

North Northamptonshire Strategic Planning Committee

23rd May 2022

Application Reference	NC/21/00139/OUT
Case Officer	Edward Oteng and Babatunde Aregbesola
Location	Gate 1 Corus Tubes Weldon Road Corby Northamptonshire
Development	Erection of a B8 warehousing/logistics premises up to 275,000 square feet with ancillary office accommodation, following the demolition of the existing buildings (outline application, all matters reserved except for means of access).
Applicant	Barmach Ltd
Agent	Mr David Marjoram ELG Planning
Ward	
Overall Expiry Date	28.06.2021
Agreed Extension of Time	31.05.2022
Checked	Designate Principal Name: Edward Oteng

List of Appendices

Appendix A – Location Plan

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because of significant public interest and given the number of objections being more than five has been received against the application.

1. Site surroundings:

The application site is situated alongside the A427 Weldon Road dual carriageway, within a predominately industrial area. This 6.2 ha brownfield site is located to the north of the section of the A427 known as Weldon Road, a trunk road that leads to/from Corby town centre, to the east. The site is immediately adjacent to the substantial Tata Steel (UK) Limited (Tata Steel) complex. Opposite the site lies an

electricity substation and Anglian Water sewage treatment works. The nearest residential properties to the site are on the opposite side of Weldon Road, to the west near to a roundabout junction with the A6086. In summary, the site is surrounded by employment uses and bears the characteristics typical of an industrial/employment site.

Most of the site is vacant at present in terms of buildings (only one remains) but is currently used for temporary storage.

2. Proposal:

The application seeks outline planning permission for the development of land for employment use for up to 275,000 square feet of B8 warehousing/ logistics premises with ancillary office accommodation, together with the demolition of the existing building, ancillary parking, highway infrastructure, engineering works, landscaping and ancillary work, with all matters of detail, except access, reserved for subsequent determination.

The applicant has submitted a series of illustrative drawings to demonstrate how the proposed scheme might be accommodated on the site. Following Design Review Panel feedback, the applicant has confirmed that the maximum building height under any of the implementation options would be 17.5 metres, measured externally.

Access into the site is to be taken from the A427, which runs to the western boundary of the application site.

It should be noted that, save where otherwise specified in this report, the submitted plans are to be treated as illustrative only where the plans relate to layout, scale, appearance, and landscaping.

3. Site History:

18/00629/OUT: Demolition of existing building. Determination on access for development of up to 163 dwellings (comprising 134 houses & 29 apartments), a shop, access roads, car parking, renewable energy area and landscaping. All other matters including appearance, landscaping, layout and scale are reserved. OUTLINE APPLICATION. Refused 31/12/2018.

16/00496/PADEM: Demolition of research and development building. Granted 27/12/2016.

18/00762/DPA: Recladding of the existing buildings. Invalid application 18.11.2016.

15/00469/CLE: Certificate of lawfulness for B1(a) office use for the buildings. Approved 10/02/2016.

01/00045/ADV: Erection of free standing 'For Sale' board. Approved 02/04/2001.

4. Policy Context:

National Policy

The key parts of the NPPF (2021) in relation to this proposal are as follows:

Section 2 - Achieving sustainable development

Section 6 - Building a strong competitive economy

NPPF Section 9 – Promoting sustainable transport

NPPF Section 11 – Making effective use of land

NPPF Section 12- Achieving well-designed places

NPPF Section 15- Conserving and enhancing the natural environment

Local Plan Policies

The following development plan policies are considered relevant for this application:

North Northamptonshire Joint Core Strategy (JCS) 2016

Policy 1 (Presumption in favour of Sustainable Development)
Policy 3 (Landscape Character)
Policy 4 (Biodiversity and Geodiversity)
Policy 5 (Water Environment, Resources and Flood Risk Management)
Policy 6 (Development on Brownfield Land and Land affected by contamination)
Policy 8 (North Northamptonshire Place Shaping Principles)
Policy 9 (Sustainable Buildings)
Policy 10 (Provision of Infrastructure)
Policy 11 (The Network of Urban and Rural Areas)
Policy 12 (Town Centres and Town Centre Uses)
Policy 13 (Rural Exceptions)
Policy 15 (Well-connected Towns, Villages and Neighbourhoods)
Policy 18 (HGV Parking)
Policy 22 (Delivering Economic Prosperity)
Policy 23 (Distribution of New Jobs)
Policy 24 (Logistics)
Policy 25 (Rural Economic Development and Diversification)
Part 2 Local Plan (2021)
Policy 9 – Employment Uses in Established Industrial Estates

5. Consultation:

- The following is a summary of key consultee comments on the application. Full consultee comments can be found via the following link: [NC/21/00139/OUT | Erection of a B8 warehousing/logistics premises up to 275,000 square feet with ancillary office accommodation, following the demolition of the existing buildings. | Gate 1 Corus Tubes Weldon Road Corby Northamptonshire](#)
6. **NCC Local Highway Authority (LHA):** following the receipt of additional information from the applicant, the LHA have removed their holding objection and recommended a pre-commencement condition.
 7. **NCC Local Lead Flood Authority (LLFA):** Having reviewed the applicant's Flood Risk and Drainage Assessment ref 784-B024896 Third Issue, dated 12th May 2021, prepared by Tetra Tech, pre-commencement conditions have been recommended to address the impacts of surface water drainage.
 8. **CBC Environmental Health:** initial objections were removed following the receipt of additional information from applicant and the EHO has recommended a pre-commencement condition.
 9. **Tree Officer:** raised no objection but recommended conditions.
 10. **NCC Ecology:** following the receipt of a required licence, initial objections have been removed and pre-commencement conditions were recommended.
 11. **Crime Prevention Design Advisor:** raised no objection but recommended condition.
 12. **Archaeological Advisor:** no comments as the application site and surrounding area have been subject to extensive quarrying in the past.
 13. **Key Services:** no objection but recommended a pre-commencement condition relating Fire Hydrant Sprinklers and a broadband connection informative.
 14. **The Council's Design Review Panel:** undertook two rounds of assessment of the applicant's drawings and raised several objections. In response, the Development

Management Team wrote to the applicant on two occasions, informing the applicant that the proposed scheme, as originally submitted, was unacceptable on grounds of poor design relating, in summary, to the height, scale, massing, materials, and visual impact of the proposal. Particular concerns were raised around dominance, overshadowing and visual impacts, as well as an absence of a green buffer. Most, if not all, of the concerns were linked to the limited information submitted by the applicant; more information was requested to allow more detailed contextual assessment of amenity and environmental impacts. The applicant has submitted revised plans to address some of these concerns, as detailed below, and the Development Management Team have formed the planning judgment that residual design and landscaping issues are capable of management via planning conditions informing the reserved matters process, in the manner set out in this report.

15. Advertisement:

Site Notice: Site notice posted on 13.04.2021 and expired on 04.05.2021.

Press Notice: Published in the Evening Telegraph on 15.04.2021 and expired 29.04.2021.

Neighbour Notification: Neighbour Letters were sent to 100 neighbouring properties on 07.04.2021.

