1 Brampton Ash Parish Council: Object on the following grounds:

“The reason that the Parish Council has made repeated objections to the development of this site is because the traffic flow through the village has risen very significantly along the single-track Hermitage Road since 2004. The Parish Council's electronically recorded data from 6/10/2021 to 6/11/2021 shows that peak morning figures of between 60 / 70 vehicles an hour are travelling daily from the A427 towards The Hermitage. We believe that increasing the number of employees working at The Hermitage by 113.5% will significantly increase that traffic flow in the morning peak time and again in the evening peak time. This is detrimental to the safety of the villagers and to the drivers of those cars, given that the road itself is a single-track country road with several bends and little or no lighting.

Whilst it is accepted that the proposed new development will increase the overall space by 10.5% it is ridiculous to use this figure to estimate the increase in traffic flow through Brampton Ash and Hermitage Road. Increasing the number of employees from 22 to 47 is the figure that should realistically be used: that represents an increase of 113.5%. This is because all journeys to The Hermitage will require the use of road transport as there is no other way to get to the site. Please note that public transport is not an option.

Fox Architects Response page 4, para 5: The statement that 'no employees are using this road' (ie, Hermitage Road) is simply not true. Members of the Parish Council have, themselves, seen vehicles travelling down Hermitage Road from the A427 direction early in the morning: these vehicles then pull into The Hermitage. The same vehicles are seen on a regular daily basis, indicating that they are not customers but, rather, they are employees travelling to work. Furthermore, for travellers from the Corby direction the most direct route to The Hermitage is via the A427 and then along Hermitage Road, a journey of approximately 8 miles each way. If the travellers from the Corby direction opted to take a route via Desborough and the A6 their journey would be approx. 12 miles each way. It is highly unlikely that these travellers would opt to choose a route that is 50% longer.

Fox Architects stated figures of travel movements should be doubled because employees and customers will make 2-way journeys, to and from the site.

69 car parking spaces would seem to be the correct number, ie, 47 for employees and additional spaces for customers and delivery vehicles visiting the site.

Brampton Ash Parish Councillors hereby unanimously object to this proposed development for the reasons stated above and they re-iterate the comments which they have previously made pertaining to this application."

- 5.2 NNC – Environmental Protection: No objection subject to imposition of the conditions relating to the control of construction working hours, contaminated land, restriction of delivery hours, vehicle reversing alarms and restrictions to outside working.
- 5.3 Local Highway Authority (LHA): State 'no objection' subject to the following:
- The LPA taking a view as to the site being in an unsustainable location
 - The LPA taking a view as to the amount of parking
 - Provision of a Construction Traffic Management Plan condition
 - Non-intermittent lights on the illuminated entrance signs
 - A minor Section 278 agreement being required with respect to work carried out within the highway
- 5.4 Anglian Water: State 'no comments'
- 5.5 Northamptonshire Police: State 'no objection or comments' in their response
- 5.6 NNC – Nature Development: No objection subject to imposition of mitigating conditions requiring a pre-commencement conditions relating to provision of a great crested newts method statement and a lighting strategy prior to occupation.
- 5.7 NNC – Archaeology: No objection subject to the provision of a condition relating to a programme of archaeological works

5.8 NNC – Lead Local Flood Authority (LLFA):

Most UpToDate comments are that ‘...there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.’ Requiring further information with respect to discharge rates against rainfall, drainage plan, hydraulic modelling calculations, details of drainage strategy taking place outside the site and to take account of tree protection areas, demonstrate that a gravity drainage system is not viable and details of how the system would be maintained.

Officer comments: the requested additional information was provided in a 37-page Drainage Statement, and a re-consultation exercise carried out with the LLFA on the 05/01/2022 (more than a month at the time of report writing) – no amended LLFA comments have been returned and therefore the above comments are those being considered

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)

- 2. Achieving sustainable development
- 6. Delivering a strong, competitive economy
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

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

- 1. Presumption in favour of sustainable development
- 2. Historic environment
- 4. Biodiversity
- 5. Water environment
- 6. Development on brownfield land and land affected by contamination
- 8. Place shaping
- 9. Sustainable buildings
- 11. The network of urban and rural areas
- 22. Delivering economic prosperity
- 23. Distribution of new jobs
- 25. Rural economic development and diversification

6.4 Kettering Site Specific Part 2 Local Plan (KLP) (2021)

LOC1 – Settlement boundaries

7. Evaluation

The key issues for consideration are:

- The principle of development
- Impact on character and appearance
- Impact on neighbours
- Impact on highway safety and sustainable travel
- Impact on biodiversity
- Impact on heritage assets
- Impact on the water environment and contamination
- Sustainable buildings

7.1 Principle of Development

The site is located within the open countryside as designated by Policy LOC1 of the KLP where development is severely restricted.

