

19/00351/OUT	<p><b>Application for outline planning permission with all matters reserved except for means of access in relation to the highway access from the A43 and means of access and landscaping in respect of the causeway crossing from Zone 1, for the development of a mixed use urban extension to include; residential development of up to 3,500 dwellings (C3), up to 1,000m2 of A1-A5, D1 and D2 uses within two local centres, up to 1,000m2 of D1/D2 (community building / changing rooms uses), two primary schools (D1), a 0.5 hectare reserve site in Zone 3 for flexible land use (education or informal open space), green infrastructure including formal and informal open space, wildlife corridors, landscaping, allotments / orchards and play areas, primary street and pedestrian and cycle network including diversions to existing PROWs, connections to the surrounding highway , sustainable urban drainage network, utilities and transport infrastructure and any necessary groundworks and demolition, and extension to Local Wildlife Sites.’ AT Parcel Priors Hall Site, Weldon, Corby</b></p>
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**1.0 Description of Site and Application**

- 1.1 Priors Hall is located on the eastern edge of Corby, approximately 4km east of the town Centre. Corby has a population of around 65,000 people and is the largest town in North Northamptonshire. It is the fastest growing town outside of London; the result of a 30-year growth plan for the town set out in 2003, devised following the closure of the steelworks. The town lies approximately 6 miles north of Kettering, 18 miles south-west of Peterborough, and 20 miles south-east of Leicester.
- 1.2 The Weldon Park development lies to the south of Zone 2 and has outline planning permission for up to 1,000 homes. Furthermore, the identified new settlement of Tresham Garden Village is located just 1.5km south-east of the Site. The proximity of these developments presents a strategic opportunity for coordinated provision of services and enhanced sustainability on the eastern side of Corby.
- 1.3 The Site encompasses 264.5 hectares of pastoral farmland, land restored following mineral extraction, and vast swathes of woodland and ponds. It is bounded to the north by Kirby Lane, to the East by Priors Hall Golf Course, to the South by the A43, and to the West by Priors Hall Zone 1. The proposed Zone 2 is within the remit of Corby Borough, whilst Zone 3 lies within East Northamptonshire.
- 1.4 To the west of the Site, beyond the Zone 1 development which is substantially built-out, lies Weldon North Industrial Estate and Rockingham Motor Speedway which offer an array of industrial and leisure uses, whilst Zone 1 itself offers business and education uses and has retail, commercial, health and leisure uses in the pipeline which will comprise the District Centre. To the south, on the opposite side of the A43, is the Weldon Park development by Persimmon which has outline permission for up to 1000 homes, a primary school, community facilities and a local centre. Additionally, Tresham Garden Village, the planned new settlement at Deenethorpe Airfield lies just 1.5km south-east of the Site. The proximity of these developments offers a strategic opportunity for co-ordinated provision of services and enhanced sustainability on the eastern edge of Corby.
- 1.5 Notable site constraints which have been subject to rigorous assessment in this EIA include Kirby Hall (a Grade 1 Listed Building situated to the north of Zone 3), known archaeological remains of a Roman Villa in Zone 3, other potential unknown Roman era remains in Zone 3, two local wildlife sites within Zone 2 (nominally the ‘Gullet’ and the ‘Old Quarry Ponds’), and

areas of Flood Zone 3 along Willow Brook North (a tributary of the River Nene) which runs through Zone 3.

- 1.6 The majority of the application site lies within the administrative boundary of Corby Borough Council (CBC) with the exception of Zone 3. This area of land lies within the administrative boundary of East Northamptonshire District Council (ENC)
- 1.7 In circumstances where an application site crosses the administrative boundary between two Local Planning Authorities (LPAs) two identical applications should be submitted, one to each LPA, seeking planning permission for the development of land falling within each LPA's administrative area and identifying the relevant area on the site plan. A planning application for the proposed development has also been submitted to ENC under planning application reference:
- 1.8 Paragraph 73 of Circular 04/2008 states that "where an application sites straddles one or more local planning authorities boundaries, it is necessary to submit identical applications to each local planning authority, identifying on the plans which part of the site is relevant to each."
- 1.9 Although it is strictly possible and lawful for an applicant to formulate two distinct planning applications for each LPA where each application only describes and seeks consent for the development proposed with each LPA's administrative area, such an approach would be artificial since the LPA would need to know details of the development proposed in the other LPA's administrative area in order to make an appropriate determination of the application.
- 1.10 In the absence of alternative administrative or statutory arrangements, a planning application should be determined by the LPA in whose administrative area the development is proposed to be carried out. In the case of cross boundary applications, this can lead to two LPAs making individual determinations, imposing different conditions on the permissions and entering into separate Section 106 Agreements. However, this is not recommended as it does not promote a coordinated approach to development management and the permissions granted by each LPA may be inconsistent in terms of the conditions attached to them and the obligations entered into the related Section 106 Agreements. This is, of course, highly undesirable in terms of achieving a coordinated approach to delivering development. It is also contrary to the overall tenor of Government guidance, which encourages joint working between LPAs in relation to the use of their planning powers and the duty to cooperate in relation to plan making.
- 1.11 Therefore the proposed approach will ensure that the determination of the application, imposition of conditions and agreement of planning obligations in the related S106 Agreement (to be entered into by both authorities) are consistent and provide an effective development management framework for regulating the delivery of the development.

## **2.0 Proposal**

- 2.1 The full description of the proposal is detailed above. This is an outline planning application for a mixed-use urban extension to Corby of up to 3500 dwellings with all matters reserved except for the means of access. The application also proposes two local centres containing a mix of use class A1-A5 (local shops, financial and professional services, cafes, restaurants, pubs and drinking establishments, take-away), D1 (clinics, health centres, crèches, day nurseries, day centres, schools, non-residential education and training centres, public libraries, museums, public halls, exhibition halls, places of worship, law courts), and D2 (cinemas, concert halls, bingo halls, dance halls, places of worship, law courts), and D2 (cinemas, concert halls, bingo halls, dance halls, gyms, indoor recreations, community halls, swimming baths, skating rinks, and outdoor sports and recreations) uses, two primary schools, community buildings, changing rooms and sports pitches. Under the recent changes to the Use Class Order, some of these uses will now be in Class E (A1-A3) and F1 (schools). It also proposes extensive green infrastructure, including formal and informal open space, wildlife corridors, landscaping, allotments/orchards and play areas, primary street and pedestrian and cycle network including diversions to existing public rights of way, connecting to the

surrounding highway, sustainable urban drainage network utilities and transport infrastructure and extensions to Local Wildlife Sites.

- 2.3 The application has been submitted in duplicate to both Corby Borough Council (CBC) and East Northamptonshire Council (ENC) as Priors Hall Park site is cross boundary.
- 2.4 The part of the application site situated within the administrative boundary of CBC is known as “Zone 2” whilst “Zone 3” falls within ENC.
- 2.5 Whilst this report and the associated S106 Heads of Terms Schedule consider the application in its entirety across Zone 2 and 3, the main points of focus will be on the proposals for Zone 2 (within the CBC administrative area), the consultation responses received following consultation by CBC, and an assessment of those proposals against local and national planning policy. ENC is separately considering the application in the same way, with a requisite focus on Zone 3 (within the ENC administrative area). The Environmental Statement, its addendum and other supporting documents rightly assess the development as a whole. The overall impacts of the proposals have been considered in formulating the recommendation. For the proposed development to be implementable, both planning authorities must approve the application.

### **3.0 The Site Access**

- 3.1 As part of the outline planning application, it is proposed to gain access to Zones 2 and 3 via a new junction located along the A43 to the south of the development site. In addition, it is proposed to gain access to Zones 2 and 3 from Zone 1 via an extension to Kestrel Road (the causeway) and via the Northern Access Road.
- 3.2 As part of this outline planning application, it is proposed to gain access to Zones 2 and 3 via the recently constructed roundabout located along the A43 to the south of the development site. This new junction is a three arm roundabout that provides access to the Weldon Park residential development located to the south of the A43.
- 3.3 The layout of the proposed junction along the A43 (with Priors Hall Approach Arm) is shown on Drawing 60572455-SHT-Z2-A43-001 PO5 and the associated general arrangement in Appendix B and includes:
  - Two approach lanes (one long lane for ahead movements and one short lane to accommodate right turning traffic) on the A43 EB approach (no change);
  - Two approach lanes (one long lane for ahead movements and one short lane to accommodate left turning traffic) on the A43 WB approach (no change);
  - One approach lane to accommodate all vehicle movements out of the Weldon Park development (no change); and
  - One approach lane with a short flare to provide two lanes at the roundabout to accommodate all vehicle movements out of the Priors Hall development.
- 3.4 Causeway Extension - As part of the outline planning application, it is proposed to gain access to Zones 2 and 3 (from Zone 1) via an extension to Kestrel Road into the site. As outlined, Kestrel Road is a single carriageway road which runs from the Birchington Road/ Gretton Road/ Kestrel Road roundabout and serves the Priors Hall development. It is subject to a 30mph speed limit and has lighting columns and pedestrian footways located alongside both sides of the carriageway.
- 3.5 The proposed highway layout of the proposed extension to Kestrel Road is shown on Drawing 60572455-SHTZ2-CSW-001 Rev P06 in Appendix B.
- 3.6 Northern Link Road - It also proposed to gain access to the northern part of the site via the Northern Link Road which will extend into Zone 3 via a new priority-controlled junction off Gretton Road. The Northern Link Road has the benefit of detailed planning permission via ref: 16/00281/DPA.

