

Development Control Committee

Tuesday 11 October 2016

7.00 pm in The Council Chamber, The Cube, Corby

Present: Councillor Latta – Chair

Councillors Dady, P Beattie, Goult, Petch, Cassidy, Riley, Watt & Eyles

25. Apologies for Absence

Apologies for absence were received from Councillor Brown, Rutt & Sims.

Councillors Watt & Eyles substituted.

26. Declarations of Interest

Members were asked to declare any personal interests they may have in the business to be discussed and/or indicate whether this was prejudicial or non-prejudicial, the nature of any interest, and whether they intended participating in the relevant agenda item. Councillor Caine declared a personal non prejudicial interest in 15/00138/OUT New residential development comprising up to 530 dwellings, local centre (to include uses within Use Class C3, A1, A2, A3, A4, A5, B1 and D1), primary school/community facility site, informal open space, multi-use games area, playing fields, revised access and car parking at Great Oakley Community Hall, together with landscaping, pedestrian/cycle and vehicular routes including access onto Lewin Road, Bennett Road, Mill Hill and Chepstow Road, diversion of footpath UB30 and other infrastructure and associated works at Land South of Brooke Weston Academy off Lewin Road, Corby.

27. Minutes of the Previous Meeting

Members were requested to approve the minutes of the Development Control Committee meeting held on 6 September 2016, copies of which had been circulated.

RESOLVED that:-

The minutes of the meeting of the Development Control Committee held on 6 September 2016, copies of which had been circulated to Members, be agreed as a correct record.

- 28.1 15/00138/OUT New residential development comprising up to 530 dwellings, local Centre (to include Use Class C3, A1- A5, B1 & D1), primary school/ Community facility site, informal open space, multi-use games area, playing fields, revised access & car parking at Great Oakley Community Hall together with landscaping, pedestrian/cycle & vehicular routes including access onto Lewin Road, Bennett Road, Mill Hill and Chepstow Road, diversion of footpath UB30 & other Infrastructure & associated works at Land south of Brooke Weston Academy off Lewin Road, Corby**

The Principal Planner gave the Committee an overview regarding Phases 8 & 9 at Oakley Vale the area had previously been committed in 2000 for a science park, no proposal had come forward to provide a facility since the 2000 planning agreement and there had been amendments to planning policy over that period of time.

The Planning Officer presented the report to Committee stating that the Masterplan granted in March 2000 had largely been completed although the two uses had not been implemented and the site had remained in a vacant and undeveloped form. The scheme now being considered was no longer in accordance with the Masterplan and so a new application had been submitted.

The application had been screened as required by the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (amended) 2015 and an Environmental Statement had been submitted having regard to the significant environmental impacts in respect of flooding, ecology, highways, heritage impacts, visual impact and social impacts.

The proposal made in outline with all other matters being reserved for residential development for up to 530 dwellings and allocation of land for the future provision of a primary school, conversion of Oakley Grange into commercial or community use, linear park along side Harper's Brook, a local park close to Brooke Weston Academy and linked to Harper's Brook. Access into the site would be via a spine distributor road corridor linking Bennett Road/Chepstow Road in the east with Lewin Road to the west.

Relevant policies had been considered and had been covered extensively in the officer's report, consultations had also taken place with Anglian Water, Environment Agency, Natural England, Northamptonshire Wildlife Trust, Network Rail, Historic England, CBC – Housing, Environmental Services, Landlord Services, Leisure Services and Local Plan Departments, Great Oakley Village Institute, Parish Council, Ramblers Association, Principal Rights of Way Officer, Oakley Vale Community Association, Kettering Borough Council, NCC – Archaeology, Education, Minerals & Waste, Council Policy Departments, Northamptonshire Police, North Northamptonshire Local Lead Flood Authority and Northamptonshire Highways – all comments were contained within the Officer's report.

Site notices had been erected with responses contained within the report, public notice placed in the Evening Telegraph on 23 April 2015 and 16 June 2016, neighbour notifications had been sent out in May 2015, October 2015 and June 2016. Representations were summarised in the Officer's report.

The Officer identified within the Policy Section of the report and within the assessment carried out in the report that the application had been considered on the basis that the presumption in favour of sustainable development had been complied with.

It was concluded that the site already benefitted from outline planning permission as part of The Oakley Vale outline approval for development and the principle of development was therefore established.