The site however is an established and committed employment site consisting of nearly 2000sqm of light industrial buildings, much of it occupied, with the wider site consisting of approximately 450sqm of Office space. The proposal intends to replace the existing buildings with 11 modern purpose built light industrial buildings with an 11% (241sqm) size increase. This basic tenet of development is consistent with Policy 22 (b) of the JCS that looks to prioritise the enhancement of existing employment sites and the regeneration of previously development land and therefore is also consistent with Policy 6 of the JCS which encourages development on brownfield land.

This development plan approach is advocated through provisions in the NPPF at chapter 6 and 11 which encourage a prosperous rural economy through the sustainable growth and expansion of business in rural areas and promotes the development of underutilised land.

It is also recognised that the site is proximate (within 200m) of the established and growing employment site at Eckland Lodge Business Park, which was safeguarded for that purpose in the recently adopted KLP. It could be argued that this safeguard should have been extended to include this site. Nevertheless, they should be read in a similar context and are complementary business uses within proximity to one another, which has a bearing when coming to a view on this aspect of the proposal.

A condition can be applied restricting the use to the applied employment use.

As such the principle of the development is acceptable.

7.2 Impact on character and appearance

Policy 8 (d) of the JCS consistent with chapter 12 of the NPPF seeks development to respond to the site's immediate and wider context and local character.

The existing site consists of a group of large linear buildings originally constructed for agricultural purposes and therefore have a functional agricultural design that sits comfortably within the area. They are however non-traditional in nature and appearance and whilst they do not exert harm neither are, they worthy of retention based on their architecture.

The proposal has looked to create a layout and general appearance akin to agricultural typology and has presented an enclosed inward-looking courtyard reminiscent of an enclosed farmyard layout whilst also proposing inoffensive buildings that respect a simple agricultural design including light weight timber/ metal cladding material atop a brick plinth with large openings. As such from outside the site the proposal would be read as agricultural buildings and therefore sit comfortably within the established boundaries of the existing site and within its rural surroundings. Materials will be agreed by condition.

Further, the submission has taken the opportunity to provide screen planting to supplement the existing and notably includes the provision of a 10m wide tree belt to the site's countryside edge beyond its north and east boundaries. Once established this measure will provide appropriate vegetative screening to the site and break-up/soften the proposals physical form. Whilst this tree-belt is outside the defined confines of the submission it is within the wider ownership of the applicant and therefore it can be subject to an appropriate landscaping condition to ensure planting and maintenance for a specified medium-term period whilst establishing.

Whilst the internal courtyard of the site would have a character defined by its parking – reminiscent of most small industrial estates – it is pleasant enough with some occasional planting and as it is contained by the agricultural styled buildings would not lead to a prominence of parking being seen outside of the site within the rural setting.

As the site consists of an established employment site its land use character has not changed, albeit a land use that is likely to be more intensive. The enclosed nature of the proposal helps to limit the visual influences of the light industrial uses within the surrounding area.

The proposal has taken appropriate steps to make the site resisted to crime including the provision of lighting and cameras. Northamptonshire Police have no objection to the proposal.

The proposal therefore respects the character and appearance of the area consistent with Policy 8 (d) of the JCS and therefore the proposal is acceptable in this respect.

7.3 Impact on neighbours

Policy 8 (e) of the consistent with paragraph 130 (f) of the NPPF looks to safeguard neighbour's amenity.

The site has no immediate neighbours that are independent of the landowner with the closest dwellings at the 'Farmhouse' and 'Hill Top' to the west of the site relating to the wider landholding. The closest non-associated dwelling to the site is thereby

at Hermitage Cottage approximately 100m to the west beyond 'Farmhouse'. This distance together with the fact that the site is currently a source of noise and the inward facing arrangement of the buildings proposed together with its modern wall insulations mean that the proposal is not likely to cause any adverse issues with respect to noise. The application was accompanied by a noise survey which concluded that the proposal would not have an adverse impact on the nearest residential buildings.

