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## Application for Planning Permission

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19/00071/REM

**Construction of; a food store (A1), 10 commercial units (A1-A5, D1, B1), a gymnasium (D2), ancillary service road and service area, sub-station, car parking, landscaping, drainage and utilities infrastructure, and associated works at Parcels DC1 and DC2 of Priors Hall Zone 1**

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**1.0 Site and Surroundings:**

- 1.1 The application site is located within Zone 1 of the Priors Hall development and relates to Parcel DC1 and DC2 as shown on the approved Development Framework Plan (BBD036-005 Rev C) and would unlock the development of two of the final vacant parcels of Zone 1. The application site is bound by Kestrel Road to the south and east, the Zone 1 community centre to the west, and vacant land to the north, beyond which lies the Corby Business Academy and residential properties along Merlin Road.

**2.0 The Proposal:**

- 2.1 The proposal seeks planning consent for the Construction of; a food store (A1), 10 commercial units (A1-A5, D1, B1), a gymnasium (D2), ancillary service road and service area, sub-station, car parking, landscaping, drainage and utilities infrastructure, and associated works at Parcels DC1 and DC2 of Priors Hall Zone 1.
- 2.2 The convenience food store (A1) will provide 418m<sup>2</sup>, the retail units (A1 to A5, B1 D1) provide a combined floorspace of 692 m<sup>2</sup> and the proposed gymnasium (D2) will provide 604 m<sup>2</sup> of floorspace.

**3.0 History:**

- 3.1 A planning history search exercise was carried out on 1.8.2019 which revealed an extensive history for the site. Submissions which hold material weight in the determination of this application including the following:
- 3.2 Outline planning application submitted under reference: 04/00240/OUT for a "Mixed use urban extension to Corby, including Residential (up to 5,100 dwellings), Employment (up to 14ha), 1 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. Granted consent on 29.03.2007.
- 3.3 Reserve 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, Stamford Road, Weldon, Corby, Northamptonshire. Granted Consent 15.8.2013.

**4.0 Policy:**

- 4.1 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.
- 4.2 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’.

- 4.3 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:

- 4.4 The revised “NPPF”, originally published in 2012, was published on February 2019 and is a material consideration in the determination of planning related applications.
- 4.5 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)’.
- 4.6 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);

- 4.7 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.

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 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;

**5.0 Consultation:**

- 5.1 The following statutory consultee responses have been received.

External/Internal:

Environment Agency – No comment

Sport England – No comment

Highways – The revised document drawing number 6761\_100 G has addressed previous concerns and therefore the Transport Statement is now considered to be acceptable.

Local Plan – The proposal is consistent with outline permission 13/00026/RVC and is acceptable.

Highways England – No comment

Housing Strategy – No comment

Natural England – No comment

Environmental health – No objection subject to a condition which requires a detailed noise assessment

Sustainability Officer – No objection however recommends condition to secure BREEAM and electric charging points.

Archaeology – The archaeological mitigation undertaken in 2006 has been completed and therefore there are no further comments

Anglian Water – No comment

Crime Prevention Officer – No objection subject to conditions in relation to details of the boundary treatment, fencing, planters, gates and ATM security measures.

## **6.0 Advertisement/Representations:**

6.1 Public consultation was carried out by way of site notices and press notices. During the statutory consultation period which expired on 6.8.2019, 4 letters of objection has been received from nearby businesses and members of the public.

A summary of the objections received are as follows:

- Against planning policy
- Amenity
- Design/Appearance
- Highways considerations as the proposal fails to provide sufficient parking spaces

### **Key determining issues:**

- Principle of Proposed Development
- Layout and Urban Design
- Highways and Parking
- Community Safety
- Landscaping
- Impact on Residential Amenity
- Sustainability
- Drainage

Considerations

## **7.0 Principle of Development**

7.1 The outline planning permission (13/00026/RVC) for Priors Hall mixed-use urban extension allows for '1 District Centre' within the description of the approved development. Furthermore, the approved Development Framework Plan (BBD036-005-Rev C) stipulates that the District Centre must be located within Parcels DC1 to DC3, which designated for mixed use.