An environmental impact assessment had been carried out by the applicants detailing the impacts of the development on the environment and how this could be satisfactorily mitigated and managed.

Information on the impact on the historic assets of Great Oakley Hall and its historic parkland sufficiently demonstrated that the development would not unacceptably affect the setting of the listed buildings.

The impact on the highway network had been assessed and the scheme demonstrated that access and connectivity to existing and proposed development would be satisfactory.

Having taken into consideration both local and national policy and advice provided by statutory and non-statutory consultees the proposal would not detract from the character and visual amenities of the area; nor would it detrimentally impact on the amenity of any adjoining occupiers. Given the financial viability of the scheme it was considered that the mitigation through the S106 Agreement was acceptable, subject to Deferred Developer Contributions, should there be an uplift in land values. A mechanism to review viability of the project would form part of the S106 Agreement.

The scheme as set out would constitute sustainable development and was therefore considered acceptable and it was recommended that planning be approved.

Mr Morrison addressed Committee as an objector he raised concerns about the mini roundabout at Lewin Road, Mr Morrison had lived in the area for a number of years and said that traffic coming up Lewin Road would have difficulty seeing traffic coming from the lane due to the trees and planting. He suggested that there could be up to 700 cars using the junction as a quick route out of Oakley Vale and that there was no vehicular restrictions, this would create a bottleneck, when he moved in he would not have envisaged the amount of traffic that was being proposed, it was ludicrous.

Mr Smith addressed Committee on behalf of the applicants he had been involved in this application for the past 4 years, Mr Sheehan who had accompanied Mr Smith would be able to address any transport concerns the Committee had.

Mr Smith commented that the report was fair and comprehensive and he summarised the proposed development stating that it would probably take up to ten years to complete. The scheme had been discussed over a long period with a range of bodies and there had been a comprehensive public consultation exercise. There had been an Environmental Impact Assessment carried out and which had shown a number of mitigation requirements, these had now been included and there had been a three year detailed assessment with the Highway Authority.

Mr Smith made three points:-

- The application contributed significantly to the housing supply
- The area to the south of Bennett Road roundabout was deliverable in the short term
- Development was endorsed in 2000

Proposals were now different and is not greenfield site as planning already granted, the traffic effects were less than this in the past, there would be high levels of open space and quality and attractive outward views and a wooded setting, quality housing would be supplied and the local centre would use the traditional buildings already there.

Mr Smith concluded this was a good scheme developed over a long period with many consultations and he hoped the Committee could see the benefits of the proposal.

Members did not have a problem with the development but did have concerns with the spine road leading to Lewin Road, this was very narrow leading to the roundabout and they asked if there was any other alternative, concerns included the shrubs and trees which obscured the line of sight as you approached up Lewin Road from Great Oakley.

There were concerns about road widths within the site, parking and congestion and Members hoped that the Reserved Matters would show some improvement in these areas. The football pitches were not necessary as Oakley Vale had four already but lacked changing facilities, could this be considered in the S106 agreement and would the noise mitigation be continued across this area to help the new properties.

The Planning Officer explained that this was an outline application with only details for access. Detailed proposals for the development would be dealt with under a reserved matters application.

Members asked when the S106 money would come forward, there was no timescale, the Principal Planner explained that the initial sum would come forward at a particular point, there would be 15% affordable housing with a DDC should land prices improve allowing a further 15% affordable housing off site. Members pointed out that the Council had a policy requiring 30% affordable housing of which 15% would be rental it was felt that this should be insisted upon. The Principal Planner explained that the NPPF required that viability should be taken into consideration the Council does take expert advice when a developer claims that it would not be viable to provide affordable housing and all S106 requirements.

Members were also pleased to see that discussions had provided an extensive report but would appreciate the applicants taking time to speak to residents. Clarification was required regarding 'no access from Lewin Road until dwellings exceed 300' Officers explained that this was not part of the Committees remit at the moment only that if the application was approved it would approve the Lewin Road junction.

Chair asked if Mr Sheehan would assist in answering some of the road issues raised by the Members.

Mr Sheehan addressed Committee, he explained that it was always difficult to imagine highways in the future and forecast traffic flow but he had used the NCC 2026 forecast and that analysis had taken account of likely traffic flow in the future.