There is a further safeguard proposed, associated with the protection of 'Hermitage Cottage' residential amenity through the provision of a Council Environmental Protection condition preventing outside working and restricting the hours of construction. The proposal would also close off the Hermitage Road access for commercial purposes. These measures are considered to safeguard residential amenity at Hermitage Cottage. It is not considered reasonable or necessary to impose conditions preventing the use of certain types of reversing noise to vehicles or delivery times given the location of the access and the proximity of non-associated domestic property.

The proposal would have not detrimental impact to neighbours because of loss of light, outlook, or privacy.

The proposal is also adjacent to the wider site's office accommodation and whilst it is under the same ownership has its own access point and therefore there would not be any harm to continuation of that Office use at the site. The proposed light industrial use would not pose an adverse impact to users of the Office accommodation.

The nearby employment uses at Eckland Lodge would not be affected by the proposal.

As a result, and subject to imposition of the immediate above-mentioned conditions the proposal is considered to safeguard residential amenity and surrounding land users. The application is thereby acceptable in this regard.

7.4 Impact on highway safety and sustainable travel

Policy 8 (b) of the JCS consistent with chapter 9 of the NPPF seeks development to prioritise sustainable transport options, resist development that prejudices highway safety and ensure satisfactory means of access and provision for parking.

To tackle this, matter the application has been accompanied by a Travel Plan and Transport Statement including vehicle tracking and access design drawings.

First, the access is held to be safe by the Local Highway Authority (LHA) and as such subject to an appropriate condition being applied requiring the access to be provided in accordance with the details provided the access arrangements are acceptable. It is not possible for users of the site to access other than via Desborough Road (not Hermitage Road) due to the location of the buildings close to the sites northern edge

Secondly, and in relation to parking. The proposal would provide 50 car parking spaces (including 7 disabled spaces), whilst also retaining a central turning area for a 16.5m long articulated lorry. 4 Motorcycle parking spaces and 32 (21 covered) cycle store spaces have also been provided. The LHA have not indicated failure to comply with parking standards and therefore the provisions are acceptable. Significant and sensible amounts of parking (10-20) would also be possible outside of designated spaces, within the site without compromising highway safety should it be necessary during an unexpected highly trafficked event at the site.

The submitted Transport Statement considers the key considerations to be:

- *Confirmation from NCC outlines that there have been no recorded collisions within the study area over the most recently available five-year period.*
- *Access into the site will be through improvements to the existing private drive access which serves the industrial units. A minimum width of 7.3m will be provided between the security gates within the site and Desborough Road as to ensure for simultaneous two-way vehicle movement. No new points of access are proposed onto the highway network.*
- *Visibility Splays of 2.4m x 215m are achievable from the site access utilising land that is under the applicants control or that makes up part of the adopted public highway.*
- *It is considered that sufficient car parking provision will be provided within the site as to ensure no overspill of vehicle parking onto the highway. Sufficient cycle parking will be provided within the site as to encourage an alternative travel mode.*
- *Tracking of the council's refuse vehicle outlines that entry and exit to/from the site can be achieved within a forward gear.*
- *When offset against existing vehicle movements likely to be generated by the proposed development, the proposals could see an additional six vehicle movements upon the highway network during the worst peak period (AM). Such increases are considered negligible in accordance with policy within the NPPF.'*

Concluding that: *'...there are no highways or transportation reasons why the Local Highway Authority cannot provide an 'in principle' support for the proposed planning application.'*

The LHA do not challenge the content of the Transport Statement or its conclusions, thereby and with no cogent evidence provided that would justify coming to a different conclusion the access, parking and servicing arrangements are appropriate and therefore maintain highway safety.

Whilst the applicant has provided additional information to try and specifically address Brampton Ash Parish Council concerns, they retain an objection to the application based on the increased traffic flows that could pass through the Village

because of the proposal and the lack of parking. The level of parking provision has been addressed above. Hermitage Road, which gives southern access to Brampton Ash and the A427 consists predominantly of a single-laned rural road with passing lay-bys at intervals. The applicant's and Parish Council's main divergence is whether employees at The Hermitage site do and would travel through the Village. This by itself is moot as the existing level of traffic movements through the village because of the existing development would be low as most employees/ customers/ deliveries would approach the site from Desborough Road either from the A6 or through Desborough. The Transport Statement concluded, through analysis of the industry recognised Trip Rate Information Computer System (TRICS) database that the overall expected two-way increase of trips compared with the potential movements associated with the existing site would be a maximum of 6 during an hour – an increase from 45 to 51 during a Peak PM hour.