- 3.7 Pedestrian/ Cycle Access - Priors Hall comprises a series of residential land parcels with ancillary and complimentary land uses located within the proposed development site. It is anticipated that the majority of journeys within the development site will be undertaken by sustainable means of travel.
- 3.8 The application proposes the following in Zone 2:
- Up to 2078 dwellings
  - 2.5 ha Primary school
  - 500 sqm Local Centre containing uses listed above
  - Sports Pitches and Changing rooms
  - Formal and Informal open space
- 3.9 The application is supported by a Development Specification, which expands to give greater detail on the description of the development. It details the exact land use budget for outline planning permission is sought. The Development Specification contains spatial principles covering eight core areas:
1. Design Principles and Development Areas;
  2. Non-Residential and Mixed-Use Areas;
  3. Connectivity and Transport;
  4. Green Infrastructure
  5. Heritage;
  6. Environmental and Ecology,
  7. Water Management; and
  8. Comprehensiveness
- 3.10 The following documents have been submitted in support of the application both as part of the original submission and more recently as amendments and additional information under Regulation 25 of the Environmental Impact Assessment Regulations (2017):
- Environmental Statement (ES) and ES Addendum
  - Design and Access Statement (DAS) and DAS Addendum
  - Planning Statement and Planning Statement Addendum
  - Statement of Community Involvement
  - Site-Wide Ecological and Woodland Mitigation Strategy
  - Code of Construction Practice Part A
  - Sustainable Statement
  - Energy Statement
  - Waste and Resource Management Statement
  - Framework Travel Plan
  - Planning Obligations Statement, including S106 Heads of Terms and Affordable Housing Statement
  - Arboricultural Survey
  - Topographical Survey
  - Outline Application site Boundary Plan UAC047-003 Rev B
  - Parameter Plan UAC047-002 Rev N

### 3.11 **The Tiered Approach**

- 3.12 Due to the strategic nature of the application site as a whole and the scale and complexity of the proposed development, Zone 2 and 3 will be brought forward for the development in a series of 'Key Phases'. CBC and ENC, as the Local Planning Authorities (within their own administrative boundaries) will need to agree the boundary and detail of each Key Phase through condition discharges, which would facilitate the submission of Reserved Matters applications within that agreed phase.
- 3.13 The applicant is applying a three-tier approach to design and delivery. In committing to this approach, the Councils can be satisfied that they have appropriate controls over the development to ensure high levels of design detail and mitigation measures are provided and approved prior to the commencement of development in each Key Phase.
- 3.14 Tier 1 includes the outline application considered in this report to secure the approval of the Parameter Plan and Development Specification, which determine the broad quantum and disposition of land uses across the two Zones. Whilst the general design principles are set out in the Design and Access Statement, detail of the layout, landscaping, appearance and scale are reserved for subsequent approval at a later date as Reserved Matters.
- 3.15 A development of this scale would usually require strategies to come forward for approval through the discharge of conditions. However, to accelerate delivery on what has been a stalled site under previous owners, the applicant has front-loaded this outline application by including several site-wide strategies in this submission. These include heritage, ecology and woodland mitigation, sustainability, energy, waste and construction management. Approval of this outline application would approve these strategies.
- 3.16 Tier 2 will include the submission of "Key Phase" details. Tier 2 submissions will be controlled by conditions recommended in this report, if granted, and will detail development parcels to be brought forward in terms of their infrastructure requirements and Design Code. They must adhere to the Site Wide Strategies, Parameter Plan and Development Specification referred to above. The applicant's focus on delivery is such that the Council is already in receipt of a request for pre-application advice on the first Key Phase relating to Zone 3.
- 3.17 Tier 3 submissions will include the Reserved Matters applications within each Key Phase fully approved under the conditional requirements of the outline planning permission. The applicant's development model is to act as 'master-developer'. The implementation of each Reserved Matters application will be brought forward by individual developers in accordance with the approvals relating to that particular Key Phase and provide a further layer of detailed design in accordance with Design Codes.
- 3.18 This approach to phasing is appropriate given the scale of the development, subject to the conditions recommended at the end of this report.

### 4.0 **Policy:**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- a. The provisions of the development plan, so far as material to the application,
- b. Any local finance considerations, so far as material to the application, and
- c. Any other material considerations.

Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear 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'.

The development plan for the Borough of Corby comprises the 'North Northamptonshire Joint Core Strategy' 2016. The National Planning Policy Framework 2019 (NPPF) does not change the legal status of the development plan.

The National Planning Policy Framework 2019:

The revised "NPPF", originally published in 2012, was published on February 2019 and is a material consideration in the determination of planning related applications.

It contains in paragraph 11, a 'presumption in favour of sustainable development'. Annex 1 of the "NPPF" provides guidance on its implementation. In summary, this states in paragraph 213, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the "NPPF" and in regard to existing local policies, that 'due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

Officers have reviewed the Joint Core Strategy for consistency with the "NPPF" and consider there is no issue of significant conflict. As such full weight can be given to these policies in the decision-making process in accordance with Paragraphs 211 and 215 of the "NPPF" 2019.

National Planning Practice Guidance 'NPPG' (2014 ONWARDS);

On 6th March 2014, DCLG launched the National Planning Practice Guidance ("NPPG") resource. This replaced a number of planning practice guidance documents, and is subject to continuous periodical updates in different subject areas.

In July the North Northamptonshire Joint Core Strategy (JCS) was adopted by the Joint Committee representing the District Councils of Corby, East Northamptonshire, Kettering and Wellingborough, as well as Northamptonshire County Council. The following policies are considered relevant for this application:

North Northamptonshire Joint Core Strategy 2016

Policy 1: Presumption in favour of Sustainable Development;

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 7: Community Services and Facilities;

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 13: Rural Exceptions;

Policy 15: Well-connected Towns, Villages Neighbourhoods;

Policy 16: Connecting the Network of Settlements;

Policy 22: (Delivering Economic Prosperity)

Policy 23: (Distribution of New Jobs)

Policy 28: Housing Requirements;

Policy 29: Distribution of New Homes;

Policy 30: Housing Mix and Tenure;

North Northamptonshire Supplementary Planning Documents ("SPD");

Biodiversity SPD 2016;

Updated Biodiversity SPD 2016;

Planning Obligations 2017;

Since submission of the outline planning application, CBC have published their emerging Local Plan Part 2 Pre-Submission Draft (August 2019). Relevant emerging policies are summarised below.

Emerging Policy 1 – *Open Space, Sport and Recreation* – along with Table 3 this sets out the requirement, typologies and standards for open space provision for all development of 1- or more dwellings. It defers to national Sport England advice in terms of playing field standards. Generally, new open spaces, sport and play facilities should be linked to the wider Green Infrastructure corridor network.

Emerging Policy 2 – Health and Wellbeing – instructs development proposals to promote, support and enhance health and wellbeing through a range of measures including encouraging physical activity for both transport and recreational purposes, and ensuring noise, vibration, smell and light pollution are mitigated against.

Emerging Policy 3 – Secondary School Opportunity Site – identifies an area to the south-east of the Weldon Park development (which lies adjacent to the south of Priors Hall Park, south of the A43) for the development of a new secondary school, subject to a demonstrable need.

Emerging Policy 6 – Green Infrastructure Corridors – identifies sub-regional and local green infrastructure corridors throughout Corby which should be protected and enhanced by development proposals. The Gullet in Zone 2 is identified as a local corridor and Willow Brook North as a sub-regional corridor.

## **5.0 History**

Application 04/00240/OUT gave outline planning permission for a mixed use urban extension to Corby, including Residential (up to 5,100 dwellings), Employment (up to 14ha), District Centre, 2 Neighbourhood Centres, Schools (1 Secondary, 3 Primary), Hotel, Formal and Informal open space” at Priors Hall Development Site, Stamford Road Weldon, Corby Northamptonshire.

Reserved Matters planning application submitted under reference 13/00026/RVC for variation of condition 4 of planning permission 04/00240/OUT at Priors Hall Development site was approved subject to a number of conditions.

Zone 1 of the extant consent has seen multiple Reserved Matters approvals and circa 1000 dwellings built out, along with a secondary school, a primary school, a community centre and the Corby enterprise centre. Development of the district centre (including a supermarket, gymnasium, nursery and health centre) and circa 850 more dwellings are to come forward in Zone 1 under the current outline consent.

16/00281/DPA (CBC) – Zone 3 Link Road to provide a highway access from the west of the site (Gretton Road) into the north of Zones 1, 2 and 3 of the Priors Hall Development Site This application was approved in November 2016 and is currently under construction. When complete it will serve as the main vehicular access to the north of Zone 2 and Zone 3.

19/00084/DPA (CBC) / 19/00336/FUL (ENC) – Application for cut and fill earthworks within Zone 2 and Zone 3 (south) of Priors Hall Park, including the excavation, reengineering, compaction, surcharging and reprofiling of existing quarry backfill material, to provide development platforms and facilitate future development and the removal / treatment of any contamination encountered during the works, construction of a temporary works compound, haul routes and boundary treatments to secure the site perimeter – Approved

## 6.0 Consultations

### **Natural England – 19 Oct 2019**

We consider that without appropriate mitigation the application would result in a lack of suitable connectivity between the Great Crested Newt populations at the Northern Gullet Receptor Site and the Old Quarry Woodland Ponds Receptor Site. In order to ensure the Favorable Conservation Status of the species is secured in the long term it is imperative that connectivity between these two, currently distinct, populations is created in the form of wildlife corridors. These corridors should provide high quality, suitable habitat for GCN and be in locations that will be most beneficial for the species. Additional corridors linking other pond clusters on site to the two main GCN strongholds, and ensuring GCN can access areas offsite is also considered necessary.

The following mitigation options should be secured to make the development acceptable:

- A number of dedicated high quality wildlife corridors, suitable for Great Crested Newts, east to west across the site connecting Old Quarry Woodland to the Northern Gullet Receptor Site, and north to south connecting Badgerwood and Old Quarry Woodland.
- We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

### **19 May 2020**

No objection – subject to appropriate mitigation being secured

### **Anglian Water – 19 Aug**

#### Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

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.

#### WASTEWATER SERVICES

#### Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Corby Water Recycling Centre that will have available capacity for these flows

#### Section 3 - Used Water Network

This response has been based on the following submitted documents: Surface and Foul water Drainage Strategy

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the



Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3)

INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4)

INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

#### Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable due to lack of clear surface water discharge points to the public surface water network. We would therefore recommend that the applicant consults with Anglian Water and the Environment Agency. We request a condition be applied to the decision notice if permission is granted. The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is important to explain that the volume arising from surface water flows can be many times greater than the foul flows from the same development. As a result they have the potential to draw substantially on the public sewerage network capacity and capacity at the receiving Water Recycling Centre. If developers can avoid new surface water flows entering the public sewerage, the impact of developments on wastewater infrastructure and the risk and impact of sewer flooding can be managed effectively, in accordance with paragraph 163 of the NPPF, minimise the risk of flooding. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process. As our powers under the Water Industry Act are limited it is important to ensure appropriate control over the surface water drainage approach is dealt with via a planning condition, ensuring that evidence is provided that the hierarchy has been followed and any adverse impacts and mitigation required can be planned for effectively.