7.2 Condition 10 of the outline planning application (13/00026/RVC) limits the amount of Use Class A (shops including some services) floorspace within the Corby Borough remit of Priors Hall as follows;

- A1 (shops and retail outlets) – not more than 4,900m<sup>2</sup>
- A2 (professional services) – not more than 770m<sup>2</sup>
- A3/4/5 (food and drink/drinking establishments/hot food and takeaway) – not more than 4500m<sup>2</sup>
- B1 (business) – not more than 40,550m<sup>2</sup>
- D1 (non-residential institutions) – not more than 2,650 (excluding schools)
- D2 (entertainment and leisure) – not more than 830m<sup>2</sup>

7.3 This reserved matters seeks approval for the following land uses and floorspace quantities (gross internal area);

- 1 Convenience store (A1 – 418m<sup>2</sup>)
- 10 smaller Retail units (A1 to A5, B1, D1 -combined 692 m<sup>2</sup>)
- 1 Gymnasium (D2 – 640m<sup>2</sup>)

7.4 Given that the only Use Class A1-A5 facility with full consent at Priors Hall is the Café element of the Cafe/Marketing suite on Parcel DC3 and this has a Gross Internal Floorspace of 104.1m<sup>2</sup>; the proposal would allow sufficient Use Class A floorspace. In addition to this the only extant D1/D2 uses at Priors Hall are schools, therefore the full floorspace allowance remains. In terms of B1 usage, only the Corby enterprise centre is in B1 usage and therefore this falls short of the 40,550 m<sup>2</sup> allocation.

7.5 Therefore there is adequate remaining permitted floorspace within the outline consent for the full range of uses proposed in this Reserved Matters application and the proposal is compliant with the previously approved Use Class thresholds as permitted by the Priors Hall Outline planning permission 13/00026/RVC.

## **8.0 Layout and Urban Design**

8.1 The application site is located within 'The Centre' Character as defined by the Priors Hall Zone Design Code. The Design Code states that within this Character Area the built form should be contemporary in style with building heights up to four storeys to ensure a legible environment is created to define and enclose streets, spaces and parking areas.

8.2 The proposed layout for District Centre is provide discrete areas of public parking within the rear in a way that it would not overly dominate the public realm.

8.3 The architectural form and massing of the proposed units has been designed in order to provide an active frontage and to create identifiable landmark buildings along the main street frontage.

8.4 Elsewhere, the proposed buildings reduce in height to respond to the context of the adjacent residential development.

8.5 The proposed buildings have been designed in a contemporary style and incorporate a mix of materials including buff brickwork, Metal and Composite cladding which create a distinctive building. A condition is recommended for the approval of materials.

8.6 Overall the proposed design of the District centre is considered to be acceptable and in accordance with the approved Design Code Addendum (application reference number 19/00039/CON).

## **9.0 Community Safety**

9.1 The Police Crime Prevention Officer considers the application proposal to be in general compliance with designing out crime. However further details are required in relation to boundary treatment, details of the proposed locks and further details relating to the location and type of CCTV. In addition to this a condition requiring the buildings to be built to secured by design standards is included as required by Policy 13 of the North Northamptonshire Core Spatial Strategy (2016).

9.2 Subject to conditions requesting further details the proposal is considered to be acceptable on 'planning out crime' grounds.

## **10.0 Landscaping**

10.1 The overall level of landscaping is considered to be acceptable for the context of the application site as part of District which represents a distinctively more commercial character area. The Landscape officer has raised no objection subject to a condition requesting details of the landscaping boundary treatment and details of the tree planting within the hard landscape.

## **11.0 Access and Car Parking**

11.1 The application is supported by a Transport Statement and a Travel Plan and the Highways Officer has confirmed that the General Arrangement Drawing No. 6761\_100 G now meets our requirements and the appended Transport Statement prepared by Aecom dated January 2019 is also now approved.

11.2 Therefore, the proposal is acceptable on Highway grounds.

## **12.0 Impact on Residential Amenity**

12.1 Policy D1 of the Northampton Joint Core Strategy 2016 seeks to prevent development that would result in an unacceptable visual impact, loss of privacy or noise/light pollution.