It is accepted that the site may not be currently operating at its full potential (with some vacant units) however it does not change the fact that the site could be generating more movements associated with its use.

As such the level of increased movements against the existing potential would be low overall (max of 6 an hour) and further diminishing with respect to increased movements through Brampton Ash. Thereby there would be no significant increase of vehicular travel along Hermitage Road because of the proposal and therefore would not alter its highway safety aspects. Whilst there is sympathy for the Brampton Ash objection there is no justified reason to withhold planning permission for the reasons the Parish identify.

Moving onto the availability of sustainable transport opportunities associated with the proposal. On this point the proposal must be considered in the context of its 'in principle' acceptability outlined in section 7.1 above associated with its established business use and promotion of rural economic prosperity. In addition, Eckland Lodge has been allowed to be developed in a plan-led way, with similar location sustainability circumstances as the immediate site.

Nevertheless, the site is relatively removed from settlements. Currently the proposal is approximately 2km from the outer edge of Desborough, however there are permissions on this edge of Desborough including an outline permission of 260 homes under KET/2019/0606 and designation of a commercial site (allocated D1 in the KLP) and currently being considered under NK/2021/0715, which reduces this distance. Further the site is approximately 750m from a Desborough Road pathway that travels from Desborough (and its bus stops) and ceases at the junction with Brampton Wood Lane at the site of a former Hotel there. There is therefore an opportunity for the proposal to provide better linkages to Desborough and its public transport (bus) connections. The NPPF at paragraph 85 is relevant and says:

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving

the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

This text thereby firstly recognises that business uses may be acceptable beyond existing settlements that are not well served by public transport. The proposal is at such a site given its (and Eckland Lodge's) established business use and has been found to be sensitive to its surroundings and not to have an adverse impact on the local road networks. The proposal also makes use of previously developed land.

The only remaining point thereby, in the context of NPPF advise above is whether the proposal can take the opportunity to make it a more sustainable location. The proposal makes provision for 32 (21 covered) cycle store spaces, which is betterment on the existing arrangements for such sustainable travel opportunities and given that Desborough is a short cycle ride away (and getting closer) from potential employees the opportunities for workers to chose to arrive on a cycle is increased. The proposal will also provide 22 electric vehicle charging points.

The proposal has also provided information regarding a possible route whereby a 350-400m long pathway could be provided from the site and travel along the northern edge of the Desborough Road within two fields and provide access through a short section of hedgerow through to the highway, whilst also ceasing opposite the access serving Eckland Lodge. It is envisaged, given its field location that such a cycle/pathway should be part-made (IE- crushed stone). This thereby would mean that the proposal, with details to be provided by condition, significantly contributes toward making the site a more sustainable location.

It is accepted that the cycle/pathway would only provide half of the infrastructure required to link up with existing pedestrian routes however Eckland Lodge is a significantly larger development and business destination that continues to expand especially since its inclusion in the KLP as a designated business park. For instance, the Council is currently considering an extension to Eckland Lodge under NK/2022/0010 for the erection of eight B2/B8 units. It is therefore reasonable to expect that the Eckland Lodge proposal, particularly when taken together with the existing business units at Eckland Lodge, to provide the additional 400m stretch of cycle/footpath along Desborough Road to bridge the link between this applications pathway and the existing path further to the east. It would be unreasonable to expect this development to provide the full 800m of pathway especially as it would directly be benefitting the much more substantial business offer at Eckland Lodge. This proposed footpath can be required by condition.

In short, Eckland Lodge should be expected to provide its own measures to make it a more sustainable location and not rely on a smaller nearby development. This proposal has therefore 'done its bit' and it is for Eckland Lodge to continue the provision of sustainable linkages to Desborough and therefore make both sites a more sustainable location. Given that there is currently a Major application being considered at Eckland Lodge then there is a very real possibility that this footpath can be delivered in a way that benefits both business parks. Why this matter was not addressed at an earlier point in Eckland Lodges evolution is not clear to the

writing Officer, however that would not, in the Officers view, prejudice or otherwise prevent this real sustainability opportunity and gain being realised later.

