
Application for Planning Permission

20/00260/DPA	Erection of a self-storage building (Class B8) (4,466 sqm GIA) with independent Office use (Class B1) of 200sqm within the self-storage unit, 9 Units in flexible use Class B1(b, c), B2 and/or B8 uses with ancillary Trade/retail Counter amounting to 879 sqm GIA, Class A1/A3/A5 Coffee Drive Thru (168sqm) with new access, associated car parking and landscaping At: Fircroft Nurseries, Stamford Road, Stanion,
---------------------	--

1. Site surroundings:

- 1.1 The application site is located on open countryside on the eastern edge of Corby adjacent to the A43. The site currently has a single access from the A43 and comprises a total area of approximately 1.25 ha. The site is bounded to the south and east by Cowthick Plantation, to the west by the A43 and the Stanion Plantation development and to the north by agricultural land. The village of Stanion is located to the south of the site, beyond Cowthick Plantation and the disused railway gullet.
- 1.2 The land is relatively flat and even within the Application Site. The eastern portion of the site within the plantation has been previously worked by British Steel as an ironstone quarry. After mining ceased the land was planted with conifer plantation.

2. The Proposal:

- 2.1 The applicant seeks consent for the erection of a self-storage building (Class B8) (4,466 sqm GIA) with independent Office use (Class B1) of 200sqm within the self-storage unit, 9 Units in flexible use Class B1(b, c), B2 and/or B8 uses with ancillary Trade/retail Counter amounting to 879 sqm GIA, Class A1/A3/A5 Coffee Drive Thru (168sqm) with new access, associated car parking and landscaping with 60 FT employees.
- 2.2 The site will be accessed from a new access off the existing A43, leading into a new mini roundabout within the site. A new 'acceleration' lane leading from the site will back onto the A43. The existing site access off the A43 will be closed.

3. Site History:

97/00229/CO- Stamford Road Stanion - the construction of petrol filling station, drive thru restaurant & lodge. Application permitted on 27.04.1998

01/00061/RVC- Variation of conditions to application CO/97/C194 for construction of petrol filling station, restaurant and lodge. Application permitted on 08.05.2001

03/00058/RVC- Variation of condition 1 to application 01/00061/RVC (for construction of petrol filling station, restaurant and lodge). Application withdrawn on 19.05.2003.

04/00164/RVC- Variation of Condition 1 (01/00061/RVC) to extend the period to submit reserved matters to 31/5/05 for the construction of petrol filling station, restaurant and lodge at Fircroft Garden Centre. Application permitted on 29.06.2004.

06/00064/RVC- Variation of Condition 1 (04/00164/RVC) to extend the period to submit reserved matters for the construction of petrol filling station, restaurant and lodge at Fircroft Garden Centre. Application refused on 23.05.2006

07/00101/REM- Road side service area consisting of petrol filling station, restaurant/pub and hotel, access and associated works. Application permitted on 22.05.2008

07/00103/DPA- Car parking for 19 vehicles for roadside service area. Application permitted on 01.05.2007

08/00197/OUT- Roadside service area and lorry park consisting of petrol filling station with capacity for both car and HGV vehicles, restaurant/pub, hotel, HGV drivers rest area

containing a cafe/WC/showers and 240 HGV parking space with means of access and associated works. Application refused on 28.10.2009

09/00397/CON- Discharge of condition 5 of planning permission 04/00164/RVC. Discharged on 23.11.2009

4. Policy Context:

4.1 The key parts of the NPPF (2019) in relation to this proposal are as follows:

- NPPF Section 2- Achieving sustainable development
- NPPF Section 6- Building a strong competitive economy
- NPPF Section 7- Ensuring the vitality of town centres
- NPPF Section 9 – Promoting sustainable transport
- NPPF Section 11 – Making effective use of land
- NPPF Section 12- Achieving well-designed places
- NPPF Section 15- Conserving and enhancing the natural environment

4.2 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:

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

5. Consultation:

Internal

CBC Environmental Services:

5.1 (15.09.2020) Council's Environmental Health Officer (EHO) was consulted in relation to air quality, ground contamination and noise impact due to the proposed development. Further information has been requested by EHO to fully assess the air quality and noise impacts.