#### Planning Report

#### Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

### Used Water Sewerage Network (Section 3)

Condition Prior to construction above damp proof course a Phasing Plan setting out the details of the phasing of the development shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan. Reason: To ensure the development is phased to avoid an adverse impact on drainage infrastructure.

### Surface Water Disposal (Section 4)

CONDITION No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. 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.

### 30 April response

No further comment as the drainage documents were not updated.

### **Sustainability Officer: –**

No comment

### **Historic England: – 20 May 2020**

Historic England has no objection on heritage grounds to the amended application within Corby Borough Council.

### **Local Lead Flood Authority- 26 Jul 2020**

Having reviewed the submitted surface water drainage information located within:

1) Zones 2 & 3 Outline Application Surface and Foul Water Drainage Strategy Issued for inclusion with EIA ref 60572455 rev 1 Prepared by Urban and Civic Corby Ltd dated July 2019,

We consider that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of flooding

### **Condition**

Before any above ground works commence a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
- iii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iv) Full details of soakaways and permeable paving.
- v) Detailed scheme for the ownership and maintenance for every element of the surface water drainage system.

**Reason**

To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

**Condition**

All subsequent reserved matters applications for the development plots shall make reference to the original approved Surface and Foul Water Drainage Strategy Issued for inclusion with EIA ref 60572455 rev dated July 2019 and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

**Reason**

In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site

**Condition**

No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Surface and Foul Water Drainage Strategy Issued for inclusion with EIA ref 60572455 rev 1 dated July 2019 has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) Confirmation that the system is free from defects, damage and foreign objects.

**Reason**

To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site

**Informative**

Details will be required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The maintenance scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls.

Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

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

13 May 2020

No further comments.

**Ramblers Association:** –

No objection as the application provides good connections to the countryside and the association is supportive of the pedestrian links within the site and the proposed green corridor.

**CBC Environmental Services:** –

(12.08.2019) The Council's Environmental Health Officer was consulted in regards to Contamination and Air quality. For Air Quality the officer refers to chapter 5 'Air Quality' of the Environmental Statement: Volume 1: dated July 2019 and accepted the conclusion that the non-construction development will not cause any 'significant adverse (air quality) effects' on receptors in the Borough. The Officer has confirmed the acceptance of the suggested mitigation measures and emission damage costs for the construction and operational phases and agrees with the recommendations that they can be contained within a 'Construction Management Plan' and 'Low Emission Strategy' respectively. Therefore the officer is satisfied that these can be dealt with by an appropriately worded condition requiring submission and approval before development commences.

The officer has reviewed chapter 8 'Ground Conditions' of the Environmental Statement: Volume 1: dated July and agrees with the recommendations contained in Chapter 8 regarding the requirement for further investigation for individual parcels design of an intrusive ground investigation to ascertain the environmental and geotechnical ground conditions. Conditions have been recommended for any remediation scheme and unexpected contamination to control the matter.

**NCC Ecology:** – 10 Oct 2019

Overall I find the ecology section of the Environmental Statement (chapter 7) to be appropriately comprehensive. It also provides a useful comparison to the 2003 site conditions, and demonstrates that the site has deteriorated in the last 15 years. The ES mentions a range of measures to mitigate impacts on the site's habitats and species. As a result I would recommend a number of conditions:

Sections 7.5.109 and 7.5.121 state that 10% of the dwellings are to include integrated nesting opportunities for birds (house sparrow, starling, swift and house martin in particular), and 10% are to include integral bat nesting opportunities, respectively. I would like to see these secured by condition.

Section 7.7.37 highlights the need for a reptile mitigation strategy to be prepared once the site layout plans and construction schedule have been prepared. This could be conditioned as a stand-alone document, or, perhaps more practically, within a Construction Environmental Management Plan (CEMP). Given the scale and duration of the build-out I would be happy to have a broad, general 'outline' CEMP for the site as a whole, followed by more detailed CEMPs for each phase/parcel as they come forward. This has been the approach on one or two other sites I've been involved in so please do let me know if you would like any suggestions for condition wording.

The proposed five wildlife corridors will need to be well designed if they are to provide the range of mitigative measures outlined in the ES. I think standard landscaping plans would not be enough in this case and would recommend an ecological design strategy. The suggested condition wording from BS42020 is:

No development shall take place until an ecological design strategy (EDS) addressing the provision for wildlife corridors, linear features and habitat connectivity has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Ongoing management of the newly created habitats will be essential, so I would also recommend Landscape and Ecological Management Plans (LEMP) as each phase comes forward (an outline LEMP might also be helpful as suggested for the CEMP above). In accordance with BS42040, the content of the LEMP should include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP should 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 body(ies) responsible for its delivery.

The plan should also 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 fully functioning biodiversity objectives of the originally approved scheme.

Finally, section 7.5.36 states that restoration/enhancement works are to be undertaken on Willow Brook, and that these should be secured by condition or through a reserved matters application. If the council decides to condition these works, they could be included in the ecological design strategy mentioned above.

**Highways England:** –

No objection as Highways Act Section 175B is not relevant to this application

**Fire Services:- 6 May 2020**

No objection subject to compliance with the NFRS Planning Guidance.

**Sport England: –**

Sport England were originally consulted in July 2019 and objected to the application on the grounds that the application did not include enough on site sports provision or off site contributions.

As a consequence the applicant provided further information using the agreed calculators.

**6 May 2020**

The additional information Email dated 29.04.2020 relates too information uploaded on the 29<sup>th</sup> April but our response also covers information uploaded on the 4<sup>th</sup> and 5<sup>th</sup> May, regarding revisions to the Environmental Statement (with appendices), revised transport assessment, revised to the

Design and Access Statement, Planning Statement and other matters detailed in the letter from David Lock Associates dated 27<sup>th</sup> April 2020 and that a duplicate submission is made to East Northamptonshire Council.

Sport England does not wish to comment on or raise any issues with the majority of the additional information. However; We would, wish to support, the additional 1,000m<sup>2</sup> of D1/D2 floorspace with regard to the provision of community hall and/or changing rooms in or adjacent to the formal open space in zone 2 and 3 (east) supporting the use of the formal sports pitches. The quantum of sports facilities to be provided in zones 2 and 3 and the additional area to the north of the proposed primary school (zone 3) is also agreed. It is noted that as agreed the proposed Rugby Pitch has been delated and an off-site contribution has been suggested following discussion with Sport England and having regard to the evidence provided by the Corby BC Playing Pitch Strategy (PPS). Urban & Civic have agreed to a £60K payment (split equally between Corby RFC and Stewart & Lloyd RFC) on the basis that this will be the final figure, will not be indexed, and is payable by 1,000 occupations in Zone 2. (Timing to align with when the on-site rugby pitch (as originally proposed but removed in favour of this off-site contribution) would have been delivered) The rational for the level of contribution is also attached.

Sport England initially suggested that no cricket facilities should be provided on site as the Corby BC PPS suggests that existing cricket facilities have the capacity to accommodate the additional demand generated by the development subject to investment in facilities. The applicants feel, however, that there is a need for a balance between an on-site more informal cricket offer and supporting off-site clubs. It is therefore agreed that cricket facilities as proposed for the FOS in Zone 3 should be provided coupled with an off-site contribution to Weldon Cricket Club (identified in the PPS and being an appropriate facility in relation to the development) to secure the installation of an artificial cricket wicket a figure of £10k was suggested - Sport England has advised that a figure of up to £12k would see the provision of an artificial wicket which meets ECB guidance and would support this level of off-site contribution

**Other matters**

The Playing Pitch Calculator also provides information based on local more detailed information from the Playing Pitch Strategy particularly around training demands. The Local Football Facilities Plan has translated all of this as an investment plan. This development provides a significant opportunity to partner with funding from the Football Foundation to deliver an additional AGP to serve this development and the wider eastern Corby area. In discussions with the applicant we are advised that there would be a significant off-site contribution to the provision of a new secondary school. The Football Foundation have

indicated that would wish to work with all parties to secure the provision of a 3G Artificial Grass Pitch at this site which meets the needs identified in the PPS and the LFFP.

#### Indoor Sports Facilities

It is noted that based on Evidence Corby Borough Council advises that of site facilities have sufficient capacity to cope with the demand generated for such facilities and an off -site contribution is not therefore required from this development.

As previously advised the applicants comments on Active Design area noted and supported.

On the basis of the above Sport England is now able to support the development subject to the inclusion of off-site contributions to both rugby and cricket as detailed above being included in the emerging S106 Agreement. Sport England would be happy to discuss the contents of the S106 agreement as appropriate.

#### **NCC Archaeology:** – 20 Sep 2019

The main archaeological interest relating to this application is within Zone 3 which is within East Northants. I therefore will be providing comments on ENC consultation 19/01219/OUT.

20 May 2020

No further comments

#### **Design Review Panel:** –

Supportive of the role of the applicant as the Master developer

#### **Northamptonshire Police:-**

Final comments

No formal objection to the planning application in its present form. To help ensure compliance with the NPPF 2019 contained under paragraphs 91 (ac) and 127 (f), the NPPG guidance Design Section and policy 8 (e iv) of the local North Northamptonshire Joint Core Strategy (2016) the applicant/developer should submit a statement which states that after consultation with Northamptonshire Police and agreement of CBC planning authority Designing out Crime and anti-social behaviour will be part of the design process and will be a material consideration when further submissions are made.

The future success of this development can be critically influenced by crime, and Northamptonshire Police need to have an impact on some design issues, I appreciate that this cannot be overstated within this outline application. It is important however, that architects and developers should consult with the Police Crime Prevention Design Advisor at the earliest opportunity and the police are involved throughout the process of compiling the 'Design Code'.

We do ask your help with this aspect, as partners, to ensure we take account of our responsibilities under Section 17 of the Crime and Disorder Act 1998 which requires all local authorities exercise their various functions with due regard to the likely effect of those functions on, and the need to do all that it reasonably can to prevent crime and disorder issues on its area.

I also take this opportunity to request that Corby Borough Council seeks on behalf of

Northamptonshire Police funding to facilitate further CCTV which would be a vital tool in the prevention and detection of crime within this proposed development. Systems as previously, and successfully, used around Corby Borough will help to protect persons and areas such as the communal facilities as well as the employment, school and local centres etc. thus reducing any perceived threat or fear of crime.