The completed envisaged pathway would also provide a loose connection to the 'Macmillain Way' County long distance rural path from Desborough.

It is also noted that whilst the site may still see workers arriving via the private vehicle, despite provision and circumstances surrounding the site's sustainable location credentials, those trips may be shortened due to its proximity to potential available workforce at the nearby large settlement of Desborough than if those workers had to travel to business parks in Kettering or Market Harborough or further afield. It is also recognised that such a use would mean that some employees and users would require to visit the site in work vans, which are essential to their day-to-day working needs, however this would be the case in more sustainable locations.

The proposal is also accompanied by a 'Travel Plan' which looks to positively promote sustainable travel options and reduce the reliance on single car occupancy including establishing a 'cycle to work scheme', providing details of public transport options, promoting car club use and the provision of a 'Travel information pack' to tenants. The Plan shall be self-monitoring with installation of a Travel Plan Coordinator. This Travel Plan shall be conditioned.

A condition can be applied restricting the use to the applied employment use.

Consequently, the proposal provides appropriate arrangements to ensure the continued safety of the road network whilst also providing the necessary infrastructure required to make the site a more sustainable location. The proposal thereby, and with no objection from the Local Highway Authority, is acceptable on this matter.

7.5 **Impact on biodiversity**

Paragraph 99 of Circular 06/05 states that: *it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.* Likewise section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) states that: *every public authority must in exercising its functions, have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity.*

Policy 4 of the JCS, consistent with Chapter 15 of the NPPF seeks to protect biodiversity and promote ecological enhancement.

To deal with this matter the application was accompanied by a 'Preliminary Ecological Appraisal', which included an Extended Phase 1 Habitat Survey, and a 'Protected Species Report: Bat Presence/ Absence Surveys'. An 'Arboricultural Assessment' was also provided. Together the reports conclude, with adherence to their various recommendations and mitigation measures, that the proposal would not have an adverse impact to biodiversity and includes enhancements such as the

provision of bird/ bat boxes & habitat, herptile & insect habitat, and new native species tree planting.

The Council Ecologist has considered the submitted information and agree with its findings subject to imposition of conditions requiring a pre-commencement conditions relating to provision of a great crested newts method statement and a lighting strategy prior to occupation.

As such subject to imposition of the conditions recommended by the Council Ecologist and provision of a landscaping condition requiring details of the planting the proposal would protect and enhance biodiversity, including protected species.

7.6 Impact on heritage assets

Policy 2 of the JCS consistent with chapter 16 of the NPPF seeks development to preserve and enhance heritage assets.

The site does not include or is proximate to Listed Buildings or Conservation Areas and therefore the proposal would have no impact to above ground heritage.

To deal with matters relating to archaeology the proposal was accompanied by an 'Archaeological Desk-based Assessment', which concluded that there is evidence of Medieval activity around the site related to moated enclosure and associated features...there is also noted possibility of a cemetery. The exact extent and survival of the burial area is unknown. As a result, the submission concludes that, an Assessment of the potential archaeology on the site could be addressed through provision of an agreed programme of works, which could include trench work once the hardstanding on the site has been broken.

The Council Archaeologist agrees with the findings of the submitted Desk-Based Assessment and therefore have no issues to the proposal subject to the imposition of a condition requiring prior approval of a programme of archaeological works.

As such and with imposition of the condition recommended by the Council Archaeologist the proposal would safeguard heritage assets that may exist on the site. The proposal is acceptable in the respect.

7.7 Impact on the water environment and contamination

Policy 5 of the JCS consistent with chapter 14 of the NPPF looks for development to safeguard the water environment and flood risk.

To address this matter the application has been accompanied by a 'Flood Risk Assessment' (FRA) which states that the site is located within flood zone 1 – least prone to flooding and that surface water will be directed via a ditch network into existing land drainage on site. Foul water shall be stored on site and removed at intervals. The FRA concludes that the risk of flooding is '*very low*' and that '*the development of the site would not create any flood issues in the wider area.*'

To deal with initial issues, due to lack of information, identified by the Lead Local Flood Authority (LLFA) the application has also been supported by a 'Detailed Drainage Strategy' Plan including brownfield run-off calculations and a more recent 'Drainage Statement' including micro-drainage calculations.