16. Public Consultation Responses:

The Local Planning Authority (LPA) has received 61 representations with 50 letters, mostly from outside of Corby, from Peterborough, supporting the proposal and 11 against the proposal. The main objections to the proposal can be summarised as follows:

- Transport issues
- Infrastructure Issues
- Employment Issues
- Impact on local environment in terms of noise and air pollution
- Character and appearance of the building - detriment to the visual amenity
- Highway safety and increase in traffic
- Loss of existing buildings
- Over development of site

17. Officers Assessment:

Key Determining Issues:

Principle of Development

Landscape and Visual Impact and related design considerations

Ecology and Nature Conservation

Highways and Traffic Issues

Flood Risk and Drainage

Air Quality

Noise and Odour Impact

Other Issues

18. Development Plan:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Section 70(2)(a) of the Town and Country Planning Act 1990 provides that in dealing with an application for planning permission a LPA shall have regard to the provisions of the development plan, so far as material to the application.

The NNJCS is the strategic Part 1 Local Plan for Corby, East Northamptonshire, Kettering and Wellingborough. It is a development plan for the purposes of Section 38(6) and Section 70(2) and is the starting point for the LPA's decision-making in connection with this application.

The NNJCS outlines 'the big picture' for the area that is then developed in more detail through the Part 2 Local Plans prepared by the District and Borough Councils and by Neighbourhood Plans prepared by Neighbourhood Planning Groups. The Part 2 Local Plans and Neighbourhood Plans are also development plans for the purposes of Section 38(6) and Section 70(2).

The Part 2 Local Plan for Corby (2011-2031) was formally adopted at North Northamptonshire's Full Council Meeting on 29 September 2021. This sets out the non-strategic development allocations and a number of detailed policies to manage development in line with the vision, strategy and strategic policies of the NNJCS.

Policies in both the Part 1 (NNJCS) and the Part 2 (Corby) Local Plans are considered below, alongside policies in the National Planning Policy Framework, which is a material planning consideration.

19. Principle of Development:

The proposal is for the development of land for employment use for the erection of B8 warehousing/logistics premises of up to 275,000 square feet in floorspace, with ancillary office accommodation. Under revised proposals, the development is to be delivered across at least 3 no. units, one of which will have a minimum 12,000 square metre (129,174 square feet) footprint, with no unit exceeding the maximum height of 17.5 metres above ground level, following the demolition of the existing buildings.

One of the key aims of the NNJCS is 'to make North Northamptonshire more self-reliant by achieving a sustainable balance between local jobs and workers and a more prosperous and diverse economy.' The NNJCS has a 'challenging' target of 31,100 net additional jobs for the period 2011-2031. Officers have had regard to this overarching objective and target in their consideration of the principle of development proposed.

Policy 1 of the NNJCS is clear that when considering development proposals, the LPA will take a positive approach that reflects the presumption in favour of sustainable development in the NPPF (Paragraph 11). This requires:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In this case, officers consider that the principle of development accords with the development plan, as well as the Government's broader growth agenda, as set out below.

Chapter 6 of the NPPF provides that the Government is committed to securing economic growth. Paragraph 81 states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Policies 22, 23 and 24 of the NNJCS address some of the themes in Chapter 6 of the NPPF and are particularly relevant to this application. In broad terms, these seek to safeguard existing employment uses and provide for a diverse economy.

More particularly:

The job target in Policy 23, for Corby specifically, is 9.700.

20. To meet the strategic employment targets outlined above, Policy 22 (delivering economic prosperity) prioritises the regeneration of previously developed land and aims to safeguard existing and committed employment sites for employment use (unless it can be demonstrated that there is no reasonable prospect of the site being used for that purpose and that an alternative use would resolve existing conflicts between land uses).
21. The supporting paragraphs to Policy 22 emphasize that existing employment sites provide an important part of the employment land supply. Safeguarding existing employment areas is acknowledged as a useful contributor to the long-term delivery of jobs needed in the local area.
22. The site is vacant and was last in use for employment and the surrounding area is industrial, in terms of land use. The site is enveloped by a well-established industrial estate, which already contains B8 uses. Policy 22 is therefore considered to apply to the site, notwithstanding that the site is not specifically allocated as an employment site under the Local Plan or shown as an existing employment site in the Policies Map accompanying the Local Plan.
23. The supporting paragraphs to Policy 24 (logistics) reveal that North Northamptonshire's central location and excellent strategic road connections has made it a centre for the logistics (B8) industry with a substantial increase in the stock of buildings over the last 10 years. Technical studies and market analysis have identified that this sector remains strong and that failure to meet this demand in North Northamptonshire through the provision of suitable sites will lead to activity being displaced away from the area and opportunities to capture investment, unlock other uses and the potential for high quality investment will be lost.
24. Officers have had regard to the benefits of capturing inward investment from logistics development, as per the aspirations of Policy 24.
25. Policy 24 also sets out detailed criteria a) to g) that must be satisfied. These are considered below.
26. Criterion (a) requires 'strategic' proposals with individual units of 9,300 sqm or more floorspace to include the provision of a proportion of floorspace in the form of smaller employment units, subject to market demand and viability. In this case, the indicative layout plan provided by the applicant suggests that one unit proposed on the site will exceed the 'strategic' size threshold (at 12,000 sqm) but two smaller units are also proposed. Market demand for smaller employment units can be tested again at the point of reserved matters applications.
27. Criterion (b) requires development sites to have good access to the strategic road network – which this site does, as an established industrial estate.
28. Criterion (c) requires the development site to have good access to local labour supply and to be accessible to the local workforce through public transport, walking and cycling. The site has good access to local labour supply and officers consider that sustainable transport to and from the site can be encouraged through a staff travel plan which can be secured through a planning condition or section 106 obligation.
29. Criterion (d) requires the development to achieve the highest possible standards of design and environmental performance through maximising the use of sustainable design and construction technologies. Officers note the design reservations of the design review panel but consider that compliance with this criterion can be achieved by, inter alia, tying reserved matters to the scale parameters shown in the latest layout plan submitted by the applicant and through conditions targeting sustainable design and construction technologies.
30. Criterion (e) requires the development to be situated in a location which allows 24-hour operations with acceptable environmental, community and landscape impact. Officers consider that the previous industrial uses of the site and surrounding land uses mean the location of the proposal satisfies this criterion.

31. Criterion (f) requires the development to provide sufficient infrastructure to mitigate highway impacts. The LHA have not objected to this proposal and their specific mitigation requirements will be addressed through planning conditions and section 106 obligations, as set out below.
32. Criterion (g) requires development to address the local operational requirements of HGV parking. Officers are satisfied that, following consultation with the LHA, the application site can provide adequate parking facilities, including HGV parking.
33. On balance, officers consider that the development accords with the detailed criteria in Policy 24, as well as its broader employment-generation aspirations.
34. Finally, despite an oversupply of employment land in the Borough, the 2018 Employment Land Review has indicated that adjacent land "site ELR32" is of reasonable quality for strategic employment development in the future and should be considered in the future review of the NNJCS to help meet Corby's job growth targets. Officers consider that the proposed development is consistent with and could support future employment use on site ELR32. This is a material consideration weighing in favour of the principle of development.
35. For the reasons stated above, the principle of development is considered to accord with the development plan.