We are most anxious to work with all parties to secure a sustainable environment for the residents of this new development. For an area to be sustainable, its residents and users need

to feel safe and secure when they are going about their daily lives. Failure to provide such an environment will, over time, mean that people will vote with their feet, and crime and anti-social behaviour will thrive.

Northamptonshire Police are available to discuss any matter regarding the above or designing out crime and anti-social behaviour and look forward to being part of this major development in the extension of Corby.

### **NCC Education:-**

It is understood that this application is intended to replace the previously consented scheme for Zones 2 and 3 of the Priors Hall SUE (ref 04/01326/OUT, as amended by 13/00026/RVC) which, together with extant permissions granted for Zone 1, currently comprises a development of up to 5,100 dwellings.

Multiple reserved matters approvals have been granted and implemented to date for Zone 1, delivering c.1,000 dwellings to date with a further c850 benefitting from outline consent. As such, this application for a further 3,500 dwellings increases the overall number of units to be delivered across the Priors Hall SUE (Zones 1 – 3) to 5,350 – an increase of 250 dwellings above the extant outline consent.

A number of existing Section 106 agreements (including variations and supplemental agreements) are already in place in relation to the consented scheme, which provides for the following:

- Primary School 1: a 2 form entry Primary School and Nursery delivered on Zone 1. This School has been delivered and the school is open to pupils.
- Primary School 2: a 3 form entry Primary School and Nursery delivered on Zone 2 and open to pupils from the August following 2,000th occupation. In the event that East Northamptonshire Council grants full planning permission for Zone 3 prior to 1st occupation of the 750th dwelling, the s106 provides for Primary School 2 to be delivered as a 2FE.
- Primary School 3: a 2 form entry Primary School and Nursery on Zone 3. In the event that the developer elects not to construct Primary School 3 itself, then a financial contribution of £6,450,000 is payable to the County Council in instalments for the construction of the school and a site of sufficient size is to be transferred to the County Council at nil cost for this purpose.

### **Additional Secondary Education Contribution**

A sum of £7,500,000. This contribution is currently subject to a review of Secondary capacity at the time of the 3,500th occupation.

- Academy Site – a site of 10ha in Zone 1 to be provided for construction of an 8FE Academy secondary school. This site has been provided and the school is built and open to pupils.
- Fire & Rescue: A contribution of £67,620 payable upon 1st occupation of 300th dwelling within Zone 3, towards the provision of fire and rescue services within the Corby and/or East Northamptonshire area.

Based on the information provided with this application, it is expected that a new s106 agreement will be required to take account of changes to infrastructure capacity and increased levels of demand since 2004, as well as to take account of the increased number of dwellings that the new application for Zone 2 and Zone 3 will deliver and the additional impact of these on existing services and infrastructure.



## Education

The County Council requires the following to be secured through a new S106 Agreement to support delivery of additional Education Infrastructure required as a result of the development:

- 2x sites of 2.5ha each to be made available (at nil cost) to accommodate on-site Primary and Early Years Education facilities, comprising 2x 3FE Primary Schools.
- A financial contribution of £17m towards the delivery of 2x 3FE Primary Schools.
- A financial contribution of £16.1m towards delivery of additional Secondary Education capacity & infrastructure
- A financial contribution of £2.3m towards provision of additional SEND provision in Corby

## Fire hydrants

A development of this size is expected to require 70x new fire hydrants to be installed. The infrastructure and installation cost for each hydrant required is £892, totaling £62,440 the cost of which is to be met by the developer.

Any hydrants (and/or sprinkler systems when considering commercial units and other types of uses), if required, should be installed at the same time as the rest of the water infrastructure and prior to any dwellings/commercial buildings being occupied. This is to ensure adequate water infrastructure provision is made on site for the fire service to tackle any property fire.

The final location of the fire hydrants and/or sprinkler systems for the development, if required, must be agreed in consultation with the Northamptonshire Fire and Rescue Service Water Officer prior to installation, and secured through a planning condition.

Below is a suggested standard condition for securing fire hydrants and sprinkler systems:

'No development shall take place until a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided 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: With reference to Condition above, the developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure.

## April 2020 responses

### Primary & Early Years Education

The county council notes the comments made by Urban & Civic on the proposal to allow for the potential future expansion of the northern (Zone 3) Primary School from a 2 form of entry to a 3 form of entry school, and confirms that the allocation within the masterplan of 0.5ha land (otherwise designated as informal open space) adjacent to the Zone 3 Primary School will be sufficient for this purpose.

As has been suggested, a mechanism will be built into the section 106 agreement to ensure that in the event that the expansion is required to meet an education need fully arising externally to the development, then the value of the land provided will be reimbursed to Urban & Civic and no additional financial s106 contribution would be required towards its construction.

If however it can be demonstrated following the pupil yield review that the expansion is required either in part or in full as a result of demand generated within the Priors Hall Zones 2 & 3 development, then any reimbursement would be proportionate to the additional demand generated. An approach to calculating this and the value of the land will be included in the s106 agreement.

With regards to the proposed delivery model of the primary schools; as we have already discussed, whilst phased opening of new schools is supported to ensure the intake develops alongside the new housing, the proposed phased construction model is not. The County Council does not support delivery of 1FE schools, with 2FE being the minimum that will be supported on new developments (regardless of whether that school is later expected to be expanded). This is to ensure the long-term sustainability of the school, to minimise future disruption to the pupils and local community, to ensure cost effectiveness and to enable school operators to have greater certainty and control over their provision.

As such, it is proposed that both the Zone 2 and Zone 3 schools be delivered as a 2FE in the first instance, designed in such a way as to support future expansion to a 3FE at appropriate triggers. This may be achieved for example through optimising the layout and design of the school and surroundings to support future extension across the site or to support construction of an additional storey. This approach will ensure future phases can be delivered in an integrated way, and that internal spaces such as halls, staff room, and kitchen facilities can be easily adapted to accommodate larger intakes at a later dates.

As such, and as set out today, the following triggers are proposed for delivery of the two primary schools:

- Primary School 1 (Zone 2) – site of 2.5ha provided at nil cost to NCC, plus financial contribution of £8.5m (index linked) in the event the developer elects not to construct the school. o 2FE to be constructed with 1st intake open at 500th occpn; o 2nd intake to be opened in line with demand and in accordance with school operator's admissions policy o 3rd FE to be constructed and open by 2,600th occpn
- Primary School 2 (Zone 3) - site of 1.9ha provided at nil cost to NCC, plus financial contribution of £6.5m (index linked) in the event the developer elects not to construct the school. In the event a 3rd FE is required, an additional site of 0.5ha immediately adjacent to be made available plus financial contribution of £1.5m (both subject to proportionate adjustment in line with pupil yield review outcome) o 2FE to be constructed with 1st intake open at 1,900th occpn o 2nd intake to be opened in line with demand and in accordance with school operator's admissions policy o Pupil yield review to be undertaken at 2,750th occpn o If required, 3rd FE to be constructed and open by 3,200th
- As set out in previous responses, each primary school shall be capable of accommodating sufficient Early Years provision proportionate to its size.

We note that Urban & Civic have stated a preference for delivery of the primary schools; this can be accommodated within the section 106 agreement through an election to construct, however delivery will be subject to demonstrating that the proposed specification of each school meets the required minimum standard of Building Bulletin 103 (or any subsequent update) to the satisfaction of the county council as local education authority.

Furthermore, the election of Urban & Civic to construct and deliver the second primary school (and future expansion of each) will also need to be subject to the county council's approval through the s106, and based on satisfactory delivery of the first school. It is acknowledged that Urban & Civic have demonstrable recent experience in delivery of primary schools on other developments, however as I am sure you can appreciate at this time the county council is keen to minimise any potential risk which carries a financial or statutory obligation.

## Secondary Education / SEND Contributions

As is proposed in your letter, the county council confirms that it will accept fixed contributions (subject to index linking) for Secondary Education and SEND provision. The fixed sums are agreed as follows:

Secondary £15,254,400 (index linked) SEND £1,793,610 (index linked)

With regards to the payment triggers and as subsequently discussed, the county council would request that payment of the SEND contribution be brought forward to earlier within the development, so that it is payable in full by the 1,000th occupation.

In order to accommodate this, we would be willing to accept later phased payments for a proportion of the Secondary contribution to balance this requirement.

## Fire & Rescue and Libraries

The county council is prepared to accept fixed contributions for Library and Strategic Fire & Rescue provision. The fixed sums and payment triggers as proposed in your recent letter are agreed as follows (subject to index linking):

- Fire & Rescue - Financial contribution of £371,000 (index linked) - Payable 50% at 400th and 50% at 1,250th occupation
- Libraries - Financial contribution of £826,000 (index linked) - Payable 50% at 1,000th and 50% at 2,000th occupation

## 1 June 2020 response

### Education

From the updated information received regarding this application, it is understood that the applicant has proposed inclusion within the development an allocation of “a 0.5 hectare reserve site in Zone 3 for flexible land use (education (D1) or informal open space).”

The inclusion of the reserve site is welcomed by the County Council. Located on a site immediately adjacent to the proposed Zone 3 Primary School site, it allows for an extension School site to accommodate a third form of entry, should the need for it be identified. Any such demand will be determined by an education review carried out at an appropriate trigger point within the development, in accordance with a programme and methodology to be set out in a signed S106 agreement. In the event that a third form of entry is not required at the Zone 3 Primary School, the applicant proposes that the reserve site will revert to an informal open space land use.

This amendment accurately reflects the agreement that has been reached between the applicant and the County Council and is therefore acceptable in principle, however it should be noted that any future use of the reserve site should not negatively impact on or impede the day to day operations of the Zone 3 Primary School or its ancillary uses.

I trust that the above response provides sufficient detail at this stage; please note however that the guidance contained herein may be subject to change as a result of changes to planning policy and guidance at national and / or local level as appropriate, and therefore continued consultation with the County Council is recommended to ensure that the latest available information is taken into consideration. A duplicate of this response will also be submitted to East Northamptonshire Council in relation to the current consultation

### **Gretton Parish Council**:-

Objected on the following grounds:

- Increased volume of traffic on all exits out of Weldon on smaller, narrow roads that are already badly maintained. This will result in more traffic coming through Gretton where there are already major concerns with respect to speeding cars.