5.2 For Air Quality the EHO refers to '*Air Quality and Emissions Mitigation Guidance for Developers*' dated June 2019 and recommended that the applicant should follow the 'screening checklist' and 'air quality and emission mitigation assessment checklist' to ascertain whether the development requires an air quality assessment or emissions assessment to be submitted, in addition to determining whether additional assessment is required to assess the

impact on public health and/or the local environment as well as the significance of a development on local air quality and what mitigation measures are required to make the development acceptable on air quality grounds.

- 5.3 In regard to ground condition, the officer suggested condition related to unexpected contamination.
- 5.4 (16.10.2020) Applicant has submitted Air Quality Assessment and Acoustic Report to address concerns raised by Environment Services. EHO has reviewed the reports and recommended that suitably worded planning conditions would ensure effective mitigation measures.

Local Plans Section:

- 5.5 (07.09.2020) Council's Local Plans Section has been consulted on this application and provided the following response-

The application site is located within the open countryside, as defined in the Part 2 Local Plan for Corby (Submission) submitted to the Secretary of State on 19 December 2019 and currently subject to examination. Policy 11 of the Joint Core Strategy outlines a general presumption against all forms of development in the open countryside unless they accord with the policies of Policy 13 or national policy.

It is, however, acknowledged that Development Control Committee approved the principle of development at Cowthick Plantation on 23 June 2020 (18/00817/0UD. It is noted that the Council has requested that the Inspector for the Part 2 Local Plan recommends modifications to the plan through the examination process. Significantly the criteria for the definition of the urban boundary that underpinned the Part 2 Local Plan for Corby indicates that the urban boundary will include land that has planning permission for development as long as it is directly related to the urban edge. Therefore, whilst technically the application site is within the open countryside and the proposal would be contrary to Policy 11 of the Joint Core Strategy, it is considered that due to its location and relationship with Cowthick Plantation that justification can be made to treat the site as falling with the main built up area of the town at this point in time.

It is noted that the application site benefits from a planning consent for the construction of a petrol filling station, restaurant (A3) and hotel (C1).

The current application comprises the erection of a self-storage building (BS) with offices (B1), flexible trade units (B1(b, c), B2 and/or B8) and Coffee Drive Thru (A1/A3/A5) which is considerably different to the extant permission. Policy 11 of the Joint Core Strategy sets out that Growth Towns, such as Corby, will provide the focus for major co-ordinated regeneration and growth in employment, housing, retail and higher order facilities. Therefore this policy supports proposals which provide employment that supports regeneration and growth. This proposal would achieve that.

Policy 22 of the Joint Core Strategy requires 31,000 jobs in North Northamptonshire in Corby the requirement is 9,700 jobs. This proposal would contribute towards that.

Policy 23 of the Joint Core Strategy indicates that town centres and areas around the railway stations at the Growth Towns will be the preferred locations for new office development with additional office sites at areas with good public transport.

Policy 24 of the Joint Core Strategy sets out criteria that must be satisfied for logistic development. It is note that the proposal has good access to the strategic road network and to local labour, therefore complies with criterion b) and c) of the policy requirements. Other considerations to be considered through the development management process include impact on amenity and landscaping, highway safety and HGV Parking in accordance with Policy 24.

Notwithstanding Policies 11, 22, 23 and 24 of the Joint Core Strategy that support the employment components of the proposal in principal, subject to all other material considerations being satisfactorily addressed, it should be acknowledged that the site

does not form part of any defined 'town centre' as set out in Policy 19 of the Part 2 Local Plan. Policy 12 of the Joint Core Strategy seeks to support the vitality and viability of existing town centres by guiding main town centre uses towards the existing town centres. The proposed A1, A3, A5, B1 uses are all classified as main town centre uses. Policy 12 requires applications for main town centres uses to satisfy requirements set out in national policy.