12.2 The District Centre has always been identified as a commercial use development and the nature of the uses proposed are not considered to represent a significant impact on the amenity of the closest residential properties by way of noise; given that the closest residential properties are sited more than 20 metres away from the proposed District Centre. Notwithstanding, conditions are recommended to control the opening hours of the commercial units, deliveries and refuse collections and for the approval of any mechanical plant. Any additional sound reduction measures deemed necessary would be considered under Building Regulations.

12.3 Subject to the conditions mentioned above the proposed development is considered to accord with Policy 1 of the North Northampton Joint Core Strategy and would not result in unacceptable impact on the general amenity of neighbouring residents.

## **13.0 Sustainability**

13.1 The proposal is in excess of 1000 sqm and in accordance with the North Northamptonshire Joint Core Strategy and as such a Sustainability Statement has been submitted which demonstrates that the development will comply with BREEAM 'Very Good' standards. The Sustainability Officer has confirmed that there is no objection to the proposal subject to conditions that require details of the proposed electric vehicle charging facilities.

Therefore the application is considered to be acceptable and in accordance with Policy 9 of the North Northamptonshire Joint Core Strategy (2016).

13.2 An additional condition which requires the submission of electric vehicle charging strategy is recommend.

13.3 On the balance subject to the submission of further details relating to sustainability measures to the Design Code Addendum (application reference 19/00039/REM) the proposal is acceptable and in accordance with Policy 9 of the North Northamptonshire Joint Core Strategy.

## **14.0 Drainage**

14.1 The application is supported by drainage proposal which incorporates Sustainable Urban Drainage System v systems which has been agreed with the Local Lead Flooding Authority. The proposal is therefore considered to provide appropriate site drainage and will not increase flood risk in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy.

## **15.0 Conclusion**

15.1 The District Centre is envisaged as a mixed use local centre including commercial and cultural uses that will provide key facilities for those living and working within Priors Hall, as well as

attracting visitors to the neighbourhood. This area will provide a focal point for activity within the community and, as a destination for visitors, also presents an opportunity to establish a strong identity for Priors Hall.

The proposed development, has been amended to address the comments received from consultees, responds to the approved Priors Hall Design Code Addendum (application reference 19/00039/CON) The proposed development is therefore considered to be acceptable and in general accordance with the Priors Hall outline planning permission (ref 13/00026/RVC) and the policy requirements of the Development Plan and the National Planning Policy Framework 2019; In accordance with the presumption in favour of sustainable development it is recommended that planning permission is granted subject to the conditions as set out below.

## **16.0 Recommendation**

### **Conditions**

1. Nothing herein contained shall be deemed to affect or vary the conditions imposed on outline planning permission ref. 13/00026/RVC, which shall continue in full force save insofar as they are expressly varied by any conditions imposed hereby.

**Reason.** For the avoidance of doubt.

2. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

- 6761\_100\_H
- 6761\_101\_G
- 6761\_110
- 6761\_111
- 6761\_120
- 18136\_0301\_016
- 18136\_0310\_05
- 18136\_0311\_06
- 18136\_0320\_04
- 18136\_0321\_04
- 18136\_0330\_05
- 18136\_0340\_04
- 18136\_0341\_03
- 30000\_07
- 33000\_P08
- 63001\_P06
- UAC046 – 021
- 18136\_0300\_15
- FTA Rigid Vehicle
- Refuse Vehicle
- Removals Van
- Sustainability Statement

3. No development beyond slab level shall be undertaken until such time as samples of all external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure a satisfactory appearance of the development.

4. Prior to the occupation of the development hereby permitted, the car parking area shown on the approved drawings shall be constructed, surfaced and permanently marked out. The car parking area shall be used for no other purpose thereafter.

**Reason:** To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or safety on the neighbouring highway.

5. Prior to the occupation of the development hereby permitted, all soft landscaping works shall be carried out in accordance with the approved landscaping scheme. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as may be agreed by the Local Planning Authority.

**Reason:** To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

6. Prior to the occupation of the development hereby permitted, evidence confirming the achievement of BREEAM Very Good for the development shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that the development complies with the Council's objective for sustainable development in accordance with Policy 9 of the Joint Northamptonshire Core Strategy 2016.