The busiest hourly flow out of the development had been forecast at 92 cars and going in 70 cars, it was considered that Lewin Road would be the less attractive route than Bennett Road, there had been many meetings and the test had been run multiple times. The kerb line was to be moved to provide better visibility this particular issue had held the project back for sometime as it had to pass strict road safety audit, if this had failed Mr Sheehan would not have recommended this route, there would be speed restrictions on the spine road of 30mph and at its narrowest point 20mph.

Members raised the issue of construction traffic getting to the site via Bennett Road as there was a primary school in close proximity; officers explained that there were conditions covering this which restricted the times for access. There were concerns about whether traffic calming would work and that there were still concerns about the spine road.

RESOLVED that:-

It is recommended that planning permission is granted subject to the conditions to be agreed by the Head of Planning and Environmental Services and the satisfactory completion of a Section 106 Agreement on the basis of the Heads of Terms and Deferred Developer Contributions shown in the report and the following conditions:

Time Limit

- 01) The development hereby permitted shall be begun before the expiration of three years from the date of this Permission or before the expiration of two years from the date of the approval of the final approval of the Reserved Matters Application whichever is the later.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

- 02) All applications for approval of Reserved Matters pursuant to Condition 1 shall be made to the Local Planning Authority before the expiration of ten years.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

Phasing Plan

- 03) Prior to commencement of development details of a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not proceed except in accordance with the agreed Phasing Plan unless otherwise agreed in writing with the Local Planning Authority.

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

- 04) No development within each phase shall commence until detailed drawings showing the following: a) access, b) external appearance, c) landscaping, d) layout, e) scale have been submitted to and approved in writing by the Local Planning Authority. The relevant phase of the development shall in all aspects be carried out in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order that the Local Planning Authority is satisfied with the details of the proposed development.

Design Code

- 05) Prior to any phase of development taking place, a Design Code shall be submitted to and approved in writing by the Local Planning Authority. All Reserved Matters applications shall comply with the Design Code and shall include the following:

- a. The street hierarchy including the extent of the adoptable highway, junctions; typical street cross sections, street trees, cycle and footpath routes;
- b. Character, mix of uses and density to include the layout of blocks and structure of public spaces;
- c. Block principles to establish use, density and building typologies. In addition, design principles including primary frontages, access, fronts and backs;

- d. Details of approach to design and management of vehicular parking, minimum internal garage dimensions;
- e. The character and treatment of structural planting to the development areas and how this links to the open spaces. The character and treatment of any hedge and footpath corridors, retained trees and or woodlands and local areas of play;
- f. Details of the public realm to include the location, function and character, public art, materials of the key public spaces;
- g. Guidance of surface water control based on the SuDS concept strategy (separately conditioned), including design standards and methodology for SuDS systems;
- h. Details of waste strategy, refuse and recycling arrangements;
- i. Details of strategy to minimise the opportunities for crime;
- j. Details of design code review procedure and circumstances where a review shall be implemented;
- k. Key groupings and other buildings, including information about height, scale, form, level of enclosure, building materials, design features;
- l. Comprehensive designs for key areas of public realm within the relevant phase/character area such as public square;
- m. Spatial distances between development and private amenity space standards should be provided to prevent loss of privacy;
- n. Boundary treatments.
- o. Internal floor areas of new dwellings must meet the National Space Standards.
- p. New dwellings must meet Category 2 of the National Accessibility Standards as a minimum and the local planning authority will negotiate for a proportion of Category 3 (wheelchair) housing based on evidence of local need.

Reason: To ensure that the detailed design of each phase of the development is in accordance Policies 8, 9 and 30 of the North Northamptonshire Joint Core Strategy 2011 – 2031.

Details to accompany RMs

- 06) Unless otherwise agreed by the Local Planning Authority each application for the approval of any reserved matters for each phase of the development pursuant to Condition 5 shall be accompanied by the following details for the approval of the Local Planning Authority and no development in such phase shall be commenced until such details have been approved by the Local Planning Authority:
- i. Infrastructure and construction sequence comprising details of the following for the relevant phase:
 - a. Road junctions and junction alterations, road improvements/carriageway widening, new roads, footpaths, bridleways, cycleways, bridges, traffic signalling and highways signage, the treatment of all surfaces and any traffic calming measures;
 - b. Foul and surface water drainage;
 - c. Services (gas, water and electricity supply, cable and other utilities);
 - d. Vehicular parking;
 - e. Publicly accessible open space;
 - f. Lighting, signage and street furniture;
 - g. Security infrastructure and equipment; and
 - h. Waste re-cycling, disposal and management measures.
 - ii) Travel plans;
 - iii) Cycle parking facilities for the relevant phase;
 - iv) schedule of floor space and uses proposed within the relevant phase;
 - v) Samples of the materials and finishes to be used for all external surfaces (including but not limited to roofs, elevation treatment and glazing);
 - vi) A Statement of Conformity to the Design Code.