- It is already not safe to cycle from Gretton to Corby, this increase in traffic volume will make this route more dangerous for cyclists.
- Excessive development and over-urbanisation in a really rural part of the borough.

## **7.0 Advertisement/Representations:**

Public consultation was carried out by way of site notices. During the statutory consultation period which expired on 27.3.2019, however no letters of objection have been received by nearby businesses or members of the public.

## **8.0 Main Considerations**

It is considered that the main issues that need to be considered in the determination of this application are as follows:

Principle of Development

Environmental Impact Assessment

Transport Assessment

Design

Leisure and Open Space/Play

Community Facilities

Housing

Affordable Housing

Standard of Accommodation

## **9.0 Principle of Development**

- 9.1 Key material considerations in this case include the National Planning Policy Framework (2019), Planning Practice Guidance (as amended), North Northamptonshire Joint Core Strategy (2016), and Saved Local Policies (1997). It should be noted that given the stage the Local Plan Part 2 has reached in its preparation, it is allocated very limited weight in the determination of the application.
- 9.2 The principle of a mixed use urban extension on the Priors Hall site has long been established through the extant outline permission (04), subsequent amendments and further permissions for advanced works such as the Zone 3 link road and cut and fill earthworks to create development platforms. Only issues arising from changes proposed in the Parameter Plan and associated land use budget can reasonably be considered under this application. Notwithstanding this, some background to the principle of this development is set out below:
- 9.3 Policy 28 of the of the North Northamptonshire Joint Core Strategy identifies a need for 9,200 homes in the district of Corby Borough and 8,400 homes in ENC within the Plan period (2011 – 2031). This is considered to contribute towards calculating the authorities 5 year housing supply.
- 9.4 Policy 28 also states that Planning Authorities will work proactively with applicants to bring forward sites to meet these identified housing requirements in line with the spatial strategy set out in Policy 11.
- 9.5 Policy 29 of the JCS states that “New housing will be accommodated in line with the Spatial Strategy (Table 1) with a strong focus at the Growth Towns as the most sustainable locations for development, followed by the Market Towns.
- 9.6 Table 1 identifies Corby as a growth Town and its role is to provide the focus for major coordinated regeneration and growth in employment, housing, retail and higher order facilities serving one or more districts. Policy 11 adds to this, directing the greatest share of new housing to the Growth Towns, where development requirements will be met primarily through brownfield sites and Sustainable Urban Extensions.

- 9.7 The JVS Key Diagram Illustrates the spatial strategy for North Northamptonshire and Priors Hall is clearly identified as 'Committed Sustainable Urban Extension A- North East Corby.
- 9.8 In terms of benefits, the Environmental Statement references meeting the strategic allocation of the site by the Council and working towards satisfying Policy 29 of the North Northamptonshire Joint Core Strategy which details how the development of mitigation measures, as outlined within the Environmental Statement, have been secured through the conditions as set out in Appendix A and through the legal agreement where appropriate. With such measures secured, the conclusions of the Environmental Statement are considered by Officers to be reasonable and accurate.
- 9.10 Officers consider that the benefits of this development, as highlighted within this report, significantly outweigh the adverse impacts that will in any event be mitigated for as far as possible.
- 9.11 The proposal would provide significant economic benefits from the provision of construction jobs, new high quality housing and an increased population likely to spend in the community. As such it is felt that the economic objective of sustainable development as defined in the NPPF would be met by the scheme.
- 9.12 The provision of approximately 5,500 dwellings on this sustainable site will make a very important contribution to the district's housing supply. The development will also provide key infrastructure that will benefit future residents and existing residents of both Priors Hall and the surrounding area. It is therefore considered that the development meets the social and environmental objectives of sustainable development as defined in the NPPF
- 9.13 In light of this the application is considered to constitute sustainable development and complies with the NNJCS Policy 1. The application is therefore in accordance with the Development Plan, and there are no other material planning considerations that reasonably indicate an alternative conclusion should be reached.
- 9.14 Therefore due to the reasons set out above this proposal in principle is acceptable, however, this is subject to the material considerations set out in this report.
- 10.0 Environmental Impact Assessment
- 10.1 With reference to the issues contained within the ES and the constraints of the site as well as the issues raised by the key consultees, the report has been structured around the following themes:
- Landscape and Visual Impact
  - Ecology and Nature Conservation
  - Employment Land
  - Socio-Economic Impact
  - Highways and Traffic Issues
  - Flood Risk and Drainage
  - Air Quality
  - Noise and Vibration
- 10.2 Landscape and Visual Impact**
- 10.3 Paragraph 117 of the NPPF promotes the effective use of land in meeting the need for home sand other ruses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 124 highlights the creation of high quality places as being fundamental to what the planning and development process should achieve. Paragraph 127 identifies landscaping as a key consideration in this.

- 10.4 Policy 8 stresses the need for creating distinctive local character by responding to the site's immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of that local character without stifling innovation.
- 10.5 The above policies seek to minimise the environmental impacts of developments through sensitive design to reduce the impact on the landscape, townscape and wider setting and by achieving the highest possible standards of design and environmental performance.
- 10.6 Whilst this is an outline application it has already been recognised that significant weight should be given to conserve the landscape and visual impact in order to conform to NPPF requirements. The Framework suggests that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils. Paragraph 170 of NPPF also suggests the need for minimising the impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are most resilient to current and future pressures. This approach is further supported by Policy 3 in the adopted plan which requires significant weight to be given to the conservation and enhancement of natural beauty.
- 10.7 In support of the Environmental Statement, the applicant submitted a Landscape and Visual Impact Appraisal (LVIA) which considers key view points; the degree of likely impact and who would be affected by that impact; and the suitability of the mitigation to reduce or mitigate the harm.
- 10.8 The site falls across two landscape character areas as defined in the North Northamptonshire Current Landscape Character Assessment 2010 (LCA). The Willow Brook essentially marks the boundary between the 'Deene Plateau' character area (north) and the 'Kirby and Gretton Plateau' character (south). The characteristics as described in the LCA particularly highlight the open nature of the landscape and the importance of the woodlands and boundary vegetation for screening.
- 10.9 The submitted Landscape and Visual Impact Assessment (LVIA) concludes that effects on designated landscapes (Deene Park and Kirby Hall Registered Park and Gardens) would be negligible. Similarly the residual impact on the Kirby and Gretton Plateau would be negligible. In terms of the Deene Plateau to the north of the Willow Brook, the residual impact would be 'Moderate, Adverse; however the LVIA does go on to conclude that moderate effects would arise on landscape character within the site, but not beyond. Effects would be contained due to screening by woodland and tree belts to the north and east and the existing urban influences on the character to the west and south (Zone 1 and Weldon).
- 10.10 The LVIA includes a comparison of the effects of the proposed scheme compared to the previously consented scheme. It notes that the baseline has changed due to the development of the data centre and Priors Hall Zone 1 and as such, the effects cannot be directly compared. It goes on to highlight that the effects within Zone 2 to be at most "Small and Negligible" scale, indicating that that any differences would not be significant.
- 10.11 In the light of the above, officers consider that the proposal, subject to adhering conditions related to Landscape Strategy and Design Code (LSDC) and Landscape and Visual Impact Appraisal (LVIA) would adequately deal with this matter at the reserved matter stage.

## **11.0 Socio Economic**

- 11.1 National Planning Policy Framework (2019) depicts the necessity of achieving sustainable development, which means three overarching objectives of the planning system need to be pursued in mutually supportive ways. The objectives are as follows: economic, social and environmental.
- 11.2 Policy 1 (Presumption in favour of sustainable development) of Joint Core Strategy demonstrates that Corby Borough Council will work proactively to ensure planning is not a

barrier to new development and secure development that improves the economic, social and environmental conditions.

- 11.3 Chapter 4 of Environmental Statement and Addendum is submitted in support of the application, which identifies the likely socio-economic impact of the proposed development. This is achieved by examining the potential effects on the population anticipated as a result of the Proposed Development and, in turn, assessing the effect that this could have on relevant services and facilities, including education, healthcare, recreational facilities and job creation.
- 11.4 The application proposes 3500 dwellings. According to the Office for National Statistics (2017), the average household size in the UK is 2.4 people, equating to a development population of 8400 people. When a considered over the 15-20 year construction period for Zones 2 and 3, the effects of such population growth will depend on a range of other factors such as health and education provision. The ES reports that these effects will not necessarily be negative, provided that adequate levels of community infrastructure are provided to meet the additional needs generated by the development. The delivery of 3500 new homes will have a “moderate major beneficial impact” given the potential spending capacity of the local economy.
- 11.5 In terms of housing supply, the ES reports that the development will be of “major beneficial significance” in relation to the delivery of homes. It is considered that his significance would be diminished somewhat by the lower percentage of affordable housing. However on the balance, the benefits to housing supply cannot be overstated. Through viability testing, the level of affordable housing has been increased to 5%. As discussed in the viability section of this report, Officers and the Council’s legal representative have negotiated appropriate review mechanisms to capture any mid and late development stage uplift in viability.
- 11.6 As required by JCS policy 30 the application contains an indicative housing mix which sets out that 60% of the total of proposed market and affordable dwellings, will be 1-3 bedrooms (2100), 38% 4 bedroom (1330) and 2 % 5 bedroom (70). CBC’s Housing Strategy Team has been consulted on the proposed mix and has no objections. The mix is broadly in accordance with Policy 30 of the JCS, which places an emphasis on small and medium sized dwellings (1-3 bedrooms).
- 1 bed 20% (70)
  - 2 bed 20 % (700)
  - 3 bed 38% (1330)
  - 4 bed 38% (1330)
  - 5 bed 2% (70)
- 11.7 In terms of job creation, the proposed development will have positive impact on the number of jobs available locally, particularly during the construction phase, which is anticipated to last some 15-20 years. The ES states that Home Builders Federation figures that, for every new home built 3.1 jobs (direct, indirect and induced) are created. Taking this into account, the proposal has the potential to create 10,850 jobs over the period of construction. The ES concludes that the effect of construction work on job creation and expenditure would be of “major beneficial significance”. This is a temporary effect, albeit over a relatively long period of time.
- 11.8 If consented, the development will produce a demand for additional healthcare facilities. The original consent included a surgery of 1200 sqm to be located in Zone 1 of the wider development. As a result of current proposals and the associated uplift in dwelling numbers, there is not sufficient provision for additional standalone healthcare facility but expansion of the proposed facility in Zone 1 is acceptable to the Clinical Commissioning Group.
- 11.9 The development would provide two primary schools, one three form entry (in CBC’s area – Zone 2) and one two form entry with potential expansion to three form (in ENC area – Zone

3). As requested by NCC, a financial contribution to secondary school provision has also been secured. The ES chapter concludes that this would result in a minor “minor beneficial impact” when viewed in the context of Zone 1 provision.

