

# Development Control Committee

Tuesday 6 September 2016

7.00 pm in The Council Chamber, The Cube, Corby

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**Present:** Councillor Latta – Chair  
Councillors Dady, Goult, Petch, Addison & Eyles

## 20. Apologies for Absence

Apologies for absence were received from Councillor Beattie, Brown, Caine, Cassidy, Riley, Rutt & Sims.

Councillors Addison & Eyles substituted.

## 21. 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. No declarations were made.

## 22. Minutes of the Previous Meeting

Members were requested to approve the minutes of the Development Control Committee meeting held on 9 August 2016, copies of which had been circulated.

### **RESOLVED that:-**

The minutes of the meeting of the Development Control Committee held on 9 August 2016, copies of which had been circulated to Members, be agreed as a correct record.

## 23.1 16/00274/COC **Erection of Energy Recovery Facility comprising a Materials Recovery Plant and Advanced Thermal Treatment Facility with an Integrated Education and Visitor Centre, Access, Landscaping and Associated works – Site G land of Shelton Road, Corby for Clean Power Properties Ltd**

A report was presented to Committee regarding a proposal for an energy recovery facility comprising a materials recovery facility and advanced thermal treatment facility, the facility would utilise gasification technology and generate approximately 16.4Mwe, the fuel would comprise up to 195,000 tonnes per annum of refuse derived fuel and mixed solid waste. The application was a consultation from NCC in respect of the Recovery Facility on part of a larger open car storage site north of Shelton Road, Corby.

There had been five previous applications on the site with the latest being withdrawn by the applicant in June 2016.

Relevant policies had been considered and consultation had taken place with Local Plans, Environmental Services (Noise and Vibration), Environmental Services (Air Quality and Odour).

The proposal was considered acceptable in principle on the basis that the site already benefits from planning permission (13/00278/COC) for a waste management process. Willowbrook East Industrial Estate was allocated for waste management uses under Policy W3 of the Location of Waste Development of the Northamptonshire Minerals and Waste Framework.

In terms of highways impact the proposal would result in less HGV movements than what had already been approved under application 13/00278/COC. Whilst this was the case it was for the Highway Authority to determine the acceptability of the scheme in regards to its highway impact which Northamptonshire County Council would need to consider in the determination of the application.

In relation to air quality and odour the conclusion of the submitted information confirmed that the impact of the scheme to be negligible. The Environmental Services department had assessed the submitted information including the additional information submitted by the agent to address their initial concerns and were of the view that there was still insufficient information to determine the acceptability of the proposal.

In regards to noise and vibration the submitted information confirmed that the proposal would not result in any adverse impact on sensitive receptors providing the recommended mitigation was put in place. The Environmental Services department had considered the submitted information and had concerns that the submitted noise information fell below the standard required. Therefore Corby Borough Council objected to the proposal on those grounds.

In relation to townscape and visual amenity Corby Borough Council were of the opinion based on the submitted information that the scheme would not result in any adverse impact. Whilst the development was not considered to have significant adverse impact on the townscape and visual amenity it was expected that Northamptonshire County Council had due regard to the place making principles outlined in Policy 27 (Rockingham Circuit Enterprise Area) of the North Northamptonshire Joint Core Strategy.

In regards to health the proposal would require a permit from the Environment Agency to operate and therefore the development would operate under strict controls. The Environmental Services department had assessed the submitted information in regards to air quality and odour and was of the view that there was insufficient information to determine the acceptability of the proposal and therefore it should be refused.

On the basis of the above Corby Borough Council object to the proposal.

Members asked how far from Priors Hall the building would be and had a transport impact assessment been carried out, there were concerns about the negative pressure and whether odorous air would be ventilated and what would happen if anything went wrong, Members were aware that there was a water course nearby and raised concerns about possible contamination.

Officers replied that it was about half a mile from Priors Hall, NCC were considering the application, CBC had been asked to respond to a consultation process, Officers were unable to answer the question 'what would happen if anything went wrong' as Environmental Services did not believe that enough information had been provided which was why officers were advising Committee to object, finally there was a water course nearby but other agencies would respond to NCC about those concerns, permitting would be provided with issues being addressed by the Environment Agency as CBC did not have enough information.