The Council as Lead Local Flood Authority (LLFA) have not provided a response to the updated drainage information in good time. Given that the LLFA do not have a fundamental objection to the scheme and are more interested in the finer details of the drainage strategy and that the Applicants own the surrounding land it is unreasonable to withhold planning permission for this reason. However standard LLFA conditions shall be applied requiring details of the drainage scheme, its maintenance arrangements, and a post implementation verification report. These conditions shall be discharged in liaison with the LLFA

Anglian Water have no issues with the proposal.

In relation to contamination, the application was supported by a 'Phase 1 Land Contamination Risk Assessment'. This Assessment concluded that *'the site represents a moderate level of risk with respect to the proposed development'* and as such it is recommended that remediation is planned and undertaken as part of a Phase 2 and 3 remediation and verification strategy. The Council Environmental Protection Department agree with these findings although do not consider the issue to be a pediment to development subject to the remediation work being carried out and as such recommend provision of appropriate conditions to make the development safe in this respect.

As a result, the proposal takes appropriate measures to safeguard the water environment, deal with possible ground contamination and flood risk on and offsite. As such subject to imposition of the conditions discussed above the proposal is acceptable on these matters.

7.8 **Sustainable buildings**

Policy 9 of the JCS encourages development of over 1000sqm to meet BREEAM (Building Research Establishment's Environmental Assessment Method) very good subject to economic viability and to include passive solar design and decentralised energy where feasible.

This matter is briefly discussed at section 16 of the submitted 'Planning Statement' with the provision of solar panels mentioned (and shown on the drawings) and the desire to achieve the required BREEAM rating.

The application has also been accompanied by a 'Sustainable Energy Statement'. The Statement includes discussion relating to the provisions associated with carbon energy reduction (solar panels) and integrating buildings fabric thermal envelope performance. The submitted information demonstrates that the applicant has taken care to provide a development that harnesses its own energy and exceed Building Regulation requirements. As such the proposal is acceptable in this regard.

8. Other Matters

None

9. Conclusion / Planning Balance

9.1 The above has found that the proposal consists of the right development, in the right place and at the right time and makes significant strides to enhance the site's sustainability credentials and is therefore compliant with the development plan when read as a whole. Consequently, consistent with paragraph 11 of the NPPF presumption in favour of sustainable development applies and the proposal should be approved without delay.

10. Recommendation

10.1 Approve subject to conditions

11. Conditions

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development shall not be carried out other than in accordance with the approved plans and information detailed below.

REASON: In the interests of ensuring satisfactory development and protecting the visual amenities of the surrounding area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

3. The development hereby permitted shall be carried out in accordance with the recommendations, protection measures and enhancements contained within the submitted approved 'Arboricultural Assessment' dated December 2020 compiled by FPCR Environment and Design Ltd, the 'Preliminary Ecological Appraisal' referenced BG20.303 dated December 2020 compiled by brindle & green ecological consultants, and, the 'Protected Species Report: Bat Presence/ Absence Surveys' document referenced BG20.303.1 dated September 2021, including the provision of pre-work checks associated with Bats and the Bat/ Bird Boxes and Herptile habitat which shall remain in place for the duration of the development.

REASON: In the interests of protecting and enhancing biodiversity in accordance with Policy 4 of the of the North Northamptonshire Joint Core Strategy.

4. The Travel Plan referenced 26113-08-TP-01 dated December 2020 compiled by M-EC hereby approved shall be fully implemented within 3 months of the first occupation of development and remain in place for its duration.

REASON: In order to encourage sustainable modes of transport in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

5. Prior to first occupation the access shall be provided in accordance with the submitted details approved on 'Access Design' drawing 26113-08-020-01 provided within the 'Transport Statement' dated June 2021 referenced 26113-08-TS-01 Rev. A compiled by M-EC and shall remain in place thereafter. No intermittent illuminated lights shall be placed in the vicinity of the access at any time.

REASON: In the interest of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

6. The buildings shall be used only for Office (not financial and professional services), Research and development and light industry uses (formerly known as B1) and for no other purposes whatsoever as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: In the interests of amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

7. Demolition and Construction work at the site shall not be carried out outside of the following times. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. No article of any description shall at any time be manufactured, assembled, altered, repaired or stored outside the buildings hereby approved.

REASON: In the interest of residential and visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

9. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;

- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11 (or any model procedures revoking and replacing those model procedures with or without modification)'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority.