36. Landscape, Visual and Design Considerations

37. As noted above, Policy 24 of the NNJCS provides that logistics proposals will be supported where they, inter alia, are of the "highest viable standards of design and sustainability."
38. The design of this development has been through intensive scrutiny by the Design Review Panel, which raised several concerns, as summarised in the consultation response section, above.
39. The application site, whilst in an immediate industrial-estate setting, is located at the edge of the urban area of Corby Town with frontages clearly open to Weldon Road. Landscape and visual impacts are therefore relevant considerations – notwithstanding that landscaping is a matter reserved for future determination.
40. The Revised NPPF chapter 12 places a renewed emphasis on high quality buildings and design on all types of development proposals. The design of the new units is therefore also a relevant consideration – notwithstanding that appearance, layout and scale are matters reserved for future determination.
41. Paragraph 130 provides that planning decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development and are visually attractive because of good architecture, layout and appropriate and effective landscaping. Paragraph 130 also draws emphasis on, amongst other things, local character and high standards of amenity.
42. These place-making principles are supported by the National Design Guide (NDG) and the National Model Design Code (NMDC) and Guidance Note.
43. The National Design Guide (2021) states that:

A place is more complex and multi-faceted than a building:

it is a setting for a diverse range of uses and activities, and is experienced by many people in many different ways;

it is made up of buildings, and also landscape and infrastructure, which are likely to endure longer than the buildings themselves;

most places evolve over a long period of time once they have been established, with many incremental changes that can affect their quality;

the quality of 'delight' includes a richness of experience gained from all of our senses, not only the visual; and

beauty in a place may range from a long view down to the detail of a building or landscape.

44. The NNJCS “place shaping principles” are set out at Policy 8. These principles seek to ensure that development is well connected to its surroundings, create safe and pleasant spaces, respond to the site’s immediate and wider context and local character, protect neighbouring amenity, minimise environmental impacts, optimise security and safety and incorporate flexible and resilient designs for buildings and their settings.
45. Without limitation, Policy 8 criterion b(v) states that development should be, “contributing, towards enhancements to the existing public realm such as tree planting to add to the character and quality of the main streets and to encourage walking and cycling.”
46. The proposal has been conscientiously considered by officers in this national and local policy context, in light of the comments made by the Design Review Panel. Whilst this is an outline application, officers consider that significant weight should be given to minimising visual and landscape impacts, in order to comply with the requirements of the development plan and revised NPPF.
47. As noted above, the proposal has been revised following concerns raised by the Design Review Panel in terms of its scale, height, and siting. The revised illustrative plan now shows the proposal broken into three detached buildings, with a maximum height of 17.5 metres set comfortably within the application site.
48. Officers consider that it is possible to accommodate sufficient and appropriate levels of tree planting as part of the development and therefore it would be difficult to substantiate a landscaping reason for refusal, at this stage.
49. Having taken the Design Review Panel comments into consideration, officers are satisfied that - following receipt of the revised indicative layout plan which can be made to inform reserved matters applications, through an appropriate planning condition - the majority of the Design Review Panel’s concerns can be addressed/mitigated through conditions which require the applicant to obtain the LPA’s approval of a landscape and visual impact appraisal of the form of development which comes forward at reserved matters stage as well as a landscape strategy, to secure the objectives of Policy 8. These matters are addressed in the planning conditions recommended by officers.
50. Furthermore, officers would like to impress that the applicant is strongly encouraged to engage with both the LPA’s pre-application and Design Review Panel process, when preparing reserved matters applications, in the event Committee supports officers’ recommendation to approve this application.

51. Sustainable Buildings

52. As noted above Policy 24 of the NNJCS provides that logistics proposals will be supported where they, inter alia, are of the “highest viable standards ... of sustainability.”
53. Policy 9 of the NNJCS provides that all development should incorporate measures to ensure high standards of resource and energy efficiency and reduction in carbon emissions. Paragraph 1 provides that, subject to economic viability, developments of 1000+ square metres of non-residential floorspace should, as a minimum meet BREEAM very good or equivalent nationally recognised standards.
54. Officers have recommended a condition requiring the submission and approval of a Sustainability and Energy Statement to achieve the objectives of Policy 9.

55. Ecology and Nature Conservation

56. The NPPF, at Paragraph 174, states that planning decisions should contribute to and enhance the natural and local environment by, inter alia, recognising the wider benefits from natural capital and ecosystem services and by minimising impacts on

and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

57. *Nene Valley Nature Improvement Area*
58. Part of the site is identified as a UK Biodiversity Action Plan Priority Habitat and the entire site is within the Nene Valley Nature Improvement Area.
59. NNJCS Policy 4 seeks a net gain in biodiversity and to protect and enhance features of biodiversity and geological interest. Criterion (b)(i) seeks to reverse the decline in biodiversity and restore the ecological networks in the Nene Valley Nature Improvement Area. Criterion (c) provides that development should support, through developer contributions or design, the protection and recovery of priority habitats and species linked to national and local targets. Such measures could include the retention of, and provision of areas of open green space, and hard and soft landscaping to address habitat and visitor management. This BNG design objectives will be important at reserve matters stage and the requirement for a developer contribution cannot be ruled out at this stage.
60. *Other natural environment and ecology considerations – land and protected species*
61. A Preliminary Ecological Appraisal (PEA) has been carried out by TetraTech, on behalf of the applicant. The report concluded that:
62. No Natura 2000 sites are located within two kilometres (km) of the site, nor are there any other statutory designated sites.
63. Whilst there are four Local Wildlife Sites (LWS) within 2km of the site, none are within or adjacent to the site.
64. Habitats recorded on-site include broad-leaved woodland, dense scrub, amenity grassland, buildings, bare ground hardstanding with a metal palisade/mesh fence around the entire site.
65. The dense scrub and woodland on site are considered suitable to support reptiles, badgers, breeding/roosting birds along with foraging/commuting bats.
66. No non-native invasive plant species were recorded on site during the survey.
67. Based on the above, the PEA advises that several further surveys may be necessary, although the exact survey requirements will depend on the final development proposals that will only be known at the reserved matters stage. These (surveys) relate to Great Crested Newts (GCN), roosting bats (tree surveys), reptiles, badgers, and breeding birds.
68. In response to the PEA, the Council's ecology officer raised concerns regarding the loss of semi-improved grassland and other habitats since the last site survey was undertaken in 2017. The report states that 'much of the grassland previously reported as semi-improved grassland (Lockhart Garratt 2017) has been removed', and that 'most of the site is hardstanding, either roads, car parking areas or is being used as storage areas for buildings and machinery'. The 2017 and current phase I habitat maps clearly illustrate this difference.
69. Areas on the PEA 'Phase 1' habitat maps showing bare ground, previously consisted of semi-improved grassland, amenity grassland, and scattered trees (seen on satellite imagery and confirmed by Heather Webb). Over the past two years numerous buildings have been removed on the site and, as these works have taken place, the habitats have been reduced to bare ground through use for access and storing materials in these areas.
70. Officers note the ecology officer's concerns about habitat degradation over time and consider that this baseline position will need to be carefully considered and improved through appropriate soft landscaping details and other ecological mitigation measures submitted and secured at reserved matters stage. Conditions are recommended to achieve these objectives.