The application is supported by a Sequential Site Assessment, dated June 2020, prepared by MWA, which explores opportunities to utilise alternative sites for a drive through coffee shop/restaurant that may be sequentially preferable and which are suitable and available. It is noted that the assessment relates only to Use Class A1/A3/A5 featured within the proposed development.

Sustainability Officer:

- 5.6 No comments received.

Tree Officer:

- 5.7 (24.09.2020) No objection subject to planning conditions related to tree protection measures and soft landscaping details.

External

Crime Prevention Officer:

- 5.8 (07.09.2020) Crime prevention Officer was consulted in regards to the application and the officer raised no objection in relation to designing out crime and anti-social behaviour. The officer also suggested that the following recommendations will reduce the likelihood of crime, disorder and anti-social behaviour occurring if implemented:

1. *External site illumination needs to be clarified. I do not consider that LED located under the canopies will be sufficient.*
2. *External CCTV proposed, details need to be submitted and approved.*
3. *The entire development should use doors (including roller shutter) and easily accessible windows security certified to LPS1175 SR2 or equivalent.*
4. *All safety and easily accessible glazing should include at least one pane of safety laminated glass successfully tested to a minimum of BS EN356:2000 class P1A. On double glazed units I recommend the toughened pane to be on the external side.*
5. *Access control strategy needs to be clarified in terms of customers being authorised for 24/7 access and for those doors where access needs to be limited.*

Anglian Water:

- 5.9 (29.07.2020) No objection has been raised to the proposed development subject to planning condition related to used water sewerage network.

The Environment Agency:

- 5.10 (27.08.2020) No objection/comments.

Natural England:

- 5.11 (27.08.2020) No objection/comments.

Lead Local Flood Authority (LLFA):

- 5.12 (02.09.2020) The County Drainage Engineer was consulted in regards to the proposed scheme and requested further information to fully assess the proposal.
- 5.13 (23.11.2020) Further consultation has been carried out with LLFA on the revised drainage layout plans, MicroDrainage files and Flood Risk Assessments. Drainage Engineer have assessed the additional information and recommended planning conditions related to surface

water drainage scheme, management and maintenance of the surface water drainage system and Verification Report.

County Fire Officer:

5.14 (01.09.2020) No comments/objection.

Northamptonshire County Council County Archaeologist:

5.15 (08.09.2020) No comments/objection.

CPRE Northamptonshire:

5.16 No response received.

Wildlife Trust:

5.17 No response received.

Ecological Officer:

5.18 (17.09.2020) County Ecological Advisor was consulted on this application and raised no objection subject to planning conditions related to landscape scheme, lighting strategy, method statement for reptile translocation and badger survey. The officer provided the following comments:

I'm writing in response to your consultation on the above application for mixed employment uses adjacent to Cowthick Plantation LWS. Due to the extent of buildings and sealed surfaces it will likely not be possible to achieve a net biodiversity gain with this proposal. However, if the council is minded to approve this application a number of conditions would be required to satisfy relevant wildlife legislation and guidance:

- A wildlife-friendly lighting strategy should be conditioned to ensure that nocturnal species are not disturbed while at the same time providing the necessary security lighting. The strategy should be consistent with the 2018 'Bats and artificial lighting in the UK' by the Bat Conservation Trust and Institution of Lighting Professionals.*
- A detailed soft landscaping scheme should be conditioned, to ensure the development delivers as much biodiversity mitigation as possible.*
- Due to the presence of low populations of grass snake and common lizard, a reptile method statement must be developed to ensure compliance with wildlife legislation. This should incorporate the recommendations made in 'Reptile Survey Report, land off A43, Corby, Northamptonshire for Magenta Storage Limited' by Craig Emms and Linda Barnett and dated 26 September 2018.*

Northamptonshire County Council Key Services (Broadband) and Northamptonshire Fire & Rescue Service (NFRS):

5.19 (16.09.2020) NCC Fire and Rescue, and Broadband Services were consulted on this application. The response follows the principle guidance in the County Council's adopted Planning Obligations Framework and Guidance Document (2015). The officer also stated that an assessment of the site will need to be undertaken by the Water Officer of Northamptonshire Fire and Rescue Service in order to establish the precise requirement, however, it is expected that this development may require a minimum of 1x fire hydrant to be provided and installed.