Reason: To ensure that the detailed design of each phase of the development is in accordance Policies 8 and 9 of the North Northamptonshire Joint Core Strategy 2011 – 2031.

Use Classes Order

- 07) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent amendments the Class A1/A2/A3/A4/A5 uses hereby approved shall only be used as such and for no other purpose of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument re-enacting or amending that Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the viability and vitality of Corby Town Centre is maintained.

Quantum of development

- 08) a) Prior to the submission of any Reserved Matters Applications for the Local Centre a Strategy for the content and timing of delivery of the Local Centre (including a minimum area of Class A1 Use) shall be agreed with the Local Planning Authority. The development shall be implemented in accordance with the approved Strategy including any amendments as may be agreed with the Local Planning Authority in due course.
- b) The total development hereby permitted shall comprise the following, other than that agreed by the Local Planning Authority in writing:

Not more than 1,000 square metres of Use Class A1 gross floor space shall be provided on the site which shall include not more than 500 square metres of convenience floor space, and not more than 500 square metres of comparison floor space.

Not more than 500 square metres of gross floor space shall be provided for occupation by uses within Use Class A4.

Not more than 1,000 square metres of gross floor space shall be provided for occupation by uses within the other 'A' Class Uses.

Not more 1,000 square metres of gross floor space shall be occupied by a community facility within Classes D1 and D2 (excluding schools)

A site covering no more than 1.9 Ha shall be occupied by a primary school.

Not more than 30 dwelling units and 500 square metres of floor space to be occupied by uses within Use Class B1 associated with the Local Centre.

Reason: The development of the site is the subject of an Environmental Impact Assessment and Transport Assessment and any alteration to the land use which is not substantially in accordance with the Land Use Budget may have an impact which has not been assessed by that process and in order to ensure that the vitality and viability of Corby Town Centre is maintained. Policy 12 of the North Northamptonshire Joint Core Strategy 2011 – 2031 refers.

Archaeology

- 09) a) No development shall take place within the site area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation (including any work necessary to preserve remains in situ and/or by record), or watching brief, as appropriate, which has been submitted to and approved in writing by the Local Planning Authority for that phase of the development unless otherwise agreed in writing with the Local Planning Authority. The relevant works shall only take place in accordance with the detailed scheme or brief pursuant to this condition.
- b) Where appropriate details of foundation design and any other below ground disturbance shall be submitted to and approved in writing by the Local Planning Authority. Development shall take place strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with the NPPF para 141 and Policy 2 of the North Northamptonshire Joint Core Strategy 2011-2031.

Noise

- 10) a) All externally located plant and equipment shall be provided with adequate silencing to minimise the potential for disturbance to local residents. The adequacy of such silencing shall be determined in relation to the prevailing background noise level in accordance with British Standard BS 4142 (or its equivalent).
- b) All commercial buildings shall be designed and constructed to minimise the external impact of noise, in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: To protect residential amenity in accordance with Policy 8 of the Northamptonshire Joint Core Strategy 2011 – 2031.

- 11) a) Construction and related work activity capable of giving rise to significant noise beyond the confines of the site shall only take place between the hours of 0730 and 18.00 hrs on Mondays to Fridays and between the hours of 0730 and 1700 hrs on Saturdays. No such construction work (other than emergency work) shall take place on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- b) The developer shall take all reasonable steps to ensure that all mechanical plant used on site is maintained, serviced and operated so as to minimise noise emission. In particular, power generators, pumps and any other plant required to be operated on a continuous basis shall be silenced to the extent necessary to minimise the potential for disturbance to local residents.

Reason: To ensure noise and disturbance to residents during construction is kept to a minimum. Policy 8 of the North Northamptonshire Joint Core Strategy 2011 – 2031 refers.