71. *Other natural environment and ecology considerations – waterbodies and protected species*
72. There were seven waterbodies within 500m of the development site, with none onsite. Five of the ponds are on the opposite side of the A427, but a habitat corridor under the road should allow access to the site. All ponds were considered retained due to their distance from the site and because their connectivity would not be impacted. As this is a 'red zone' site there will be an obligation to adhere to the GCN Mitigation Principles to reduce risk of harm to newts.
73. In addition, great crested newt hibernacula must only be removed or disturbed during the active season (generally mid-February to mid-October, dependent on the season and weather conditions) and under the supervision of a suitably qualified and experienced ecologist, who will need to identify any likely GCN hibernacula prior to commencement of development and to undertake a 'toolbox talk' and advise on-site personnel accordingly.
74. The County Ecologist and NatureSpace were consulted and provided their observations following the receipt of District Licence Report, NatureSpace Certificate, and Impact Map for Weldon Road. All previous objections were removed subject to appropriate pre-commencement conditions.

75. Highways and Traffic Issues:

76. As noted above, the application is for outline development with all matters reserved except for access.
77. Access to the site is via an existing signal-controlled junction off Weldon Road.
78. Details for parking, highway infrastructure and related engineering, landscaping and ancillary works will be considered at the reserved matters stage.
79. Policy 8 of the NNJCS sets out several requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters.
80. The NPPF, at Chapter 9, sets out the Government's views on the role planning decisions should play, in promoting sustainable development and achieving related health objectives.
81. Paragraph 110 provides that in assessing specific applications for development, local planning authorities should ensure that a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
82. Paragraph 111 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
83. In response to these policy objectives, the application is accompanied by a Transport Assessment (TA) prepared by TetraTech, which concludes that:

The proposed development is similarly located to several other well established nearby industrial premises, and as a result has comparable levels of accessibility on foot and by bike which are typical of out-of-town employment areas.

Nearby junctions are predicted to operate well within capacity, with minimal queuing and delays, in the AM and PM peak hours in 2031.

The proposed development is predicted to generate significantly less traffic in the AM and PM peak hours, than the previous office use on the site.

The net impacts of traffic at surrounding local junctions would be to reduce flows and therefore modelling of local junctions for highway capacity is not required.

84. In terms of mitigation measures, the TA suggests that the proposed development would improve the current situation by, inter alia, introducing a cantilever shelter at each of the two nearest bus stops on Weldon Road.
85. In terms of parking, the TA states 207 car, 21 disabled car, 80 cycle parking spaces along with 20 HGV docks will be provided with 'spaces for lorries to park up'. These details would be secured via planning conditions.
86. In addition, TetraTech have prepared a Framework Travel Plan (TP) in support of the application. The TP seeks to protect and enhance the environment and encourage sustainable travel patterns through a commitment to the TP principles during leasing; the provision of information packs to incoming occupiers and by encouraging operators to make personalised journey planning available to encourage their employees to walk, cycle, use the bus or car share to work.
87. The LHA found the submitted Travel Plan to be acceptable.
88. Having regard to the sustainability principles established in the development plan and national policies outlined above, officers recommend that an operator travel plan (or plans) is/are submitted, in accordance with the principles established by the Framework Travel Plan before the development is first put to use and that the performance of this operator travel plan is monitored through appropriate surveys for a prescribed period of time from first use. Officers consider that the implementation and monitoring of this operator travel plan, together with an appropriate monitoring fee payable to the Council, are best secured through a section 106 agreement.

89. *Highway Authority comments*

Following initial LHA objections, the applicant submitted additional information addressing the issues raised by the LLHA. The LHA officer has found the additional information sufficient to address the issues raised at this stage and recommended conditions to deal with transport impacts at reserved matter stage and to secure the delivery of certain offsite highway works.

90. The LHA made the following additional observations:

The Oakley Road/Weldon Road corridor in Corby currently has a shared-use facility along most of its length, although there are a few notable missing links. The shared use that does exist is currently substandard for long sections. The corridor has the potential, and there is an emerging aspiration for exploring the possibility, of creating a fully segregated LTN 01/20 compliant cycle track from the town centre to Bangrave Road and beyond.

The existing shared-use facility that runs from Lloyd Road to the currently uncontrolled crossing at the main vehicle access point and continuing along the frontage of the development site is currently substandard and there is potentially enough width in the corridor to upgrade to include a fully segregated cycle track, between Lloyd Road and the site entrance.

The section of Weldon Road to the west of the Lloyd Road junction also does not have any cycle facilities. The creation of a cycle track for the short section between High Street and Lloyd Road would allow cyclists from the vicinity of Corby Old Village to access facilities further to the east.

91. In view of these comments, officers recommend a suitable condition relating to section 278 and Road Safety Audit to be imposed as part of the pre-commencement condition.
92. Subsequently, section 106 agreement can also secure the delivery of the cantilever shelters at each of the two nearest bus stops on Weldon Road, proposed under the TA.
93. *Neighbour concerns around traffic and parking*

Officers note that significant concern has been raised by neighbours regarding the impact of delivery vehicles, particularly HGVs, accessing the site; and the impact that this would have on the wider transport network. As the LHA does not object to the proposal (subject to the imposition of appropriate conditions to secure access and offsite works), officers consider that the proposed scheme would not compromise highway safety or the satisfactory operation of the highway network.

94. Ground conditions and contamination

The application site is a brownfield site. NNJCS Policy 6 is therefore particularly relevant to the determination of the application. This provides that in determining planning applications, the LPA will seek to maximise the delivery of development through the reuse of suitable previously developed land and buildings and, where appropriate, seek remediation strategies to manage land contamination.

NPPF paragraphs 183 and 184 underscore that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rest with the developer/landowner but planning decisions should ensure that after remediation, at a minimum, and should not be capable of being determined as contaminated land under Part II A of the Environmental Protection Act 1990 and a site should be suitable for its proposed use.

95. With regard to ground conditions, the applicant's Ground Investigation Report concluded that the risk of the encountered ground contamination affecting site users when beneath present buildings and areas of permanent hardstanding would be considered very low.
96. In terms of contamination, the applicant's Site Investigation Report concluded that, with appropriate remediation, ground conditions would be suitable for the proposed B8 use. These remediation measures can be secured through appropriate planning conditions.
97. Officers are satisfied that appropriate investigations, remediation strategies and post-completion verification processes can be secured via appropriate contaminated land conditions, to ensure compliance with the development plan and NPPF policies outlined above.

98. Flood Risk and Drainage

Policy 5 (water environment, resources, and flood risk management) of the NNJCS outlines how development should contribute to reducing the risk of flooding and also protecting the quality of the water environment. This policy, at criterion (c), states that "development should be designed from the outset to incorporate Sustainable Drainage Systems wherever practicable, to reduce flood risk, improve water quality and promote environmental benefits". This consideration is reiterated in the NPPF, which states, at paragraph 167, that that development should ensure that flood risk is not increased elsewhere.

99. The subject site is located within Flood Zone 1 and therefore has a low probability of flooding. However, the proposal may present risk of flooding on site/ off site if surface water run-off is not effectively managed.
100. A Flood Risk Assessment (FRA) along with drainage strategy was submitted, to outline the potential for the site to be impacted by flooding; the potential impacts of development on flooding both onsite and off-site, and the proposed measures which can be incorporated into the development to mitigate the identified risks.
101. The original FRA was examined by the LLFA. Concerns were raised by the drainage engineer who requested additional information to fully assess the proposal. Following the receipt of a revised FRA, previous objections by the LLFA were removed subject to appropriate conditions to secure surface water drainage mitigation during construction and operation.

102. Air Quality

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

103. The proposal has the potential to cause air quality impacts as a result of fugitive dust emissions during construction and road traffic exhaust emissions associated with vehicles travelling to and from the site during construction and operation.