5.20 In terms of Broadband Services, it is recommended that early registration of development sites is key to making sure the people moving into the proposed developments get a fibre based broadband service. In addition, it is advised that ducting works are carried out in co-operation with the installations of standard utility works.

Local Highway Authority:

5.21 (13.10.2020) Local Highways Authority has been consulted on this application and requested further information to fully assess the proposal. Key concerns covers the layout, bus access,

pedestrian and cyclist access, Transport Assessment data, Road Safety Audit (RSA) and diversion of Public Rights of Way (PRoW).

- 5.22 (07.12.2020) LHA was re-consulted on the revised layout and additional information submitted by the applicant. No objection has been raised by Highway Officer subject to planning conditions related to visibility splay, drive-thru servicing vehicles, controlled crossing for pedestrian and cyclists, footpath from the southern section of the site to the drive-thru / café, Public Right of Way, diversion order, details of off-site work along with RSA ½ and Construction Traffic Management Plan. Highway officer provides the following comments:

Recommendations:

No objection subject to the following conditions.

Observations:

RSA1 item 3.1 has not been satisfactorily addressed,

3.1 PROBLEM

LOCATION: At proposed diverge auxiliary lane entry to development.

SUMMARY: Vehicles entering development will obscure visibility for vehicle exiting.

A vehicle that is within the diverge auxiliary lane entry to the development will obscure visibility for a driver of a vehicle exiting the development and merging with A43 traffic. It is estimated that the visibility distance for a merging driver could be restricted to around 50-60m by traffic in the diverge lane due to the location of the diverge / merge being on the inside of the curve, and the proximity of the entry / exit. This restricted visibility may lead to a slow-moving vehicle entering the A43 into the path of a southbound vehicle leading to sudden braking, or lane changing, which could result in shunts or side swipe conflicts. The Audit Team are concerned that should side swipe conflicts occur then errant vehicles could be forced into the central reserve which could put them at risk of crossing into the opposing carriageway.

RECOMMENDATION

Ensure that clear visibility is provided over a distance that is sufficient for the speed of traffic. This may require an alternative junction design that accords with CD123 Geometric design of at-grade priority and signal-controlled junctions (rev 1).

The TA dated June 2020 states that the designers response is in Appendix E but we are unable to find this.

There does not appear to be any mitigation to the issue 3.1 identified above. This is a significant safety issue which should be resolved before the development is approved.

Stanion Parish Council:

- 5.23 *Stanion Parish Council wishes to strongly object to this application on the following grounds. The application site is located in the open countryside as defined in Part 2 of the Local Plan for Corby, which was submitted to the Secretary of State on 19th December 2019 and is still under examination. Corby Council has applied to the Inspector for the Part 2 Local Plan to apply modifications to the plan through the examination process. The purpose of which is to alter the criteria for the definition of the urban boundary that underpinned the submitted Part 2 Local Plan for Corby, still to be approved post examination. There is as yet, no indication that the alterations will be approved and therefore, they must be disregarded for the purposes of this application. Not to do so, would be to render the decision untenable and open to challenge. The outcome of the alterations to the Part 2 Local Plan, if approved, will be to redefine the urban boundary, which has the potential to allow Stanion village to be considered as part of the urban edge of Corby. This in turn would make it easier to justify the approval of this commercial development in what is currently defined as open countryside some 300 metres from the edge of Stanion village. Stanion is identified in the NNJCS as a village. There has been no consultation on the prospect of this major impact on the village or any explanation to the public that this is a possibility. Were this change to happen it would be contrary to the policies in the NNJCS and would, in effect, place the Corby Local Plan in direct conflict with*