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

REASON: Contaminated land investigation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 15 of the NPPF and Policies 6 & 8 of the North Northamptonshire Joint Core Strategy.

10. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) fieldwork in accordance with the agreed written scheme of investigation;
- (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
- (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

REASON: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 199 and Policy 2 of the North Northamptonshire Joint Core Strategy.

11. Prior to the commencement of the development (including demolition or site clearance) hereby permitted, a full, non-verbose or repetitive, CTMP (Construction Traffic Management Plan) shall be submitted to and be approved in writing by the local planning authority. The Plan is to include the following elements;

- o Detailed work programme / timetable.
- o Site HGV delivery / removal hours to be limited to between 09:30 - 16:30
- o Detailed routeing for demolition, excavation, construction and abnormal loads.
- o Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors.
- o Detailed plan showing the location of on-site stores and facilities including the site compound, contractor & visitor parking and turning as well as un/loading point, turning and queuing for HGVs.

- o Details of debris management including location of wheel wash, programme to control debris spill/ tracking onto the highway to also include sheeting/sealing of vehicles and dust management.
- o Public liaison position, name, contact details and details of public consultation/liaison.
- o Details of temporary construction accesses and their remediation post project.
- o Provision for emergency vehicles.

REASON: In the interest of highway safety and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

12. No development shall take place (including any demolition, ground works, site clearance) until a method statement for great crested newts has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

REASON: In the interest of biodiversity and in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

13. Prior to occupation, a lighting design strategy for biodiversity for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) -identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: In the interest of biodiversity and in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

14. Prior to development above slab level being carried out details of the types and colours of all external doors, facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

15. Prior to commencement of development above slab level a detailed scheme of landscaping (including hard landscaping) which shall contain native species only and shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted shall be provided to and approved in writing by the local planning authority. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

16. Prior to first occupation of each unit its associated cycle store, parking, bin store, electric vehicle charge points and security lighting & cameras shown on the approved plans shall be available for use and maintained in that manner thereafter.

REASON: In the interest of site security and amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

17. Prior to first occupation of the development hereby approved full details of the 'Pedestrian Site Access' shown on approved drawing 20004-01-008-01 shall be provided to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and be available for use prior to occupation of the 5th unit and remain in that state thereafter for the duration of the development

REASON: In order to encourage sustainable modes of transport in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

18. The development hereby permitted shall be accessed via Desborough Road only and at no time shall the access to Hermitage Lane be used by any traffic travelling to or from the development.

REASON: In the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

19. Before any above ground works commence full details of the surface water drainage scheme for the site will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures and soakaways (if required).
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which demonstrate no surcharging for the 1 in 1 year storm, no flooding for the 1 in 30 year storm and any flooding for the 1 in 100 year plus climate change storm event is within areas safe to flood.
- iii) Cross sections of control chambers and manufacturers hydraulic curves for the control device.

REASON: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

20. Before any above ground works commence a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Details of expected design life of all assets with a schedule of when replacement assets may be required

REASON: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

21. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site 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) Any 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.

12. Informatives

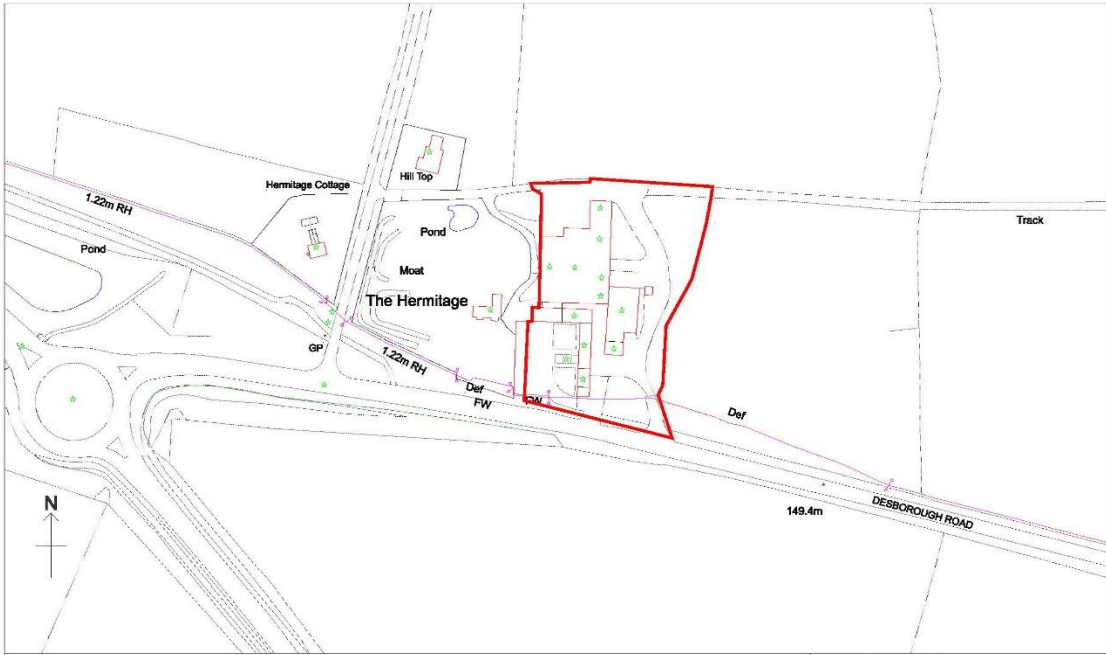
Positive/Proactive - amendments
 Noise Control
 Contaminated Land
 Highways Agreement