As such, an Air Quality Assessment (AQA) is vital to determine baseline conditions and assess potential effects because of the scheme. The AQA submitted with the application (reference 784-B024896 dated 25th March 2021) assessed impacts/recommended mitigation measures, as follows:

During the construction phase of the development, potential air quality impacts as a result of fugitive dust emissions from the site were assessed in accordance with the IAQM methodology.

Provided good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and track out activities would not be significant.

Potential air quality impacts during the operational phase of the proposals may also occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site.

The AQA does not propose mitigation measures to deal with these operational impacts as insufficient information is known, at this stage, about the end-user and their operational use profile.

Taking into account mitigation measures which can be included as part of the final design of the scheme at reserved matters stage and the construction period mitigation measures recommended, the AQA concludes that the overall air quality effects of the development are ‘not significant’ and that air quality conditions for future occupiers of the development and nearby sensitive receptors would be acceptable.

The EHO queried the absence of recommendations for operational period mitigation measures and originally advised the applicant to refer to the East Midlands Air Quality Network 'screening checklist' and 'air quality and emission mitigation assessment checklist' with a view to putting forward at least Type 1 and Type 2 mitigation measures at this stage.

However, following dialogue with the applicant, the EHO has agreed to impose a pre-commencement condition to secure an assessment of operational period impacts and mitigation measures and to address all residual air quality matters.

104. Noise and Odour Impact

Noise

Policy 8 (e)(ii) of the NNJCS states that permission will not be granted for development resulting in unacceptable levels of noise.

In response, the applicant commissioned a noise and vibration assessment of both the construction and operational phases of development.

Having been consulted, the EHO made the following comments in response to the Noise Assessment reference 784-B024896 Rev 2 dated 24th March 2021 by Tetra Tech :-

The noise monitoring took place during the lockdown in January 2021 and therefore is unlikely to be representative of the usual noise environment in the area.

Consequently, any reserved matters application should include a revised noise assessment including recommendations for any necessary mitigation measures.

105. Odour

The EHO has raised some concerns around odour impacts, due to proximity of the application site to the sewage treatment works. Assessments carried out in connection with previous applications in this area confirm that the significance of odour effects at the application site, without mitigation, cannot be discounted.

With this in mind, the EHO asked the applicant whether they had given any thought to installing an air handling system to reduce any odour impact from the sewage treatment works.

Given that the application is an outline application, the EHO has agreed to impose a pre-commencement condition to ensure noise and odour impacts are appropriately mitigated.

106. Other Matters

The applicant has made reference to other employment sites within the Borough that have recently gained planning permission.

Officers consider that each proposal falls to be assessed primarily on its own merits. It is not the purpose of this planning appraisal to discuss the merits of developments other than the subject of this application.

In like vein, it is not the purpose of this appraisal to speculate on sites which may or may not come forward through the Part 2 Local Plan review.

As noted above, this application site is not an existing or allocated employment site, but officers have formed a plan-led conclusion on the acceptability of the principle of this development coming forward in this location, at this time, informed by the land use history of the site, its surrounding land uses and an assessment of the likely environmental and amenity impacts of the development, with appropriate safeguards secured through the use of planning conditions.

107. Planning Conditions

Several planning conditions are recommended at the end of this report, in line with recommendations made by key consultees on this application. Officers are satisfied that these conditions enhance the quality of development and enable it to proceed by mitigating adverse effects. The conditions respond to the evidence presented to date by the applicant, much of which will need to be refreshed to respond to the final form of development coming forward under reserved matters applications and have been tailored to tackle specific problems and do not impose broad unnecessary controls.

In making their recommendations, officers have had regard to the requirements of paragraph 55 of the NPPF which provides that conditions should only be used where they satisfy the following tests:

- necessary;
- relevant to planning;
- relevant to the development to be permitted;
- enforceable;
- precise; and
- reasonable in all other respects.

Officers are satisfied that the conditions set out below satisfy these 6 tests.

Officers have also followed the relevant procedures in connection with pre-commencement conditions proposed, as set out below.

108. Section 106 Heads of Terms

Officers have had regard the National Planning Practice Guidance which provides that where planning objections to development can be overcome equally by either conditions or section 106 obligations, LPAs should make use of conditions.

However, there are certain forms of mitigation which are more appropriately secured through section 106 planning obligations. Without limitation, these include financial contributions and offsite infrastructure works.

On this basis, and as outlined above, officers consider that the following mitigation measures are more appropriately secured by planning obligations than by planning conditions:

- Operator Travel Plan and associated Monitoring Fee
- Offsite cycle track improvements (financial contribution or works in kind, to be agreed with the LHA)
- Delivery of the cantilever shelters at each of the two nearest bus stops on Weldon Roads as proposed under the TA.

Officers are satisfied that the above obligations satisfy the requirements in Regulation 122 of The Community Infrastructure Levy Regulations 2010 i.e. are:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

and can consequently be taken into consideration as a reason for granting planning permission.

109. Pre-commencement Conditions:

Section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition, except in the case of a condition imposed on the grant of outline planning permission within the meaning of Section 92 of the 1990 Act, or in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018.

The LPA gave notice under Section 2(4) of the Regulations to the agent on 05.05.2020 of the intention to impose pre-commencement conditions. It is hereby confirmed that the agent in the email of 5th May 2022 has agreed to the use of pre-commencement conditions in this determination.

110. Conclusion:

After careful consideration, officers have reached the conclusion that the principle of this development is in accordance with the development plan, the site is suitable for logistics development of this nature and quantum, and the potential harms arising as a consequence of the development in terms of environmental, visual, amenity and other impacts do not outweigh its planning benefits (as outlined below), and that these impacts can be appropriately controlled and mitigated through a combination of planning conditions and section 106 obligations. In reaching this decision, officers have attributed significant weight to the over-riding socioeconomic benefits of the development, in terms of its ability to generate inward investment into Corby and to secure future jobs. Significant weight has also been given to the Design Review Panel's concerns around the ability of this proposal to sensitively integrate into its wider context etc. Officers consider that these concerns can be appropriately addressed through a planning condition which ties future reserved matters for appearance, scale, layout, and landscaping to the parameters shown in the applicant's latest feasibility drawing 'Outline Site Feasibility – Option E' no. 200574 - WCA - A1 - ZZ - DR - A - SK110, together with appropriate controls on landscaping at reserved matters stage.

111. Recommendation:

Approve subject to delegated authority being given to the Head of Planning and Environmental Services to determine the application subject to the conditions set out

in this report and satisfactory completion of a Section 106 Agreement on the basis of the Heads of Terms set out in this report.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, Officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

CONDITIONS

COMPLIANCE CONDITIONS

1. RESERVED MATTERS TO BE SUBMITTED PRIOR TO DEVELOPMENT

Approval of the details of:

- a. Scale
- b. Access
- c. Appearance
- d. Landscaping, and
- e. Layout

(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This is an outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

2. TIME LIMIT FOR SUBMITTING RESERVED MATTERS

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. TIME LIMIT FOR BEGINNING THE DEVELOPMENT

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. APPROVED PLANS

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Location Plan

Flood Risk and Drainage Assessment ref 784-B024896 (3rd issue) dated 12 May 2021 by Tetra Tech

Applications for approval of reserved matters shall adhere to the parameters established in the following approved drawing: 'Outline Site Feasibility – Option E' no. 200574 -WCA - A1 - ZZ - DR - A - SK110, in particular: land uses, minimum unit number, maximum total floorspace and maximum height parameters.