the adopted NNJCS. For this to happen without formal consultation and consent would be an affront to the residents of Stanion. The NNJCS Policy 11 is clear that there is a general presumption against all forms of development in the open countryside, unless they accord with NNJCS Policy 13 or national policy, and this application does not fulfil either. NNJCS Policy 10 Table 1: Spatial Roles, lays out the criteria for development in villages and the open countryside and there is nothing in this application that would indicate that there is an identified need in the local villages or settlements in the countryside that would lead a person to conclude that this application accords with the policies of the NNJCS or that a clear and obvious need has been identified and is met by this development. The transport model provided in support of this application seeks to prove that there will be no significant impact on traffic. But, the MLP is yet to become fully operational (so its full impact is yet to be understood) and the traffic impact associated with the Cowthick Plantation application, is such that it cannot be accurately modelled, and it is proposed that monitor and mitigate will be used to assess its impact, linked to a S106 agreement to fund infrastructure improvements, where required. It cannot therefore be possible to realistically assess and define the traffic impact of this development in relation to these other developments when they are yet to be fully understood. The nature of this development and its position between two busy roundabouts, and not one, but possibly two of the largest logistics developments in the country, is a huge cause for concern. The traffic risk assessment accompanying the application recognises such, and though it offers some mitigation advice, they are wholly dependent on the actions of the drivers and pedestrians who use the site, and it is well-established that predicting and controlling human behaviour is an extremely difficult risk to manage.

The proposed road structure will have a major direct impact on pedestrians, cyclists and mobility vehicle users of all ages. The footway adjacent to the site along the A43, crosses both the entrance and exit to the site, bringing users into direct conflict with traffic. The pedestrian crossing points are not traffic controlled and drivers will be executing difficult manoeuvres at speed as they attempt to concentrate on leaving and re-joining the busy A43 dual carriageway. Vehicle types will be mixed ranging from HGV to motorcycles and it is difficult to confirm from the plans, how this aspect of the sites operational processes can be safely managed with any degree of certainty. The application also requires good public transport links, yet none exist. And it is difficult to see where bus stops could be sited to safely allow passengers to use a bus service providing links in all directions. The more so, considering the site is squashed between two very busy roundabouts, has an on and off lane in close proximity to each other and there are no traffic management systems to aid traffic flow and pedestrian safety. This application if approved, will adversely affect the wellbeing of Stanion villagers and will have a huge detrimental impact. The issue of yet more traffic and now commercial activity on their doorstep, will further erode their quality of life by increasing traffic density, air pollution, and noise pollution and will have a profound and adverse effect upon wildlife, and will further erode the open countryside and rural nature of the village. To reference a previous planning approval in support of this application is misleading. Local conditions at the time of the previous approval were very different. Recent developments, now almost fully operational have resulted in markedly increased traffic density, noise and air pollution, generating traffic congestion at the roundabout of the A43/A6116 and greatly increasing the bitter sense of severance. Previous planning consent should not be used as a precedent to influence the decision in respect of this application, which should be judged solely on its merits and against current policies, criteria and conditions. Stanion is not included in the NNJCS as part of the Corby urban area, it is defined as a village, and yet this application, and the proposed changes requested by CBC to the Corby Part 2 Local Plan, if implemented will result in Stanion losing its status as an ancient village and becoming nothing more than a housing estate on the edge of Corby. That this possibility exists is very worrying indeed. For all of the reasons stated herein, Stanion Parish Council wishes to raise the strongest possible objection to this application, which we firmly believe should be refused.

Weldon Parish Council:

5.24 (16.10.2020) Weldon Parish Council objects to the proposal and the following comments were made:

Location and Environment

The application site is located in the open countryside as defined in Part 2 of the Local Plan for Corby, which was submitted to the Secretary of State on 19th December 2019 and is still under examination.

Whilst Corby Council has applied to the Inspector for the Part 2 Local Plan to apply modifications to the plan to alter the criteria for the definition of the urban boundary that underpinned the submitted Part 2 Local Plan for Corby, The alterations are not approved so cannot be considered for this application.