- 12) a) Prior to the commencement of development a detailed scheme to deal with noise impact within and adjacent to the development shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include investigation and assessment of sources of noise and their impact on the development which must take into account the internal and external noise environment together with measures necessary to protect residential amenity and allow a satisfactory environment from the railway line, proposed local centre and primary school sites.
- b) All mitigation measures identified as necessary and approved by the Local Planning Authority shall be in place prior to the first occupation of any dwelling within the relevant phase or the local centre or school and those which relate to buildings shall be in place prior to the first occupation of that building.

Reason: To protect residential amenity and ensure a satisfactory environment.

Foul Water Strategy

- 13) No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding. Policy 5 of the North Northamptonshire Joint Core Strategy 2011-2031 refers.

- 14) No development to be located within 15m of the boundary of the sewage pumping station.

Reason: To avoid causing future amenity problems. Policy 5 of the North Northamptonshire Joint Core Strategy 2011-2031 refers.

- 15) No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul

sewage infrastructure on and off site has been submitted to in writing by the Local Planning Authority and in conjunction with North Northamptonshire Local Lead Flood Authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure. In order to satisfy the above condition, an adequate scheme would need to be submitted demonstrating that there is (or will be prior to occupation) sufficient infrastructure capacity existing for the connection, conveyance, treatment and disposal of quantity and quality of water with the proposed phasing of development. Policy 5 of the North Northamptonshire Joint Core Strategy 2011-2031 refers.

Surface Water Strategy

- 16) No Development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details of how the scheme shall be maintained and managed after completion.

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

- 17) No development shall take place until 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.

Reason: To ensure the future maintenance of drainage systems associated with the development. Policy 5 of the North Northamptonshire Joint Core Strategy refers.

Contamination

- 18) Prior to each phase of development approved by this planning permission, no development approved by this planning permission, (or such other date, or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, to the Local Planning Authority :

- a. A preliminary risk assessment which has identified :

All previous uses

Potential contaminants associate with those uses

A conceptual model of the site, indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination at the site.

- b. A site investigation scheme based on (i) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
- c. The results of the site investigation and detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
- d. A verification plan providing details of the data that will be collected in order demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that a degree of soil sampling should be undertaken in order to characterise the soil in areas known to have received imported soil, in areas where there is a viable surface water or groundwater receptor. Policy 6 of the North Northamptonshire Joint Core Strategy refers.

- 19) No occupation of any part of the permitted development/each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure if any remediation work is needed for land affected by contamination, that it is done in accordance with the approved Method Statement and that a Verification Report is produced in accordance with CLR11 'Model procedures for the management of land contamination'. Policy 6 of the North Northamptonshire Joint Core Strategy refers.

- 20) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To ensure that any soakaway or other infiltration drainage systems are not located in potentially contaminated ground unless they are constructed in a way that will mitigate any additional risk posed to groundwater quality. Policy 6 of the North Northamptonshire Joint Core Strategy 2011-2031 refers.

Flood Risk Assessment

- 21) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Reference Oakley Vale Phases 8 and 9, 50400849 Rev 1, March 2015, WSP UK Ltd and the following mitigation measures detailed within the FRA:
- i) No build development or ground raising within Flood Zones 2 (0.1%) or 3 (1%) as shown on Map 4 – Modelled flood extents (with defences) within Appendix D of the Flood Risk Assessment;
 - ii) Finished floor levels are set no lower than 83.63m above Ordnance Datum (AOD) or 150mm above average surrounding ground levels whichever is higher.

The mitigation measures shall be fully implemented prior to occupation of any built development and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To maintain the existing flood flow routes and flood storage volumes; ii) To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy 2011-2031.

Ecology

- 22) Prior to commencement of development, the applicant shall submit in writing to the Local Planning Authority details of how the Assessments of Effects, Mitigation and Residual Effects as outlined in Chapter 9 [Biodiversity] of Volume 1 of the Environment Statement dated October 2015 by WSP Parsons Brinckerhoff are to be met. This information should include clear mitigation in respect of habitats, as given in para 9.6.13 to 9.6.13 inclusive; existing designated site areas as given in para 9.6.23; species, as given in paras 9.6.34 to 9.6.44 and

resulting increased pressure on the natural environment as given in paras 9.6.56 and 9.6.57 of the above Environment Statement. The scheme hereby approved shall also include an ecological management plan. The approved scheme shall be installed prior to the first occupation or in accordance with a timetable agreed in writing by the Local Planning Authority and shall be retained, maintained and monitored thereafter for so long as the development remains in existence.