Reason: In the interests of proper planning and to ensure a suitable form of development in accordance with Policy 8 and Policy 24 of the North Northamptonshire Joint Core Strategy.

Informative: the applicant is strongly advised to engage with the Council's pre-application and Design Review Panel process prior to submission of reserved matters applications pursuant to this permission.

REVISED TECHNICAL ASSESSMENTS TO BE SUBMITTED WITH RESERVED MATTERS APPLICATIONS

5. LANDSCAPE AND VISUAL IMPACT ASSESSMENT

Applications for approval of reserved matters shall be accompanied by a landscape and visual impact assessment and sitewide landscape strategy for the development as a whole, for the Local Planning authority's prior written approval.

The development shall be carried out in accordance with the approved assessment and strategy. In the event the development is implemented in phases the sitewide landscaping strategy shall reflect the latest approved Phasing Plan and explain how it is capable of implementation in phases and how the landowner/developer shall secure any sitewide mitigation measures.

Reason: To ensure compliance with Policy 4 and Policy 8 of the North Northamptonshire Joint Core Strategy.

Informative: The applicant is encouraged to engage with the Council's Pre-Application and Design Review Process before submitting an application for approval of reserved matters.

6. AIR QUALITY

Applications for approval of reserved matters shall be accompanied by a revised air quality assessment that identifies the likely construction and operational stage impacts for the development (or the relevant phase of the development, as applicable) and the embodied and additional mitigation measures required to mitigate such impacts, for the Local Planning authority's prior written approval.

The development (or the relevant phase of the development, as applicable) shall be carried out in accordance with the approved details and the mitigation measures for the operational stage for the development shall be retained as approved.

Reason: To ensure compliance with NPPF Paragraph 185 and Policy 4 and Policy 8 of the North Northamptonshire Joint Core Strategy.

Informative: The applicant's attention is drawn to the East Midlands Air Quality Network guidance documents

7. NOISE

Applications for approval of reserved matters shall be accompanied by a revised noise assessment that outlines the likely construction and operational stage impacts on any noise sensitive property and the measures necessary to ensure that noise does not affect the amenity of local residents, for the Local Planning authority's prior written approval. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS 4142:2014+A1:2019 (or any guidance amending or revoking and replacing this guidance with or without modification).

The development (or the relevant phase of the development, as applicable) shall be carried out in accordance with the approved noise assessment and any noise mitigation measures recommended in this assessment shall be implemented as approved and any ongoing mitigation measures shall thereafter maintained in their approved state.

Reason: To ensure compliance with NPPF Paragraph 185 and Policy 4 and Policy 8 of the North Northamptonshire Joint Core Strategy; to prevent an increase in background noise levels and protect the amenity of any residents.

Informative: The Local Planning Authority requires the noise from any external plant in a noise sensitive location to be a minimum of 5dB(A) below the existing background level of noise, with no significant tonal characteristics. This is to ensure that there is no impact on residential amenity and reduces the likelihood of a cumulative increase in background noise from all developments in the area.

8. ODOUR

Applications for approval of reserved matters shall be accompanied by a revised odour assessment that assesses the odour impacts of the nearby sewage treatment on the proposed end-user(s) and the measures required to mitigate such impacts once the development is operational.

The recommendations in the approved assessment shall then be implemented as approved.

Reason: To prevent undue environmental and amenity impacts in accordance with Policy 8 of the North Northamptonshire Core Spatial Strategy.

9. LIGHTING FOR COMPLETED DEVELOPMENT

Each application for reserved matters which includes lighting shall be accompanied by a lighting strategy (including full specification) for the development or relevant phase, as applicable, for the Local Planning authority's prior written approval. The lighting strategy shall then be implemented as approved.

Reason: To prevent undue environmental and amenity impacts in accordance with Policy 8 of the North Northamptonshire Core Spatial Strategy.

10. SUSTAINABILITY AND ENERGY

Each application for reserved matters which includes within it built development, shall be accompanied by a Sustainability and Energy Statement, for the Local Planning Authority's prior written approval.

The Sustainability and Energy Statement shall be accompanied by a 'BREEAM' low and zero carbon assessment to recommend the most appropriate renewable energy technologies to be implemented within the building(s).

The details approved under this condition shall then be implemented in accordance with the approved Sustainability and Energy Statement and 'BREEAM' low and zero carbon assessment and any ongoing mitigation measures shall be retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with the expectations of Policy 9 of the North Northamptonshire Core Spatial Strategy 2016 that aspire to BREEAM performance of at least 'very good' and require demand for energy to be met onsite and/or renewably and/or from a decentralised supply.

11. ECOLOGY

Each application for reserved matters shall be accompanied by an updated Ecological Appraisal, for the Local Planning Authority's prior written approval. This Ecological Appraisal shall confirm which further habitat/protected species surveys are required before commencement of the development pursuant to those reserved matters. The Appraisal shall include but not be limited to consideration of likely construction and operational stage impacts on Great Crested Newts (GCN), roosting bats, reptiles, badgers, and breeding birds.

The recommendations of the approved Ecological Appraisal shall then be implemented as approved.

PRE-COMMENCEMENT CONDITIONS

12. PHASING

Prior to the commencement of development, a Phasing Plan for the development as a whole shall be submitted to and approved in writing by the Local Planning Authority. Site remediation works and associated earthworks shall form the first phase, with all other works falling within subsequent phases. Any subsequent amendments to the approved Phasing Plan must be submitted to and approved in writing by the Local Planning Authority before any such amendments are permitted to be implemented. The development shall be carried out strictly in accordance with the latest approved Phasing Plan.

Reason: To ensure the timely development of the works and coordination with any necessary environmental and amenity mitigation measures and associated highway works.

Informative: reference to phases in this planning permission shall be construed by reference to the latest Phasing Plan approved under this condition and shall include sub-phases unless the Phasing Plan provides otherwise.

13. LAND CONTAMINATION, REMEDIATION AND VERIFICATION

Unless otherwise agreed by the Local Planning Authority in writing, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts B to C have been complied with.

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.

D. Verification Report

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. Unless otherwise agreed by the Local Planning Authority in writing, the development shall not be occupied or put to use until this Part D has been complied with.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informative: This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination: Risk Management' (or any guidance revoking and replacing this guidance with or without modification)'.

14. UNEXPECTED CONTAMINATION

In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

Informative: This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination: Risk Management' (or any guidance revoking and replacing this guidance with or without modification)'.

Reason: To ensure that risks from land contamination to the future users of the development and neighbouring land are minimised and to ensure that the

development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.’