The NNJCS Policy 11 is clear that there is a general presumption against all forms of development in the open countryside, unless they accord with NNJCS Policy 13 or national policy, it is our belief this application does not fulfil either.

NNJCS Policy 10 Table I: Spatial Roles, there is nothing in this application that demonstrates that the proposed facility is meeting a need in the local villages or settlements in the countryside or leads to a conclusion that this application accords with the policies of the NNJCS.

Anglian Water have objected because they have assets owned by themselves on this site or those subject to an adoption agreement within or close to the proposed development that may affect the layout of the site. They also state the proposed development increases the risk of flooding downstream, which has not been assessed. Harpers Brook flows through a number of the villages on the A6116 corridor, and is already liable to flooding.

We refer to the conditions for approval set out in The Department for Environment's letter ref: AN2018/128430/02.LOI, dated February 28th , 2019 also their letter of 11 'h, December 2019, confirmation is required these conditions will be met.

Sustainability

Corby Borough Council declared a Climate Emergency in September 2019, with the public commitment to become carbon neutral by 2030. There is no reference in this application or clear statement of intent as to how this proposed development will commit and contribute towards that goal.

Traffic

There is no assessment of the increased traffic impacts from Midland Logistics Park adjacent to the proposed site which is not yet fully operational, also the huge increase and impact of traffic from the proposed Cowthick Plantation site, travelling north and south on the A43. The traffic congestion during rush hours is already impacting heavily making it difficult for residents during these times trying to get on and off the A6116 and A43 to access their homes in the local villages.

The access slip roads are relatively short given that they are off a 50mph dual carriage way, at peak times arriving traffic may have to queue for the proposed drive through facility (the constant queues at MacDonaldis drive through at Phoenix Park is an example of this) The nature of the traffic exiting the complex onto the south bound carriage way and the length of 'run-on' means it will be slow, there is a risk that faster moving vehicles will have to change lanes on what is already a busy road, increasing the hazards and danger to road users. This often section of dual carriage way has not been designed for the introduction of more vehicles of all sizes via short slip roads.

The proposed layout of entry and egress from the A43 does not look suitable for articulated vehicles, has this layout been proved by swept analysis? Any access/egress should be limited to light goods vehicles under 7.5 tonnes with fixed wheelbase, this would seem at odds with the requirements of this sort of facility, where large articulated removals vehicles might attend.

We see no consideration given to the fact that drivers of articulated and other large commercial vehicles might attempt to use the drive through facility. There is no parking indicated for such vehicles and the on-site roads would be difficult if not impossible for them to negotiate the tight turns. The parking layout for the cafe does not seem to cater for even 7.5 tonnes light commercial customers or its own goods deliveries.

Existing facilities locally

There are 2 existing cafes in relatively close proximity, on Geddington Rd and at the Corby Road Weldon junction. There are 2 existing self-storage facilities within a mile, on Kettering Rd Weldon and on Weldon Rd Corby. We would question the business case for a facility like this to be here.

Summary

The former nursery site is in open countryside and is undeveloped land. In an era when reducing CO2 emissions and preserving our natural world is becoming increasingly important it is our belief that it is wholly inappropriate that a facility like this should be built here, when there are plenty of brown field sites in Corby Borough that should be redeveloped first.

There is no evidence given that this facility meets an existing or future need for this area, or is in the best interests of the local constituents.

It is the Parish Councils opinion that development of this site is wholly unacceptable.

Sudborough Parish Council:

- 5.25 (01.10.2020) *Sudborough Parish Council objects to the proposal and the following comments were made:*

Sudborough Parish Council wish to object to the above Planning Application.

The application site is located in the open countryside as defined in Part 2 of the Local Plan for Corby, which was submitted to the Secretary of State on 19th December 2019 and is still under examination.