11.10 Chapter 4 of the ES and accompanying plans and documents has demonstrated that overall the proposal would have a positive impact from both a socio and economic perspective on the surrounding area. There are a number of factors that contribute to this positive impact, such as the number of jobs that will be created through the prolonged construction phase, schools, mixed use areas and healthcare facilities, to the provision of the community facilities and primary and secondary school facilities.

11.11 Therefore it is considered that the applicant has identified the positive proposals will have on the surrounding area and this is considered to be acceptable and in accordance with the requirements of the NPPF (2019) and policies 1, 22, 28 and 29 of the JCS (2016).

## **12.0 Education**

12.1 The proposal includes 2.5 hectares of primary school space within Zone 2 and 1.9 ha of primary school space in Zone 3. NCC had some concerns with the secondary school provision and as a consequence the proposal now includes 0.5-hectare flexible land use parcel which has been added in Zone 3, adjacent to the 2 form entry primary school site (1.9 hectares). This ‘reserve’ parcel allows for an extension to the primary school site to accommodate a third form of entry, should the need for it be generated by the Priors Hall Zones 2 and 3 population. This will be determined by an education review towards the latter stages of the development, in accordance with a programme and methodology to be set out in the S106 agreement. However it should be noted that if a third form of entry is not required, the reserve site will revert to an informal open space land use.

12.2 This amendment reflects the agreement that has been reached with NCC on the appropriate level of education provision to serve the needs of pupils generated by the development and provides a degree of flexibility within the Parameter Plan to meet that need if required

## **13.0 Ecology and Nature Conservation**

13.1 Policy 4 of the North Northamptonshire Joint Core Strategy protects existing biodiversity and geodiversity assets, including refusing development proposals where significant harm to an asset cannot be avoided, mitigated or, as a last resort, compensated. This includes sites of Special Scientific Interest.

13.2 The NPPF in paragraph 170 suggests that recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. It also states that minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

13.3 It has long been established that Zone 2 supports a nationally significant population of Great Crest Newts (GCN). This has been an important consideration in not only the Parameter Plan considered here but also historic approved Development Framework Plan under previous owners. The established principle of ‘green corridors’ in Zone 2 to allow movement of GCN from the gullet between Zones 1 and 2 out towards the quarry ponds in the east has been replicated in the Parameter Plan, albeit at reduced widths. The request from Natural England and the NCC Ecologist to secure more detail on this element is satisfied by the subsequent submission of a Site Wide Ecological and Woodland Mitigation and Management Strategy, which sets a minimum width of 20m (as requested by NE) and a suite of landscaping features for each corridor. This strategy includes a wildlife corridor connecting to Badgers Wood in Zone 3. As has been the case in the past, all works that could disturb or harm GCNs will be undertaken under licence from Natural England.



- 13.4 Other notable species across the whole site include reptiles, badgers, bats, birds (including BAP species), brown hare, harvest mouse, otter and invertebrates. The likely effects on each has been assessed and a residual effect determined. It has been concluded that residual effects range from 'neutral' to 'minor adverse' in terms of the magnitude of impact and mostly 'non-significant' in terms of the effect significance.
- 13.5 The NCC Ecologist is of a view that the Ecology, Nature Conservation and Woodland Chapter of the Environmental Statement is appropriately comprehensive and provides a useful comparison to the 2003 site conditions. It demonstrates that the site has deteriorated in the last 15 years. The conditions recommend in the consultation response have been captured in the Site Wide Ecological and Woodland Mitigation and Management Strategy which in turn is controlled by condition 6.
- 13.6 The NCC Ecologist was consulted on this document and has expressed concerns that whilst the measures are welcome, the document seeks to cover too many aspects and would prefer parcel specific measures.
- 13.7 These concerns are noted. The submission of a Site Wide Ecological and Woodland Mitigation and Management Strategy is very useful overarching document. To overcome the reservations around coverage as the development progresses through the Key Phase and Reserved Matters stages, conditions 7 and 9 include requirements for the submission of Ecological Design, Mitigation and Implementation Strategies, which will include the appropriate level of detail pursuant to that stage.
- 13.8 Woodland- In addition to the woodland already lost as part of Zone 1 and the earthworks in Zone 2, the Parameter Plan for Zones 2 and 3 proposes the loss of a further 2.8 hectares. However, to compensate for this loss, it is proposed to plant 6 hectares separated into woodland blocks within the Strategic Open Space in Zone 2 and the southern part of Zone 3 and an additional 7.7 hectares in the northern part of Zone 3. This brings the total woodland provision (existing and proposed) to 65.6 hectares. Whilst not all woodland habitat will be compensated for in terms of area (when including the loss in Zone 1) the applicant's ecologist concludes that the increased habitat quality and the enhancement of retained woodland will be provided an overall increase in woodland value across the application site.
- 13.9 The residual impact on woodland is assessed to be 'minor adverse' and therefore 'non-significant' under the Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines. The proposals detailed in the Site Wide Ecological and Woodland Mitigation and Management Strategy recognise the targets for biodiversity net gain. The creation of native woodland will remediate and compensate for the minor impact of the loss described above across the site as well as ensuring a net gain in biodiversity value of that woodland.
- 13.10 It is considered that the present proposal is acceptable at this stage of the process. Subject to the mitigation measures; the overall package should be able to yield a net ecological benefit for both the on-site situation and the wider Corby area. Increasing the ecological contribution should be able to deliver a planned and agreed package of mitigation measures for biodiversity and Green Infrastructure (GI) enhancements of an appropriate scale and content. The above mitigation measures would be dealt with via conditions.

#### **14.0 Air Quality**

- 14.1 The NPPF requires the LPA (Local Planning Authority) should conduct site analysis 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.'
- 14.2 Policy 8 'Northamptonshire Place Shaping Principles' which prevents any development that would result in adverse impacts due to unacceptable levels of air pollution and noise.

- 14.3 An Environmental statement has been submitted for the air quality and mitigation measures required to prevent or reduce the likely residual effects, and all the measures have been specified. The applicant has aligned the air quality assessment and technical notes with the Local Air Quality Management Technical Guidance (LAQM.TG (16)) and also, they have followed The East Midlands Air Quality Network/Corby Borough Council Air Quality and Emissions Mitigation, Draft Guidance for Developers (EMAQN guidance). This guidance has also been used for the operational phase assessment and emissions mitigation assessments. The latest Defra Emissions Factor Toolkit (EFT was used within the model to estimate vehicle emissions).
- 14.4 The application site is located within few sensitive receptors which are likely to be affected by the construction or operation of the development. Following consideration of the relevant issues, air quality impacts as a result of the operation of the development were considered to be significant, in accordance with the IAQM guidance. CBC Environmental Services were consulted on this application and following the submission of the Addendum and associated technical notes; have not raised any significant concern and confirmed their acceptance of the submitted information subject to conditions to secure the appropriate mitigation and damage costs.
- 14.5 Having taken into account EHO's comments, officers consider that the suggested mitigation measures for the construction and operational phases can be incorporated within the 'Construction Management Plan' and 'Low Emission Strategy' and Damage Costs conditions respectively to ensure compliance with Policy 8 of Joint Core Strategy.

## **15.0 Contamination**

- 15.1 Having assessed the submitted ground Investigation Report and given the Greenfield nature of the majority of Zone 2, the Council's Senior Environmental Protection Officer is of the view that no further investigation or remediation is required. A standard condition to deal with any unidentified contamination has been recommended and is listed at the end of this report.

## **16.0 Noise and Vibration**

- 16.1 In relation to noise impact the applicant has provided information within the Environmental Statement Chapter 6 which includes noise survey, construction noise assessment and operational noise assessment.
- 16.2 An assessment has been made regarding the impact of noise and vibration at both the construction and operational phases of development. The above assessment is necessary to comply with Policy 8-Place Shaping Services of the JCS, which states that permission will not be granted for development resulting in unacceptable levels of noise. The Senior Environmental Health Officer was consulted in regards to noise and vibration and no objection has been raised.
- 16.3 It is considered that, the proposal would not have significant noise impact on the surrounding area subject to the proposed conditions relating to mitigation and the proposal is not considered to have detrimental impact on the living conditions of the existing and future occupiers.

## **17.0 Flood Risk/Drainage**

- 17.1 With regards to flood risk and drainage issues; planning policies seek to prevent increased risk of flooding, to protect and improve the quality of the water environment and ensure development is designed from the outset to incorporate Sustainable Drainage Systems (SUDS) wherever practicable (JCS Policy 5 and NPPF paragraph 163 and 165).
- 17.2 Localised areas around Willow Brook lie within flood zones 2 and 3 (medium and high risk of flooding respectively), however the vast majority of the site lies within flood zone 1 (low risk of flooding).

17.3 The submitted Flood Risk Assessment (FRA) includes an Outline Surface Water Strategy, undertaken following LLFA guidance and informed by the findings of the FRA. The proposed drainage solution includes the use of sustainable urban drainage systems (SuDS) to enable attenuation of surface water flows resulting from the proposed development. The proposals for Zone 2 include the following:

- A basin (“Lake 2”) is proposed to store the runoff volumes from Zone 1 and the southern part of Zone 2. The proposal includes a vortex flow control to restrict flows and a weir to act as an overflow structure in case of blockage. Volumes from the lake are to ultimately discharge into the Southern Stream near Stamford Road.
- A vortex flow control (465mm MD5 Hydrobrake) is already constructed restricts flows to 198l/s. This discharge rate was derived based on the original development area of 99ha.
- The total catchment area in Zone 2 draining towards Lake 2 accounts for 54.81ha, with a relative 60% percentage of impermeable area. As Lake 2 was originally designed also to accommodate water runoff from Zone 1, an additional 50.36ha contributing area from Zone 1 (39.6ha

17.4 The Environment Agency initially objected to the scheme on flood risk grounds, specifically the absence of modelling work to support the FRA. Though direct liaison between the applicant’s consultant and the EA, outstanding off site modelling and on-site culvert design adjustments were submitted as part of the FRA Addendum (July 2020), which was received by the council as part of the request for additional information under Regulation 25 of the EIA Regulations.