Reason: To ensure that the existing ecological features are appropriately retained, protected and enhanced in accordance with Policy 4 of the Joint Core Strategy.

Landscaping

23) Prior to the commencement of the relevant phase of the development as hereby permitted, a scheme for the landscape works and treatment of the surroundings of the relevant phase of the development shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority. Such a scheme shall include:

- a) the position and spread of all existing trees, shrubs and hedges in compliance with BS 5837:2012;
- b) new structural planting including species, plant sizes and planting densities;
- c) means of protection for existing trees, shrubs and hedges in compliance with BS 5837:2012;
- d) existing contours and any proposed alterations such as earth mounding;
- e) areas of hard landscape works including paving and details, together with samples, of proposed materials;
- f) trees to be removed; and
- g) details of how the proposed landscaping scheme will contribute to wildlife habitat (ranging from ground cover to mature tree canopy).

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. Policy 8 of the North Northampton Joint Core Strategy 2011-2031 refers.

24) No part of each relevant phase of the development as hereby permitted shall be first occupied until the approved landscaping scheme under Condition 23 has been completed or is being carried out in accordance with a programme submitted to and agreed in writing by the Local Planning Authority. For a period of not less than five years from the date of planting, all planted material shall be maintained unless otherwise agreed in writing by the Local Planning Authority. This material shall be replaced if it dies, is removed or becomes seriously damaged or diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme.

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. Policy 8 of the North Northampton Joint Core Strategy 2011-2031 refers.

25) a) The specification and layout of the open space proposed for the site plus the timescale for implementing them and the arrangements for their ongoing management shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and these details shall cover:

- Formal Playing Fields;
- Informal Open Space
- Children's Play Areas (including numbers and specification)
- Unadopted roads, footpaths and cycleways
- Hard and soft landscaping, and furniture, within the urban realm and vehicle parking areas
- Woodland and hedgerows

- Community buildings, gardens and parkland
 - Water bodies (including SUDS ponds) and watercourses
- b) Prior to the carrying out of any works within any phase of development a detailed survey and working design method statement and timetable of works to mitigate any adverse effects on protected species (including bats and badgers) relating to that phase of the development shall be submitted to and agreed in writing by the Local Planning Authority, and shall be carried out as part of the development. No development shall take place except in accordance with the agreed details.
- c) No development shall commence until details of a scheme for ecological compensation and mitigation has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the details so approved.

Reason: To ensure that the existing ecological features are appropriately retained, protected and enhanced in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy 2011-2031.

- 26) Prior to commencement of any phase of development a programme of re-engineering and remodelling works shall be submitted to the Local Planning Authority for approval. The following works should include :
- a) Works to re-engineer and reform the ground prior to development;
 - b) All cut and fill operations;
 - c) Ground compaction, ground surcharging and earth mounding works;
 - d) Details of final finished site levels and contours;

The re-engineering works shall be implemented in accordance with the approved details.

Reason: To allow the planning authority to retain control over the details of potentially significant engineering operations.

Highways

- 27) Prior to the commencement of development hereby approved, details of the provision of the priority working access off Lewin Road and the off-site junction improvements should to and approved by the Local Planning Authority and the approved details shall be completed and open to traffic prior to the first occupation or bringing into use of any buildings on the development.

Reason: To ensure that the development is undertaken in a manner not prejudicial to highway safety and residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

- 28) No development shall commence until details of the access, egress, parking and circulation of construction traffic and details of all construction related vehicles and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority.

Such details shall comprise the following:

- i) Designation, layout and design of construction access and egress points;
- ii) Internal site circulation routes;
- iii) Vehicular parking;
- iv) The location of wheel washing plant and equipment;
- v) Directional signage (on and off site);
- vi) Provision for emergency vehicles;
- vii) Hours of working;
- viii) Measures for the control of dust; and

- ix) Compounds, materials storage, cranes and plant, equipment and related temporary infrastructure;

Reason: To ensure that the development is undertaken in a manner not prejudicial to highway safety and residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

- 29) No development shall commence in any of the parcels until a Code of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The development shall not be undertaken other than in accordance with the Code of Construction Practice. The Code shall be regularly updated throughout the development as agreed in writing by the Local Planning Authority. Any amendments to the Code shall include the following:

- a) An overall strategy for managing environmental impacts which arise during construction, (including how the Code would be implemented and the liaison and consultation strategy);
- b) Requirements for managing the construction impacts of all site operations;
- c) A strategy for reducing waste during site preparation and construction and encouraging the use of sustainable local materials;
- d) Requirements for monitoring the construction activities.