15. CONSTRUCTION TRAFFIC MANAGEMENT PLAN

Prior to the commencement of any development (or phase, as applicable) a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall provide for:

- a. Detailed work programme/timetable (by reference to the latest approved Phasing Plan);
- b. HGV delivery hours;
- c. Detailed routeing for demolition, excavation, construction and abnormal loads;
- d. Supply of pre-journey information on routing and site restrictions to contractors, deliveries and visitors;
- e. Detailed plan showing the location of on-site stores and facilities including the site compound, contractor and visitor parking and turning as well as un/loading point, turning and queuing for HGVs;
- f. Breakdown of number, type, size and weight of vehicles over demolition & construction period;
- g. 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;
- h. Details of public impact and protection to include road, footway, cycleway and PRoW;
- i. Details of any TROs and road/footway/cycleway/PRoW closures and re-routeing as well as signage and barriers;
- j. Public liaison position, name, contact details and details of public consultation/liaison;
- k. Route details, as required, covering culverts, waterways, passing places, tracking of bends/junctions and visibility splays;
- l. Programme for pre- and post- works inspection of the highway to identify remediation works to be carried out by the developer (including removal of TROs, temporary signage, barriers and diversions, as applicable);
- m. Details of temporary construction accesses and their remediation post project;
- n. Provision for emergency vehicles.

The approved CTMP shall be adhered to throughout the construction period of development (or the phase to which it relates, as applicable) and the approved measures shall be retained for the duration of that construction period.

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

16. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Prior to the commencement of any development (or phase, as applicable), a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall provide for:

- a. Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- b. Arrangements for liaison with the Council's Pollution Control Team;
- c. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed by the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays;
- d. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
- e. Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
- f. Procedures for emergency deviation of the agreed working hours;
- g. Control measures for dust and other air-borne pollutants;
- h. Measures for controlling the use of site lighting whether required for safe working or for security purposes.

The CEMP shall be implemented as approved and adhered to throughout the construction period.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development accordance with Policy 8 and Policy 15 of the North Northamptonshire Joint Core Strategy.

17. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (BIODIVERSITY)

Prior to the commencement of any development (or phase, as applicable) (including for the avoidance of doubt, demolition, groundworks and vegetation clearance), a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall provide for:

Risk assessment of potentially damaging construction activities;

Identification of 'biodiversity protection zones';

Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);

The location and timing of sensitive works to avoid harm to biodiversity features;

The times during construction when specialist ecologists need to be present on site to oversee works;

Responsible persons and lines of communication;

The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and

Use of protective fences, exclusion barriers and warning signs

The CEMP: Biodiversity shall be implemented as approved and adhered to throughout the construction period.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development accordance with Policy 8 and Policy 15 of the North Northamptonshire Joint Core Strategy.

18. BIODIVERSITY MONITORING

Prior to the commencement of any development (or phase, as applicable) (including for the avoidance of doubt, demolition, groundworks and vegetation clearance), a Biodiversity Monitoring Strategy (BMS) shall be submitted to and approved in writing by the Local Planning Authority. The BMS shall include the following:

Identification of baseline conditions prior to the start of development;

Aims and objectives of monitoring to match the stated purpose of the BMS;

Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various biodiversity net gain measures being monitored can be judged;

Methods for data gathering and analysis;

Location of monitoring;

A timetable for the submission of monitoring reports;

Identification of responsible persons and lines of communication; and

A timetable for review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the Local Planning Authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that biodiversity net gain aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the Local Planning Authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved BMS.

The BMS shall be implemented as approved.

Reason: To ensure that the development makes a contribution towards a net gain in biodiversity across the plan period, in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

19. LANDSCAPE ECOLOGICAL MANAGEMENT PLAN

No development shall commence until a Landscape and Ecological Management Plan (LEMP) for the development (or phase, if applicable) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following information:

Description and evaluation of features to be managed;

Ecological trends and constraints on site that might influence management;

Aims and objectives of management;

Appropriate management options for achieving aims and objectives;

Prescriptions for management actions;

Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);

Details of the body or organisation responsible for implementation of the plan; and

Ongoing monitoring and remedial measures and how these will be secured for the duration of the plan.

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

The LEMP shall be implemented as approved.

Reason: To ensure compliance with Policy 4 and Policy 8 of the North Northamptonshire Joint Core Strategy.

20. LIGHTING FOR CONSTRUCTION

Prior to the commencement of development (or phase, as applicable), a construction period lighting strategy for the development (or phase, as applicable) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved strategy.

Reason: To ensure compliance with the terms of the application and to prevent undue environmental and amenity impacts in accordance with Policy 8 of the North Northamptonshire Core Spatial Strategy 2016.

21. HIGHWAY WORKS AND ROAD SAFETY AUDIT

Prior to commencement of the development (or phase, if applicable), full engineering, construction and drainage plans for the signalised crossing facility to be provided across the proposed site access bellmouth works plans and all off-site highway works, shall be submitted to, and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The plans submitted under this condition shall be accompanied by a Road Safety Audit (RSA 1) as well as a monitoring plan and programme for reviewing such works.

The details approved under this condition shall then be implemented, monitored, and reviewed as approved.

Reason: In the interests of safe operation of the highway in the lead into development, during construction and all other relevant phases of the development, accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

Informative: The plans submitted to the Local Planning Authority under this condition will also need to be submitted to the Local Highway Authority at a level facilitating full technical details approval to the satisfaction of the Local Highway Authority.

22. EXTERNAL MATERIALS

Development shall not progress above slab level until details, (or development in any phase shall not progress above slab level, as applicable) until details (including colours where required) of the materials used in the construction of the external surfaces in the development (or relevant phase, if applicable) have been submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with approved details.

Reason: To enable the Local Planning Authority to control the colour, tone texture an

appearance of materials used to ensure the satisfactory appearance, as required by Policy 8 of the North Northamptonshire Joint Core Strategy

CONSTRUCTION PERIOD COMPLIANCE CONDITIONS

23. **GREAT CRESTED NEWTS**

No development hereby permitted shall take place otherwise than in accordance with the terms and conditions of the Council's organisational licence (WML-OR90) and with the proposals detailed on plan 'Weldon Road: Impact Map for great crested newt District Licensing (Version 1)', dated 10th August 2021.

All works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians, in accordance with all relevant mitigation measures (including but not limited to temporary amphibian fencing) and under the supervision of a suitably qualified professional. Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e. hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development and removed on completion of the development.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR90).

Informative: It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those in condition 3 above would give rise to separate criminal liability under District Licence condition 9 (requiring authorised developers to comply with the District Licence) and condition 21 (which requires all authorised developers to comply with the GCN Mitigation Principles) (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (for which the Police would be the enforcing authority).

24. **OTHER PROTECTED SPECIES**

With regard to the recommendations of the Ecological Appraisal to be approved pursuant to reserved matters, no works or activity affecting any protected species shall commence until the Local Planning Authority has been provided with either:

a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (or any legislation modifying or replacing this provision) authorising the specified activity/development to go ahead; or

written confirmation from Natural England that a licence is not required; or

a statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

Reason: In order to ensure that adverse impacts on protected species are adequately mitigated.

CONDITIONS REQUIRING COMPLIANCE BEFORE ANY ABOVE GROUND WORKS

25. SUSTAINABLE URBAN DRAINAGE

Before any above ground works commence, a surface water drainage scheme for the entire site, based on the Flood Risk and Drainage Assessment ref 784-B024896 Third Issue, dated 12th May 2021 prepared by Tetra Tech, shall be submitted to and approved in writing by the Local Planning Authority.

The scheme submitted under this condition shall include:

Details (designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system including pipes, inspection chambers, outfalls/inlets and attenuation structures;

Full WinDES modelling or similar with a maximum discharge rate of 8.68 l/s for all events, simulating storms through the whole drainage system, with results of critical storms demonstrating that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year; and that any above ground flooding for 1 in 100 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings; and

Cross sections of control chambers and manufacturers hydraulic curves for the flow control.