17.5 These revisions were sufficient for the EA to be satisfied that any impact arising from the development would be contained within the site and subject to two conditions, the initial objection could be removed. The suggested conditions: (1) development in accordance with the updated FRA and (2) unidentified contamination are captured in the conditions appended to this report (conditions 6 and 10). Future reserved matters applications will also require their own parcel specific FRA to be submitted and approved with the application.

17.6 The Lead Local Flood Authority (LLFA) has not objected to the application subject to the imposition of conditions. Whilst the suggested conditions have not been transcribed on a like for like basis, their requirements; principally the adherence to the submitted Foul and Surface Water Management Strategy and the future submission of detailed Surface Water Drainage Strategies, are captured by recommended conditions 6 and 7.

## **18.0 Transport Assessment**

18.1 Transport Assessment

18.2 The initial application submission was originally supported by an Interim Transport Assessment appended to the Environmental Statement.

18.3 However in April 2020, an updated Transport Assessment (TA) was submitted in response to East Northamptonshire Council (ENC) and Corby Borough Council’s request pursuant to EIA Regulation 25 for further information in relation to the ES. The revised TA was based on traffic modelling outputs from the Northamptonshire Strategic Transport Model, as agreed with Northamptonshire County Council (NCC) Highways.

18.4 The revised TA concluded that offsite highway works were required to mitigate the impacts of the development on the following junctions:

- Junction 11 – A6003 (Uppingham Road)/ A427 (Cottingham Road)/ A427 (Corby Road); and
- Junction 15 – A6086 (Lloyds Road)/ A427 Weldon Road/ A6086 (Geddington Road).

18.5 Post Regulation 25 Technical Notes

18.6 In response to NCC's review of the revised TA, a series of Technical Notes were prepared by AECOM and submitted to NCC in relation to the modelling and the scope of off-site highway works. The works were as follows:

- Junction 2 (22.07.20) – clarification of junction geometry. No mitigation required.
- Junction 3 (10.07.20) – clarification of traffic flows. No mitigation required.
- Junction 4 (22.07.20) - clarification of junction geometry. No mitigation required.
- Junction 10 (22.07.20) - clarification of junction geometry. No mitigation required.
- Junction 11 (22.07.20) – clarification of junction geometry. No change to TA conclusion that mitigation scheme is required
- Junction 11 update (05.08.20) – suggested trigger for junction works 1,225 occupations
- Junction 12 (22.07.20) - clarification of junction geometry. No mitigation required.
- Junction 13 (10.07.20) – clarification of queue length. No mitigation required.
- Junction 13 Update (03.08.20) – mitigation scheme proposed in response to NCC comments on previous TN. Proposed trigger for works of 2,000 occupations
- Junction 15 (18.06.20) – proposed trigger for mitigation works of 3,245 occupations
- Junction 15 (22.07.20) - clarification of junction geometry. No change to TA conclusion that mitigation scheme is required
- Junction 17 (18.08.20) – clarification of junction capacity. No mitigation required.
- Junction 17 Update (16.09.20) – mitigation scheme detailed. Proposed trigger 750 occupations.

18.7 NCC provided responses via email to these technical notes on the following dates:

- 2nd September 2020 – agreed position on junction 4, 10, 12 and 15. Further clarification sought on J11 and J13 trigger and J17 design
- 9th September 2020 – NCC provided suggested triggers for J11 and 13 (500 occupations)
- 18th September 2020 – NCC confirmed J17 scheme and 750 trigger

18.8 Agreed Off-Site Highway Works

18.9 As a result of the review of the above technical notes and negotiation regarding trigger points for the implementation of off-site highway works, the following has been agreed with NCC:

- The proposed Junction 11 improvement works trigger point of occupation of 500 dwellings is acceptable. Drawing reference: 60572455\_SHT\_XX\_S11\_111\_P01. 1.2.
- Junction 13 trigger point of occupation of 500 dwellings is acceptable, the minor widening of the entry width of Arm B, the A427 Oakley Road from the east, from 9.4m to 9.7m is satisfactory.
- Junction 15 drawing reference 60572455\_SHT\_S15\_151\_P01 and the trigger of 3,425 dwellings is also agreed.
- Junction 17 improvements as per drawing reference 60572455\_3622\_M\_1017F with a trigger of 750 dwellings is agreed. At a later date we may consider switching to a financial contribution to others towards a larger scheme identified should other developments have an impact on this roundabout. The proposed mitigation consists of: 1.4.1. Widen Arm A (20 cm) 1.4.2. Widen Arm C (1.2m); 1.4.3. Widen Arm D with new 3rd lane (c2.4m); 1.4.4. Widen within the gyratory to the north of arm D.
- The deferred scheme for Steele Road roundabout will require a suitable contribution based on a percentage traffic impact of the proposed development which is capped at £650k. However it has been agreed with U&C that the contribution will fall within

a 'deferred contributions' element of the S106, alongside affordable housing, which is payable subject to viability and established by a review.

18.10 Steel Road Roundabout

18.11 CBC have requested that the Priors Hall S106 make provision for a contribution to the Steel Road roundabout works that are the beneficiary of £4M HIF funding. It has been agreed with U&C that the contribution will fall within a 'deferred contributions' element of the S106, alongside affordable housing, which is payable subject to viability and established by a review.

18.12 Sustainable Transport

18.13 The planning application is supported by a Travel Plan for the development. NCC Highways have confirmed that they are satisfied that subject to further amendments secured via the S106; the proposal would promote the use of sustainable transport to an acceptable degree.

18.14 In addition to the measure included to promote walking and cycling, the s106 would secure contributions that would be used to enhance public transport provision with Priors Hall such as ensuring access via a bus.

18.15 Therefore further engagement will be undertaken with a suitable bus operator, Corby Borough Council and NCC Highways and there is a clause in the S106 to ensure that the Bus Strategy is submitted prior to occupation of any residential unit.

18.16 It is acknowledged that implementation of a comprehensive Public Transport Assessment may take place in a more advanced stage. However this provision would allow for the implementation of a scheme or schemes appropriate at that point in time, having regard to circumstances that may have changed since the development was first implemented.

18.17 Assessment Impact on Transport - Highways have confirmed that they raise no objection, subject conditions and a S106 Agreement.

18.18 Whilst the proposed development will lead to an increase in trips on the transport network in an area with limited capacity, committed enhancements to Junctions 11, 13, 14, 15, 17 and the Steel Road roundabout mean that, on balance it will not have a significant impact on the amenity for existing users, highway safety and the free flow of traffic.

18.19 However in order for the development to be compliant with relevant policies and guidance, not least NPPF and the North Northamptonshire Joint Core Strategy, a number of number of conditions are required as well as Section 106 contributions.

18.20 It should also be noted that before Tiers of the development are brought forward, strategic transport assessment work will be required which addresses any gaps in provision and promotes more sustainable transport modes.

**19.0 Design and character**

19.1 Section 12 of the NPPF, NNJC Polices requires that the development should have regard to the form, function and structure of an area, and that the scale, mass and orientation of surrounding buildings. They also note the development should be of the highest architectural quality, be of proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and comprises of details and materials that complement, not necessarily replicate, the local architectural character.

19.2 NPPF paragraph 130 states that permission should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

19.3 JNNCS Policy 8 states that development proposals that fail to make a positive design contribution to the town or cause damage to the character and quality of an area will be refused.

- 19.4 As the application is in outline, with all matters reserved, the details such as scale and layout have not been submitted. To guide what follows this stage, the masterplan is explained through two key narrative documents: the Design & Access Statement (DAS) and Development Specification.
- 19.5 The DAS describes the design intent of the development and the key townscape and place making considerations. It describes how the site would be divided into three distinct key phases, each defined by a different mix of use and each with its own character. It explains how the three character areas are an appropriate response to the constraints and opportunities of the site and to the design drivers of the development. This is not a control document, but has purpose beyond the determination of the outline application in providing context to which reserved matters should be compliant in spirit.
- 19.6 With respect to the detailed design and appearance of the key phases and buildings these aspects would be dealt with in the subsequent Design Code and reserved matters submissions.
- 19.7 With regards to matters such as block structure and maximum heights these matters are set out in the Parameters Plan submitted for approval with the application. Although these matters will not be fixed until the reserved matters stage, they again provide a clear framework that fixes the location of the blocks and the upper limits of development.
- 19.8 The DAS and Development Specification provide comfort that a successful scheme can be achieved and subject to planning conditions, including that which would secure the Design Code, the impact of the development on the character of the area would be acceptable.

## **20.0 Layout**

- 20.1 The overall illustrative masterplan for the site is based around a simple arrangement of perimeter blocks set out in a grid pattern based around a hierarchy of streets. This layout assists with legibility and ensures a development that is permeable and provides connectivity with the surrounding areas. The layout proposes a large area of open space within the site providing a buffer to the retained heritage assets and a focal point to the development around which a mix of uses are proposed that will activate the space.
- 20.2 The layout of the scheme has been assessed by the Design Review Panel as well as Joint Planning Unit Design Officers and the proposals have been commended by all parties. The layout of the development is supported and has the potential to create a high quality development complementing the existing and emerging character of Priors Hall.

## **21.0 Massing and Height**

- 21.1 The specification confirms that the maximum height is 4 stories in order to maximise views and create identifiable landmark buildings. The proposed heights are reduced within Zone 3 to 2 storeys adjacent to the Kirby Lane heritage buffer.
- 21.2 Whilst the overall approach to height and massing is supported, the current application is in outline form and therefore a more detailed analysis of height and massing will be conducted during the Design Code stage.

## **22.0 Housing**

- 22.1 Each phase of the development would be accompanied by a Housing Scheme for that Phase, detailed in the reserved matters applications. That scheme would include details of how that Phase would provide a policy compliant mix of housing including affordable housing. It would describe how many homes for the older people would be provided at that Phase and the Scheme would be assessed and approved or refused by the Local Planning Authority, with reference to current planning policy and guidance.