Reason: To mitigate the negative effects of construction.

- 30) A Routing Agreement in respect of construction traffic shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall be carried out in accordance with the approved Agreement.

Reason: To ensure that construction traffic is directed along routes which are satisfactory and which minimise the impact of construction on others. Policies 15, 16 and 17 of the North Northamptonshire Joint Core Strategy 2011-2031 refers.

- 31) The development hereby approved shall not be commenced until the necessary off-site highway works required as a result of the development have either been installed or programmed for installation, at the developer's expense, in accordance with a timetable agreed with Northamptonshire Highways. Written notification of the completion of the required works shall be provided to the Local Planning Authority before the buildings hereby approved are occupied.

Reason: In the interests of effective traffic management in the surrounding area. Policies 8, 15, 16 and 17 of the North Northamptonshire Joint Core Strategy 2011-2031 refers

Transport Assessment

- 32) The development shall be carried out in accordance with the details of all necessary highway works identified within the Oakley Vales Phases 8 and 9 Transport Assessment document submitted by Great Oakley Farms Limited dated March 2015 (as amended) or as otherwise approved by the Local Planning Authority in consultation with the Highway Authority. Development shall not proceed other than in accordance with the approved details.

Reason: To ensure all necessary road works and improvements take place at the appropriate time in the interests of the safety and convenience of road users. Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 refers

Travel Plan

- 33) Prior to the commencement of development a Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. Prior to the commencement of development on any parcel shall be submitted to and agreed in writing by the Local Planning Authority. The mitigation measures identified shall be implemented to accord with the approved Travel Plan.

Reason: To ensure that the development takes place in accordance with the principles of sustainability by reducing the use of the Private Motor Car. Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 refers

Footpaths

- 34) Prior to commencement of development a Connectivity Strategy to deal with footpaths, bridleways and cycle routes shall be submitted to and approved in writing by the Local Planning Authority. The development shall not proceed other than in accordance with the approved Connectivity Strategy.

Reason: To ensure rights of way are accommodated and improved and appropriate access is achieved by means other than the Private Motor Car in the interests of achieving a sustainable development. Policies 15, 16 and 17 of the North Northamptonshire Joint Core Strategy 2011-2031 refers.

Planning Nos:

- 35) The development hereby permitted shall not be carried out other than in complete accordance with the approved plans and specifications as follows: Planning Statement (March 2015), Development Specification (March 2015), Design and Access Statement (March 2015), Environment Statement October 2015 (WSP Parsons Brinckerhoff); Parameter Plan 1: Movement Framework, Rev B (June 2016); Parameter Plan 2: Land Use Rev B (June 2016), Parameter Plan 3: Urban Design Principles, Parameter Plan 4: Green Infrastructure (Rev B) (June 2016), Statement of Community Involvement (March 2015), Transport Assessment, Noise Assessment, Archaeological Desk-Based Assessment, Flood Risk Assessment, Bennett Road Existing Parking (0849-ATR-003 Rev A), Bennett Road Existing Parking (0849-ATR-004 Rev B), Indicative Spine Road (Lewin Road) (0849-SK-005 Ref C), Indicative Spine Road (Bennett Road) (0849-SK-023 Rev B), Lewin Road Access (0849 – SK-038 Rev B), Village Hall Car Park Option 1 (0849-SK-009 Rev A), Village Hall Car Park Option 2 (0849-SK-010 Rev A), Chepstow Road Access (0849-SK-035 Rev B), Ditch Crossing Culvert and Bridge Cross Section (0849-SK-040 Rev A), Ecological Statement (Lockhart Garratt Ltd), Arboricultural Assessment (Lockhart Garratt Ltd), Geo-technical and Geo-environmental Desk Study (Geotechnics Ltd), Context Plan (Sept 2016), Site Sections (Sept 2016), Heritage Assets and topography (Sept 2016).

INFORMATIVE:

- i) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers' cost under Section 185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- ii) An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of any such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under Section 111 of the Water Industry Act 1991.