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

Title	NK Ref.	Agent's Ref	Received I
Location plan		20004-00-001.Rev03	01.04.21
Existing Site Plan		20004-00-002.Rev06	01.04.21
Existing ground floor p		20004-01-001.Rev05	01.04.21
Existing elevations		20004-02-001.Rev03	01.04.21
Existing elevations 2		20004-02-002.Rev.03	01.04.21
Proposed site plan		20004-00-003.Rev07	01.04.21
Proposed ground floor plan		20004-01-002.Rev15	21.12.21
Proposed ground floor plan part 1		20004-01-004.Rev06	14.04.21
Proposed ground floor plan part 2		20004-01-005.Rev06	14.04.21
Proposed elevations C		20004-02-003.Rev13	14.04.21
Proposed elevations C		20004-02-004.Rev05	14.04.21
Proposed elevations C		20004-02-005.Rev13	14.04.21
Proposed elevations C		20004-02-006.Rev05	14.04.21
Proposed elevations C		20004-02-007.Rev14	14.04.21
Proposed elevations C		20004-02-008.Rev05	14.04.21
Proposed elevations C		20004-02-009.Rev04	14.04.21
Proposed elevations C		20004-02-010.Rev13	14.04.21
Proposed elevations C		20004-02-011.Rev05	14.04.21
Proposed roof plan		20004-01-003.Rev07	01.04.21
Proposed section		20004-03-001.Rev03	01.04.21
Arboricultural Assessr		9818	01.04.21
Archaeological Assessment		DEHR20	01.04.21
Building Overlay		20004-01-006.Rev03	01.04.21
Cover letter		20004 -C1.L001	01.04.21
Design & Access Statement Part 01		20004-DAS-001_V003.F	15.04.21
Design & Access Statement Part 2		20004-DAS-001_V003.F	15.04.21

Design & Access Statement Part 3		20004-DAS-001_V003.F	15.04.21
Ecological Appraisal		BG20.303	01.04.21
Flood risk assessment		26113-01-FRA-01A	01.04.21
Industrial development Utilities Assessment		26113-07-UR.01	01.04.21
Noise assessment		J4507a	01.04.21
Land contamination assessment		3066D-P1	01.04.21
Phasing diagram		20004-00-006.Rev04	01.04.21
Sustainable energy re		050221revA	01.04.21
Travel plan		26113-08.TP-01	01.04.21
Transport Statement		26113-08.TS-01 Rev. A	21.12.21
Protected Species Re		BG20.303.1	20.09.21
Detailed Drainage Strategy		26113_01_230_02	13.09.21
Drainage Design Calculations		26113-01-CLAC-01	13.09.21
Covering letter		20004 C1 L001 JGF Rev dated 21 st December 20	21.12.21
Proposed Security and Lighting Layout		20004-01-007.Rev02	03.02.22
16.5m articulated vehicle tracking		26113_08_020_03	21.12.21
Drainage Statement		26113-01-TN-01	21.12.21
Covering letter		PW/20051 dated 6 th Oct 2021	21.12.21
Pedestrian site access		20004-01-008 Rev01	03.02.22



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