7. Prior to the fit out of any commercial unit which requires any mechanical plant equipment (including, but not limited to air handling plant, flues, motors, air conditioning units and compactors), details of the mechanical plant equipment that is to be installed shall be submitted to and approved in writing by the Local Planning Authority. Any mechanical plant equipment shall be installed in accordance with the approved details for each commercial unit prior to the occupation of that commercial unit.

**Reason:** To ensure that adequate precautions are implemented to avoid noise nuisance and visual pollution in accordance with saved Policy P1 of the Corby Local Plan and Policy 9 of the Joint Northamptonshire Core Strategy 2016.

8. The opening hours of any commercial unit hereby permitted shall be restricted to the following:

- For units occupied by A1 and A2 uses - between 6am and 11pm Monday to Saturday, and between 7.30am and 10.30pm on Sundays.
- For units occupied by A3 uses – between 7am and 11pm Monday to Saturday, and between 9am and 10.30pm on Sundays.
- For units occupied by A4 uses – between 11am and 11pm Monday to Sunday
- For units occupied by A5 uses – between 7am and 11pm Monday to Saturday and between 9am and 10.30pm on Sundays.
- For units occupied by D1 uses - between 7am and 10pm Monday to Saturday and 8am and 6pm on Sunday
- For units occupied by D2 uses - between 6am and 11pm Monday to Saturday and 7am and 10pm on Sunday

**Reason:** To limit the detrimental effect on adjoining occupiers by reason of noise and disturbance and to ensure the development does not prejudice the enjoyment of neighbouring properties in accordance with saved Policy P1 of the Corby Local Plan and Policy 9 of the Joint Northamptonshire Core Strategy 2016.

9. All deliveries to any commercial unit hereby permitted shall be restricted to the following:  
06:00 - 23:00 Monday to Sunday.

**Reason:** To limit the detrimental effect on adjoining occupiers by reason of noise and disturbance and to ensure the development does not prejudice the enjoyment of neighbouring

properties in accordance with saved Policy P1 of the Corby Local Plan and Policy 9 of the Joint Northamptonshire Core Strategy 2016.

10. All refuse collections to any commercial unit hereby permitted shall be restricted to the following:  
06:30 - 20:00 Monday to Saturday No Refuse Collections on Sundays or Bank Holidays

**Reason:** To limit the detrimental effect on adjoining occupiers by reason of noise and disturbance and to ensure the development does not prejudice the enjoyment of neighbouring properties in accordance with saved Policy P1 of the Corby Local Plan and Policy 9 of the Joint Northamptonshire Core Strategy 2016.

11. No building or other site works during the construction period likely to cause nuisance to adjoining residents or occupiers shall be carried out before 8am or after 6pm Mondays to Fridays nor before 9am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

**Reason:** To limit the detrimental effect on adjoining residents or occupiers by reason of noise and disturbance.

12. The development shall not be occupied unless and until a strategy detailing the provision of electric charging points for visitors (including a strategy for their ongoing management and maintenance), has been submitted and approved in writing by the Local Planning Authority. The approved electric vehicle charging scheme shall be provided prior to the first occupation of the development in strict accordance with the approved details.

**Reason:** In recognition of Section 4 'Promoting Sustainable Transport' in the National Planning Performance Framework

13. Prior to the occupation of the development hereby permitted details regarding the boundary treatment, bollards and ATM security must be submitted and approved by the Local Planning Authority in consultation with the Crime Prevention Design Advisor.

**Reason:** In the interest in safety and crime prevention in accordance with Policy 13 of the North Northampton joint Core Strategy.

14. Prior to first use or occupation of the development hereby permitted, pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access / footway level.

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

15. No building or other site works during the construction period likely to cause nuisance to adjoining residents or occupiers shall be carried out before 8am or after 6pm Mondays to Fridays nor before 9am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

**Reason:** To limit the detrimental effect on adjoining residents or occupiers by reason of noise and disturbance.

16. Prior to the first use of the development hereby permitted, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would adhere to the principles of Secured By Design. The development shall be carried out and retained in accordance with the agreed details.

**Reason:** To ensure that the development meets Secured By Design principles as required by the Crime Prevention Officer.

**Officer to Contact**

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