- iii) A Great Crested New Licence would need to be applied for and this should be obtained from Natural England.
- iv) There should be no direct discharge to groundwater. All infiltration structures (permeable pavements, infiltration trenches, soakaways etc) to be a shallow a depth as possible to simulate natural attenuation. The base of the infiltration structures to be at least 1m above the highest seasonable water-table.
- v) Under the terms of the Water Resources Act 1991, the Anglian Local Land Drainage byelaw prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 9 metres of the top of the bank of the Harper's Brooke or the flood storage reservoir defences, design a 'main river'.
- vi) The Water Framework Directive (WFD) came into force in December 2000, and was transposed into UK law in December 2003. The first principle of the WFD is to prevent deterioration in aquatic ecosystems. No deterioration requires that a water body does not deteriorate from its current ecological or chemical classification, and applies to individual pollutants within a water body. Near the proposed area for the proposed development, there is Harper's Brook; GB105032045230 which is currently at 'Moderate' Ecological Potential (2015 classification). Any development within the boundary of the proposed residential community should be undertaken in a way which does not cause deterioration to the above water body. Some developments may also present opportunities to contribute to improvements.

Reasons for Approval:

The Environmental Impact was assessed by the Local Authority. Responses to consultations including Natural England, Historic England, the Local Wildlife Trust, the Highway Authorities and the Environment Agency were taken into account. The Planning Authority concluded that the requirements for relevant mitigation would be achieved through the imposition of conditions and S106 obligations. Outline Planning Permission is subject to a range of conditions and substantial S106 obligations to ensure the relevant infrastructure will be in place at the appropriate time and that the development will meet the requirements for a Sustainable Community. Subject to the conditions set out above, the proposed development would contribute to the provision of housing within the borough as well as a school and other community facilities which would benefit both the existing and future users of the facilities.

Statement of Applicant Involvement

In accordance with paragraphs 186 and 187 of the NPPF, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant and has focused on seeking solutions to the issues arising from the development proposal. In this case, following the receipt of a revised Environment Statement and additional plans/clarification, the application was considered to be acceptable as submitted, and has been dealt with without delay. Policy 1 of the adopted North Northamptonshire Joint Core Strategy recommends working proactively with applicants jointly to find solutions in order that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area meeting the challenges of climate change and protecting and enhancing the provision of ecosystems services. .

28.2 16/00398/SC **Erection of Leisure building to include a Cinema, Restaurant & Retail units & other Leisure uses, erection of a Cycle Hire facility Together with proposals for access, parking & servicing space, Hard & soft landscaping & other associated works – Land adjacent To Skew Bridge Ski Slope, Northampton Road, Rushden**

The Planning Officer presented a report to Committee for consultation from East Northants Council, the current proposal included the loss of a previously approved hotel, reduction in leisure floorspace and an increase in retail floorspace together with additional parking for 518 cars, parking would now be a total of 1,946 spaces.

On the basis of the information provided Corby Borough Council would object to the application on the grounds that without the need for further retail comparison floorspace until 2026 the proposal could draw trade outside the southern area. Until the existing permitted scheme was at full trading capacity the need for additional floorspace was questioned. It was considered that this was contrary to Policy 12 of the NNJCS July 2016.

Members briefly discussed the application and were concerned that this would take shoppers away from North Northamptonshire town centres.

RESOLVED that:-

Object for the following reasons:

The current proposal exceeds the scale of development envisaged in Policy 12 of the North Northamptonshire Joint Core Strategy July 2016. The retail capacity study update which forms one of the background documents to this policy states, "The retail capacity update indicates that growth in spending on comparison goods could support some additional floorspace after 2026 but that this is dependent upon the performance of the Rushden Lakes scheme. The need for additional floorspace in the southern area will therefore be monitored and reviewed when the Rushden Lakes development has commenced trading and trading patterns have 'bedded down'. In the meantime, the emphasis will be on consolidating and developing a retail, leisure/culture and housing offer that allows Rushden and Wellingborough town centres to operate successfully alongside Rushden Lakes."

On the basis of the above the Council object to the application on the grounds that without the need to deliver further retail comparison floorspace until 2026 the proposal could draw trade outside of the southern area. Until the existing permitted scheme is at full trading capacity the need for additional floorspace is questioned. The proposal is therefore considered to be contrary to Policy 12 of the North Northamptonshire Joint Core Strategy July 2016 which supports the vitality and viability of existing town centres in North Northamptonshire and not out of centre retail developments.

29. Close of Meeting

The meeting closed at 8.20 pm.