Corby Council has applied to the Inspector for the Part 2 Local Plan to apply modifications to the plan through the examination process. The purpose of which is to alter the criteria for the definition of the urban boundary that underpinned the submitted Part 2 Local Plan for Corby, still to be approved post examination. There is, as yet, no indication that the alterations will be approved and therefore, they must be disregarded for the purposes of this application. Not to do so, would be to render the decision untenable and open to challenge.

The site will result in increased traffic, bearing in mind that the Midland Logistics Park adjacent to the proposed site is not yet fully operational. There will be a further increase in traffic once the Cowthick Plantation Development is completed. The traffic congestion during rush hours is already incredibly difficult for residents during these times trying to get in or out of the village on to the A6116 and A43. This development can only make the situation far worse for residents along the A6116 corridor, who face the prospect of being sandwiched between two of the largest logistics developments in the country.

The NNJCS Policy 11 is clear that there is a general presumption against all forms of development in the open countryside, unless they accord with NNJCS Policy 13 or national policy, and this application does not fulfil either.

NNJCS Policy 10 Table 1: Spatial Roles, lays out the criteria for development in villages and the open countryside and there is nothing in this application that would indicate that there is an identified need in the local villages or settlements in the countryside that would lead a person to conclude that this application accords with the policies of the NNJCS or that a clear and obvious need has been identified and is met by this development.

Anglian Water have stated in their objection that they have assets owned by themselves on this site or those subject to an adoption agreement within or close to the development

boundary that may affect the layout of the site. They also state the development may lead to an unacceptable risk of flooding downstream.

Harpers Brook which flows through Sudborough, along with many of the other villages along the A6116 corridor, and during inclement weather. floods badly and properties do suffer from flooding.

I refer to the conditions for approval set out in The Department for Environment's letter ref: AN2018/128430/02.LOI, dated February 28th , 2019 which are set out clearly and, according to their letter of 11th December 2019, these conditions still need to be met.

6. Advertisement/ Representation:

- 6.1 Site Notice – Site notice posted on 27.08.2020.
- 6.2 Notice: (ET) – Publish on Evening Telegraph on 10.09.2020.

7. Representation

- 7.1 Neighbour Letters – Letters were sent to 46 neighbouring units.
- 7.2 Summary of Representations – LPA has received 5 letters of objection from neighbouring residents and Parish Councillors on the following grounds :

- Highways Safety
- Increase of traffic
- Contrary to Policy
- Sustainability
- Air pollution
- Noise impact
- Light pollution
- Flood risk
- Potential collision between vehicles and electricity pylon
- Lack of consultation with Stanion Village residents
- Potential negative impact on pedestrians, cyclists and mobility vehicle users
- Lack of Public Transport link
- Adverse effect upon wildlife, and will further erode the open countryside and rural nature of the village

8. Officers Assessment:

- 8.1 Key Determining Issues:
 - Principle of Development
 - Employment
 - Landscape and Visual Impact
 - Access and Parking
 - Ecology
 - Flood Risk and Drainage
 - Air Quality and Noise Impact
 - Overhead Line Clearance

Principle of Development

- 8.2 Key material considerations in this case include the National Planning Policy Framework (2019), Planning Practice Guidance (as amended), North Northamptonshire Joint Core Strategy (2016), Saved Local Policies (1997) and Employment Land Review (2018). It should

be noted that given the stage the Local Plan Part 2 has reached in its preparation; it is allocated moderate weight in the determination of the application.

- 8.3 The application site is located within the open countryside, as defined in the Part 2 Local Plan for Corby (Submission) submitted to the Secretary of State on 19 December 2019 and currently subject to examination. Policy 11 of the North Northamptonshire Joint Core Strategy states amongst other things that development will be resisted in the open countryside unless they accord with the policies of Policy 13 or national policy.
- 8.4 It should be noted that the Council has requested that the Inspector for the Part 2 Local Plan recommends modifications to the plan through the examination process. The Local Plans officer has confirmed the following in relation to the modification:

Significantly the criteria for the definition of the urban boundary that underpinned the Part 2 Local Plan for Corby indicates that the urban boundary will include land that has planning permission for development as long as it is directly related to the urban edge. Therefore, whilst technically the application site is within the open countryside and the proposal would be contrary to Policy 11 of the Joint Core Strategy, it is considered that due to its location and relationship with Cowthick Plantation that justification can be made to treat the site as falling with the main built up area of the town at this point in time.