**RESOLVED that:-**

**Object for the following reasons:**

Willowbrook East Industrial Estate is allocated for waste management uses under Policy WL18 of the Northamptonshire Minerals and Waste Framework. The principle of the proposed use is therefore acceptable. The site however, is located within Rockingham Circuit Enterprise Area and therefore it is advised that Northamptonshire County Council consider the place shaping principles outlined within Policy 27 of the North Northamptonshire Joint Core Strategy.

Following review of the information following internal consultation of the application it has been determined that the submitted information in regards to noise and vibration; and air quality and odour is inadequate and insufficient to determine the acceptability of the proposal. On this basis Corby Borough Council object to the application.

**23.2 16/00115/DPA Two storey side extension for Corby Technical School, Cottingham Road, Corby for Mr Isherwood**

The report related to Corby Technical School which was 3 form entry 11-18 co-educational school with a current provision for 375 pupils, the current application sought consent to extend the existing school to provide a two storey extension with a view to increasing the capacity to 825 pupils.

Also forming part of the application was the expansion of the car park from 39 to 96 spaces and extra cycle parking from 44 to 90 to accommodate the increase in staff and pupils.

Relevant policies had been considered and consultation had taken place with the Environment agency, Crime Prevention Design Advisor, Highway Authority, Lead Local Flood Authority, Centara, Anglian Water and the Tree and Landscape Officer, all comments were contained in the officer's report.

The application had been advertised and neighbour notification letters sent out, summaries of comments were in the officer's report.

It was concluded that subject to the conditions proposed by the officer the extensions to Corby Technical School were considered to have an acceptable impact on nearby residential properties, no increase in flood risk and due to the level of screening on the site no unacceptable visual impact on the area.

Development of the site required implementation of a pedestrian crossing which should have been implemented under planning permission 13/00214/RVC, these had not yet been undertaken and as such the condition was required before building construction commenced to ensure delivery at an early stage without compromising commencement of development on site. The development was considered to be an acceptable form of development within this location.

Mrs Ringwood attended the meeting and addressed Committee she explained that she was from NCC Strategic Planning and School Admissions, she updated Committee the demography pressures and how NCC were planning school places in Corby and why NCC were seeking expansion at Corby Technical School.

Despite the school being a 'Free School' there was still a statutory function to ensure sufficiency of places across all types of schools. Allowing Corby Technical School to expand would make it more viable but still the smallest in Corby and a further new school would still be needed in Corby in 2018, NCC would have to assist in growing schools and working with Academies and Trusts

Mrs McTaggart addressed Committee as the Applicants Agent stating she was from GSS Architects. She said the application would expand the school from 3 Form up to 6<sup>th</sup> Form in response to the pressing need for school places in Corby. The school provided high quality education to a diverse local community in a modern well equipped and fully accessible environment, the extension would provide additional facilities for 450 new students this would rise gradually from 2017 reaching maximum capacity in 2021.

All trees were to be retained and there was sufficient set back from Wheatley Avenue, many of the children cycled or walked to school and there had been traffic analysis carried out and new crossings would be installed close to the railway bridge and Wheatley Avenue.

Members welcomed the extension to the school but raised concerns about the crossings and whilst they welcomed the children walked and cycled there was need for the crossing to be installed as quickly as possible and could anything be done regarding the width of the paths.

Officers commented that the paths were restrained by the road and verges but the crossings were conditioned and these would need to be met before the school could be opened.

Members were also concerned about there only being one entrance to the school when the traffic was going to double.

Officers explained that Highways had asked for four conditions regarding traffic and travel and so one entrance should be enough, however pedestrian and cycle connectivity between the town centre and railway station was being considered as part of the Corby Walk Project.

**RESOLVED that:-**

The application be approved subject to the following conditions

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

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

2. Building construction (namely, above ground works) for this school extension shall not commence until the controlled pedestrian crossing required by Condition 7 of 13/00214/RVC for the first completed phase of the school has been installed.