22.2 The Design and Access Statement submitted, with the planning application and the development specification for the site that has been endorsed for development management purposes demonstrate a commitment to deliver a wide choice of homes to meet the needs of Corby.

### **23.0 Affordable Housing**

23.1 Core Policy seek to achieve a target of 20% of affordable housing units on SUE's.

23.2 Within the affordable mix the Council would seek a target ratio of 70% social rent and 30% intermediate provision. However Policy 30 of the NNJCS acknowledges that whilst policy seeks the maximum reasonable amount of affordable housing in developments; where a robust viability assessment indicates that a development cannot meet the Policy 30 targets in full, the local planning authority will negotiate with the developer to agree an appropriate scale of provision.

23.3 Therefore in accordance with Policy 30 the application was supported by a Viability Assessment.

### **24.0 S106 Contributions Viability**

24.1 Whilst historic applications at Priors Hall under previous owners have also been considered under single applications, those decisions were subject to separate S106 agreements with each authority. For ease, clarity and practical reasons, particularly as the Councils transition to unitary status, a single S106 agreement has been negotiated and drafted to include contributions relating to both local authority areas.

24.2 NPPF paragraph 56 advises:

24.3 "Planning obligations must only be sought where they meet all of the following tests:

- 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."

24.4 A detailed Heads of Terms summary is appended to this report. These Heads of Terms have been subject to extensive consultation and negotiation with the key statutory consultees and all aspects are now agreed with those statutory consultees, with no further detailed negotiations required post committee resolution.

24.5 These requirements must also be met for the purposes of Regulation 122 of the Community Infrastructure Regulations (2010) (as amended) if planning obligations constitute a reason for granting planning permission A detailed Heads of Terms Schedule is appended to this report. These Heads of terms have been subject to extensive consultation and negotiation with the key statutory consultees and all aspects are now agreed with those consultees, with no further detailed negotiations required post committee resolution. It is considered that the planning obligations proposed accord with the requirements of Regulation 122 and the NPPF for the purposes of granting planning permission.

24.6 Save for percentage of affordable housing, which is discussed in more detail below, all contributions requested have been agreed by the applicant. The Council is therefore in a positive position with regards to the timely commencement of development should the Committee resolve to grant planning permission.

24.7 Paragraph 57 of the NPPF (2019) requires that where up to date policies have set out the contributions expected from the development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The site at Priors Hall has not been tested for viability through the plan making process under the current NPPF guidance. It has been subject to a number of viability reviews over the years as part of

the planning application process and it is well known that the previous developers struggled in this regard.

- 24.8 A viability assessment has been undertaken as the applicant considered that the contributions package and costs associated with delivering the scheme made it financially unviable. The two councils engaged the services of an independent viability expert to review the submitted assessment on the Council's behalf based on best practice guidance that requires consideration of the gross development value, costs, land value, landowner premium and developer return. The appraisal assessed the inputs from each Zone separately.
- 24.9 The applicant's viability assessment concluded that a policy compliant scheme, including 20% affordable housing and the financial contributions as set out in the appended heads of terms would not be financially viable. It therefore proposed that based on viability testing, the affordable housing element of the proposed development should be set at 0%.
- 24.10 The independent assessment undertaken on behalf of the Council has largely concurred with the developer's assessment of the scheme's viability, concluding that assumptions are generally sound and reasonable and adopted sales values are also reasonable. He concludes that "it is clear that the viability of the development is suffering due to the costs associated with the development". What he has been able to do within his own appraisal is adjust downwards the contingency, marketing and finance costs from those proposed by the applicant. These adjustments allow an uplift in the percentage of affordable housing to 5% across the site, together with the proposed £955,000 off site contribution as carried forwards from previous S106 Agreements.
- 24.11 In recognising that the affordable housing provision remains significantly lower than that required by policy, even with the addition of the off-site contribution, the applicant proposed a further viability review at the point at which the first two Key Phases are complete. Whilst this is to be welcomed, officers from both Councils were concerned that any improvement in viability at the latter stages of the development would not be adequately captured. To this end, a second review in the form of a reconciliation clause has been proposed by officers, with advice from the independent viability assessor, and accepted by the applicant. This clause triggers a review towards the end of the development to determine whether there is any residual profit above the agreed 20%. If this scenario is borne out, profit in excess of 20% is shared between the council and developer on a 50:50 basis.
- 24.12 At this later stage of the development it would not be possible to secure additional housing in the form of physical on site units as it is likely that the dwelling numbers will have already been committed through reserved matters applications. If the viability allows, a financial sum is paid to the council to secure off site affordable housing or potentially providing funds for the Council to purchase units on site (subject to agreeing appropriate terms). On site purchasing of units would be not a requirement of the S106 however it is something the Council can consider at the time.
- 24.12 Whilst this would not comply with the JCS Policy which would amount to 175 units, the Council's Housing Strategy Team recognises that the viability assessment has been independently scrutinised to the point where an uplift has been secured, as well as mechanisms to secure two further viability reviews as the development progresses.
- 24.13 In Zone 2 (CBC area), the proposed tenure mix is 100 % shared ownership and whilst this would not strictly comply with the Council's policies; given that affordable rented units will be provided within Zone 1 and the previous approval included 100% shared ownership units, the proposed tenure mix is on the balance acceptable.

## **25.0 Quality of Accommodation**

- 25.1 A Design Code and reliance upon the Council's emerging Local Plan Design Policies, where appropriate would help to secure a high quality of living accommodation for future occupiers.



The applicant has been keen to highlight that the delivery of a very high-quality living environment is a key focus for them and their continued role as Master Developer will help to achieve this.

- 25.2 However the Council would assess the standard of accommodation provided when reserved matters submissions are made.
- 25.3 Planning obligations would secure the provision of a range of community and leisure facilities that would enhance the overall quality of the development for future occupiers.
- 25.4 Planning conditions would ensure that the new buildings are constructed to appropriate sustainability standards and that fire safety was properly considered in the design of the site.

## **26.0 Equalities**

- 26.1 Section 149 of the Equality Act 2010 (“the EA”) introduces a public sector equality duty. Section 149(1) of the EA provides that a public authority must, in the exercise of its functions, have regard to the need to:
  - a. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the EA;
  - b. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - c. Foster good relations between persons who share a relevant characteristic and those who do not share it.
- 26.2 The relevant ‘protected characteristics’ are listed within Section 149(7). The public sector equality duty is a material consideration in planning decisions; however, it should be borne in mind that the focus of planning decisions should be on whether proposed development is an acceptable use of land (NPPF Para 183).

The proposed development would not result in the loss of any existing facilities that are valued by persons who share a protected characteristic. Rather, the scheme would provide persons who share a protected characteristic with the opportunities to occupy, use and enjoy the new dwellings, commercial floor-space and public realm that would be delivered by the proposed development. As such it is considered that the requirements of the Equalities Act 2010 have been satisfied through the development proposal.

## **27.0 Conclusion**

- 27.1 Regional and local policy supportive of the delivery of the Priors Hall development site, designated a Sustainable Urban Extension area. The application represents the final zones in the wider Priors Hall development site and would bring forward much needed new housing and is central to helping achieve the Council’s aspirations for delivering new homes in the wider area. The application also includes the parameters for the access points, new local centres, this will improve access across the wider site improving connectivity across the wider area.
- 27.2 Priors Hall is a long-standing development site, which has stalled beyond the initial Zone 1 Phase. Under new ownership, the revised proposals for Zone 2 (CBC) and Zone 3 (ENC) are backed by an experienced master developer with a good track-record of delivery, whose model involves providing the infrastructure upfront, including roads, community facilities, open space and play areas, leaving development ready parcels for individual developers to submit reserved matters applications.
- 27.3 The 3-tier approach as described in this report provides a robust regulatory framework for what is substantial development. The key Phase approval process ensures that the councils retain a greater degree of control on design quality and detailed mitigation measures. Each tier must conform to the principles agreed in the preceding tier to gain approval.

- 27.4 The development has been designed to respect the existing housing in Zone 1, however the proposed Zones will have their own distinct village character.
- 27.5 To be fully policy compliant and provide 20% affordable housing, the proposed development would be unviable, as concluded by the Council's independent advisor. Through an independent assessment, the assumptions made by the applicant advisors were found to be generally sound. As described above adjustments made as part of this process demonstrated that the level of affordable housing could be increased from 0% to 5% (175 out of 3500). This increase has been accepted by the applicant and, although it still represents a low proportion of the total number of dwellings on site, the viability of the development has to be weighed in the planning balance alongside all other material planning considerations.
- 27.6 The weight given to a viability assessment is a matter for the decision maker, having regard to all circumstances of the case, including whether the plan and the viability evidence underpinning it is up to date. It has already been highlighted in this report that the site has not been tested for viability through the plan making process under the current NPPF guidance as it is a longstanding allocation. This has been considered a mitigating factor, as does the lack of progress beyond Zone 1 as a result of the clear lack of viability. In this regard, it is considered that the viability assessment, has been robustly assessed on accordance with the NPPF (having been independently assessed by the Councils own viability expert and in accordingly supports the viability case made by the applicant.
- 27.7 The low percentage of affordable housing weighs negatively in this exercise. However clear and timely viability review mechanisms have been negotiated by officers and the Council's legal advisor, these will be secured in the S106 Agreement. Weighing positively in the planning balance is the fact that both councils are now presented with a frontloaded outline scheme with a clear direction through the three tier and master developer approach.
- 27.8 In all other respects the proposed development can be considered sustainable. The requested levels of infrastructure have been agreed as detailed in the appended S106. Heads of terms and conditions.
- 27.9 Therefore the proposal is considered to be acceptable subject to the following recommendations:

## **28.0 RECOMMENDATION**

- 28.1 Recommendation 1: If satisfactory S106 legal agreement which secures obligations as set out in this report is completed by 31<sup>st</sup> December 2020 (or other date agreed in writing with the Local Planning Authority): GRANT planning permission subject to conditions.
- 28.2 Recommendation 2: If a satisfactory S106 legal agreement to secure obligations as set out in this report is not completed by 31<sup>st</sup> December 2020 (or other date agreed in writing with the Local Planning Authority): Delegate to Head of Planning Services to REFUSE planning permission.

**Officer Contact**  
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