The scheme shall be implemented as approved before the development is completed and first put to use.

In the event the development is brought forward in phases, the details submitted under this condition shall reflect the latest Phasing Plan and explain how the details in one phase integrate with the details for a future phase and how it is capable of implementation in phases and how the landowner/developer shall secure any sitewide mitigation measures.

Reason: To reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy 2016.

26. SURFACE WATER DRAINAGE - ONGOING MAINTENANCE

Before any above ground works commence, a detailed maintenance scheme for every element of the approved surface water drainage system for the entire site (or phase, if applicable), has been submitted to and approved in writing by the Local Planning Authority.

- The maintenance scheme must include the following details:-
- schedule of ownership;
- schedule setting out each asset to be maintained together with intervals and method for maintenance;
- site plan, including access points, access easements and outfalls, designed to ensure there is adequate room to access and maintain the asset with plant or machinery if necessary and to handle any arising generated;
- organisation or body responsible for management maintenance and, where applicable, adoption;

- in respect of unadoptable assets, maintenance and management plan for the lifetime of the development;
- expected design life, including details of when replacement assets may be required;
- The maintenance scheme shall be implemented as approved.

Reason To ensure the future maintenance of drainage systems associated with the development for the lifetime of the development.

27. FIRE HYDRANT AND SPRINKLERS

Before any above ground works commence in any phase, a scheme detailing the location, specification and timetable for implementation of the fire hydrants, sprinkler systems and associated infrastructure for that phase has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall then be provided and retained in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Informative: The developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure.

28. BOUNDARY TREATMENTS

Before any above ground works commence in any phase, a scheme detailing the position, design, materials, and type of boundary treatment and fencing to be erected for that phase. The boundary treatment and fencing shall then be implemented in accordance with the approved scheme and shall, thereafter, be retained as such.

Reason: To secure an adequate appearance consistent with Policy 8 of the North Northamptonshire Core Spatial Strategy.

PRE-OCCUPATION CONDITIONS

29. SURFACE WATER DRAINAGE VERIFICATION REPORT

The development (or any phase of the development) shall not be occupied until a Verification Report for the installed surface water drainage system for the site has been submitted to and approved by the Local Planning Authority .

The Verification Report must be prepared by a suitably qualified drainage engineer. It shall include the following details:

any departure from the agreed design is keeping with the approved principles;

As-Built Drawings and accompanying photos;

Results of any performance testing undertaken as a part of the implementation and verification process (as required); and

CCTV confirmation that the drainage 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 details for the site.

30. BREEAM POST CONSTRUCTION REPORT

Prior to the occupation of each building within a phase or sub-phase, the following information shall be provided to the Local Planning Authority in respect of that building, unless otherwise agreed in writing:-

a BREEAM post construction report to confirm that BREEAM very good (2011) (or the equivalent standard which replaces the British Research Establishment Environmental Assessment Method which is to be the assessment when the buildings concerned are to be assessed) has been achieved;

that the carbon emissions from regulated energy will be at least 40% better than that required by Part L2a 2006; and

the approved low and zero carbon technologies have been installed.

Reason: In accordance with Policy 9 of North Northamptonshire Joint Core Strategy which aspires to BREEAM performance of at least 'very good'.

31. BREEAM FINAL CERTIFICATES

Within six months of completion of any building, a copy of the Final BREEAM Certificate (or equivalent) shall be provided to the Local Planning Authority to demonstrate that the scheme has been completed in accordance with the approved Sustainability and Energy Statement.

Reason: In accordance with Policy 9 of North Northamptonshire Joint Core Strategy which aspires to BREEAM performance of at least 'very good'.

32. VEHICLE PARKING AND SERVICING ARRANGEMENTS

Prior to first use or occupation of the development (or any phase of the development, as applicable), accurate and scaled plans showing the on-site parking and servicing areas (which include loading, unloading, turning and waiting areas) serving the development shall be submitted to and approved in writing by the Local Planning Authority. The plans submitted under this condition shall comply with the following requirements:-

They shall, for the avoidance of doubt, also include details for disabled and HGV parking.

They shall be at a level of detail which includes layout and dimensions which comply with the following parking standards:

- a. Car parking spaces should be minimum 2.5m wide by 5m long. They should be widened to 3.3m where adjacent to a solid side boundary on one/both sides and/or lengthened to 6m where enclosed.
- b. Disabled parking bays should have an overall dimension of 6.2m long by 3.6m wide. 3.6m is required behind perpendicular car parking bays to access and egress the spaces.
- c. Motorcycle/scooter parking bays area to be 2.4m deep by 1.4m wide or a security rack w/0.9m centres.

They shall show how the areas shall be laid out, demarcated, levelled, surfaced and drained in accordance to the Local Highway Authority requirements.

They shall show space sufficient within the site to enable all vehicles (including HGVs and delivery vehicles) to park, turn, and re-enter the highway in forward gear.

The approved parking and servicing spaces shall thereafter be set aside and retained for those purposes.

Reason: To ensure the development has a suitable relationship with the highway network and complies with the Council's parking standards, in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

33. CYCLE PARKING

Prior to first occupation of the development (or a relevant phase of the development, as applicable), a scheme for the parking of cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied/ brought into use and the approved spaces shall thereafter retained for this purpose.

Reason: To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

ONGOING CONDITIONS

34. PD RIGHTS REMOVED

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification) and/or the provisions The Town and Country Planning (Use Classes) Order 1987 (as amended from time to time):

- A. The development and no part of the development shall be used for any use other than the uses hereby approved (warehousing/logistics uses within Use Class B8 with ancillary office accommodation)
- B. No extensions, new buildings or structures or additional hard surfaced areas shall be constructed or erected without express planning permission.

Reason: In the interest of amenities and retaining employment floor space in accordance with Policy 22 of the North Northamptonshire Joint Core Strategy.

35. TOTAL FLOORSPACE MAXIMA

The total floor space shall not exceed 275,000 square feet including ancillary office accommodation.

Reason: To ensure that the level of visual and highways impact is comparable to that which has been assessed, and to reflect the terms of the application with restricted main use office space.

BUILDING HEIGHTS

36. No building shall exceed 17.5 m in height above finished floor levels.

Reason: In the interest of the visual quality of the area and to ensure consistency with the visual assessment of the development.

37. Prior to the commencement of the development hereby permitted, details of the

offsite highway works shall be submitted to and gain the approval in writing of the local planning authority. Such details as may be approved shall thereafter be completed in accordance with the approved plans prior to first occupation / first use of the development hereby permitted.

Reason: To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

Informatives

No works within the highway may commence without the express written permission of the Council's Highway Authority. Such consent would be subject to the completion of a legal agreement under Section 278 of the Highways Act 1980 for which full engineering drainage, street lighting and constructional details are required. Such details submitted for the Section 278 Agreement would be subject to technical and safety audits which may result in changes to the indicative scheme. Such details as may then receive the Council's Highway Authority Technical Approval may then be submitted to the council's planning team for consideration in the discharge of Condition 21 and 37.

The Applicant is advised not to seek the discharge of Condition 21 and 38 with any details that have not first received technical approval of the Council's highway authority as this may delay the discharge of the condition or result in the rejection of such a submission.

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