**Reason:** In the interests of pedestrian safety and convenience, and to ensure the first completed phase of the school development is well connected, in accordance with highway safety and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

3. Prior to occupation full engineering, drainage, and constructional details of the following highway improvement works shall be submitted to and agreed in writing with the Local Planning Authority:
  - a. Mitigation works to the junction of Cottingham Road/High Street/Station Road;
  - b. Mitigation works to the junction of Cottingham Road/Elizabeth Street; and
  - c. Provision of a pedestrian crossing to the east of the access, towards the rail bridge on Cottingham Road.

The highway mitigations outlined above shall be constructed and open for use within 12 months of first occupation of the extension and shall be carried in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to occupation full details of the car parking, manoeuvring and delivery access/manoeuvring areas shall be submitted and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. Prior to the commencement of the development hereby permitted, a full CTMP (Construction Traffic Management Plan) shall be submitted to and be approved in writing by the Local Planning Authority. The CTMP shall include the following elements;
  - a. Detailed work programme / timetable.
  - b. Site HGV delivery / removal hours to be limited to between 10:00 – 16:00.
  - c. Detailed routeing for demolition, excavation, construction and abnormal loads.
  - d. Supply of pre-journey information on routeing 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 and 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. Details of TROs and road / footway / cycleway / PRow closures and re-routeings as well as signage, barriers and remediation.

- i. Public liaison position, name, contact details and details of public consultation/liaison.
- j. Route details as required covering culverts, waterways, passing places, tracking of bends/junctions and visibility splays.
- k. Pre and post works inspection of the highway along the route of construction traffic to identify remediation works to be carried out by the developer. Inspections are to be carried out in the presence of a member of the Highway Authorities Inspection team. To also include the removal of TROs, temporary signage, barriers and diversions.
- l. Details of temporary construction accesses and their remediation post project.
- m. Provision for emergency vehicles.

**Reason:** In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Within 12 months of first occupation of the extension a full travel plan shall be submitted and agreed in writing by the Local Planning Authority and thereafter reviewed annually.

**Reason:** In the interests of sustainable transport and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. Before any equipment, machinery or materials are brought onto site, fencing is to be erected around the tree protection areas as identified on the submitted Tree Protection Plan Drawing Number: CCL 09491 /TPP Rev 1 within the BS 5837 Arboricultural Report Impact Assessment and Method Statement by Crown Consultants dated 30<sup>th</sup> March 2016. All works on site shall be undertaken in accordance with the recommendations of that report. The fencing shall be retained until the development is completed. During the period of construction, no material shall be stored, fires started or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.

**Reason:** To prevent damage to the protected trees in the interests of visual amenity and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. The extension hereby approved shall not be occupied until a final certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating 'very good' has been achieved for this development.

**Reason:** In the interests of sustainable construction and in accordance with Policy 9 of the North Northamptonshire Joint Core Strategy.

9. The external finishes of the development hereby permitted shall match those of the existing building in material, colour, style, bonding and texture unless otherwise agreed in writing by the Local Planning Authority in advance.

**Reason:** To ensure a satisfactory appearance in the interests of visual amenity and to comply with Policy 8 of the North Northamptonshire Joint Core Strategy.

10. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent environmental and amenity problems arising from flooding in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. Development shall be carried out in accordance with the surface water drainage information located within Flood Risk Assessment dated April 2016 by Wardell Armstrong; email and attachments dated 14<sup>th</sup> July 2016 by BCAL Consulting; and Planning Applications – Suggested Informative Statements and Conditions Report dated 24<sup>th</sup> August 2016 by Anglian Water unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of reducing the risk of flooding in accordance with Policy 5 of the North Northamptonshire Core Spatial Strategy.

**Notes to Applicant:**

1. Condition 2 above only relates to the first completed phase as an initial pedestrian crossing was a requirement of the first phase of the school. The school is now open in breach of planning Condition 7 of permission 13/00214/RVC and urgent work is essential to meet immediate highway safety needs arising from the first implemented phase of this project. Detailed design details for a crossing at the southern end of Wheatley Avenue at its junction with Cottingham Road have been approved by the Highways Authority but formal agreement under s278 of the Highways Act 1980 has yet to be concluded. Other conditions address highways works necessary to support the second phase of school construction. Amongst other matters a second pedestrian crossing is necessary.

#### **Reasons for Approval:**

Subject to the conditions above the proposed extension to Corby Technical School on Cottingham Road is considered to have an acceptable impact on the residential amenity of the nearby residential properties, not increase risk of flooding and due to the level of the screening of the site have an unacceptable visual impact on the area. The development of the site requires implementation of pedestrian crossings and other highway improvement works some of which should have been implemented under planning permission 13/00214/RVC. However, these essential highway works have not to this date been undertaken and as such a condition is required for implementation of these prior to building construction commencing to ensure delivery at an early stage of development without compromising commencement of the development on site. The proposal is considered to be within a sustainable location and given the use of the site the proposed new building is considered to be an acceptable form of development within this location. The proposal is therefore considered to accord with the National Planning Policy Framework and Policies 1, 3, 5, 7, 8, 9, 10, 15 and 16 of the North Northamptonshire Joint Core Strategy.

#### **Statement of Applicant Involvement:**

Discussions with the agent have lead to the submission of additional information during the application on flood risk and highway impact

### **23.3 16/00348/REG3 Installation of new play equipment at Orchard Close Play Area Weldon, Corby for CBC**

The application related to an area of Council owned land to the west of Weldon Village Hall, the site currently had play equipment and the proposal was to install additional play equipment for the free use of the children of the village.

The additional new equipment included:

- Five way swing
- Double tower
- Saturn carousel
- Double cableway
- Two way combi swing

Relevant policies had been considered, consultation had taken place with CBC Environmental Protection, CBC Environmental Quality and Northamptonshire Police, and comments had been received from Housing and Neighbourhood Services and were included on the late items list.

A site notice had been posted, public notice in the local evening paper and neighbour notification letters sent, responses had been received in favour of the new equipment.

The proposal had evolved through a joint funding exercise between the Parish Council and Tesco, the improvements would deliver a facility which enhanced the community providing a play area that children could enjoy.

Overall it was considered this was an important and valued facility for the community of Weldon and there was no reason for refusal.

**RESOLVED that:-****Delegate approval to the Head of Service with the following conditions:**

1. The development must be begun not later than the expiration of three years, beginning with the date of this permission.

**Reason:** To accord with Section 91 of the Town and Country Planning Act 1990;

2. The development hereby permitted shall not commence until such time as a scheme to ensure access to Willow Brook has been submitted to and approved in writing by the local Planning Authority.

**Reason:** To avoid any increase in flood risk as a result of the proposed development.

**Informative**

Access requirements include a clear 4 metre corridor along the bank of Willow Brook. This should exclude any play equipment, fencing or other associated items. A route (minimum 4m wide) from Orchard Close to Willow Brook should also be left clear. Turning points for vehicles such as vans and wood chippers should be incorporated.

**Environmental Permits**

This development may require a permit under the Environmental Permitting (England & Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the Willow Brook, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: [www.gov.uk/guidance/flood-risk-activities-environmental-permits](http://www.gov.uk/guidance/flood-risk-activities-environmental-permits) should you require any further information please contact the Local Planning Authority.

**Reasons for Approval:**

The proposed scheme is considered to be an acceptable form of development in a suitable location. The proposed play area does not cause any significant harm to the residential amenity of the nearby occupiers nor result in any crime or disorder concerns. The proposal is therefore considered to accord with "saved" policy P1(E) of the Corby Borough Local Plan, Policy 8 of the North Northamptonshire Joint Core Strategy and National Planning Policy Framework.

**Statement of Applicant Involvement:**

The application raised no significant planning concerns which required the involvement of the applicant.

**24. Close of Meeting**

The meeting closed at 7.55 pm.