- 8.5 Moreover, the southern part of the site was a former garden centre with parking and storage facilities, which has been later demolished and only the concrete ground floor remains. In April 1998 planning permission has been granted for the construction of a petrol filling station, drive thru restaurant and a lodge hotel (ref: 97/00229/CO). Later in May 2001 and June 2004 this application was varied. In May 2008 a reserved matter application was approved for the construction of a road-side service area consisting of petrol filling station, restaurant/pub and hotel, access and associated works (ref: 07/00101/REM). However, the development was not completed for the above scheme.
- 8.6 The proposed A1, A3, A5, B1 uses are all classified as main town centre uses. Policy 12 requires applications for main town centres uses to satisfy requirements set out in national policy. Sequential Site Assessment has been carried out and submitted by the applicant to evidence that the deliverability of the site. This is considered acceptable.
- 8.7 The site is currently vacant and there is an existing access off A43. Taking into account the previous site history of the application site and the surrounding committed development of commercial/industrial land use, it is considered that the redevelopment of the site for B1, B2, B8 and A1/A3/A5 purposes is acceptable.

Employment

- 8.8 Policy 24 of the Joint Core Strategy sets out criteria that must be satisfied for logistic development. It is note that the proposal has good access to the strategic road network and to local labour, therefore complies with component b) and c) of the policy requirements. Other considerations are considered and discussed in relevant sections of this report which includes impact on amenity and landscaping, highway safety in accordance with Policy 24. The Plan also aims to ensure that, as minimum, North Northamptonshire delivers enough new jobs for the labour force arising from planned population growth, plus additional jobs in the southern area to help reduce levels of out commuting.
- 8.9 Corby has experienced job losses in the manufacturing sector. Whilst this sector still plays an important part in the local economy, investment interest is low. Warehousing and distribution ('logistics' floorspace) has seen the strongest growth. The Council is in a good position to influence this growth though the nature of the permissions it approves. B8 use includes the nationally growing importance of logistics' (the management of the flow of goods). This means that the buildings here may support a range of complex activities from
- the outsourcing of warehouse functions (products sourced from overseas, sorted and managed here)
 - adding value with final assembly, packaging, and maintenance

- 8.10 A permission sought here may result in B1, B2 and B8 use (warehousing /distribution) along with A1/A3/A5 use. The proposed development is expected to create 60 full-time equivalent (FTE) jobs. The submitted planning statement also demonstrates that local people will be employed to fill the newly created positions for this development. The direction of emerging local planning policy also supports deliverable employment sites, and encourages employment diversity.
- 8.11 In the light of the above, it is considered that the proposed development would support the economic growth and productivity by taking into account the wider opportunities for development. Therefore, the proposed scheme conforms with NPPF in building a strong, competitive economy.

Landscape and Visual Impact

- 8.12 The application site is located at the edge of the urban area on a previously developed land. The Local Plan is very explicit in requiring the highest possible standards of design and environmental performance through maximising the use of sustainable design and construction techniques.
- 8.13 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.
- 8.14 Policy 24 demonstrates that the benefits of accommodating the logistic sector must be balanced against the impacts in terms of their significant land take, HGV movements, visual, landscape and amenity.
- 8.15 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.
- 8.16 The established Cowthick Plantation and woodland area falls to the eastern side of the site. Arboricultural Implications Appraisal was submitted which demonstrates that existing three trees and woodland detailed within the report, will be retained. Council's Tree Officer has reviewed the report and are satisfied with proposed tree protection measures for two mature trees located to the west of the site.
- 8.17 The proposed parking area, service yards and highways access have been located away from the root protection zones of the 2no. mature trees on the western side of the site. It is also proposed to integrate the existing trees into a hedged landscaped boundary to the site's western boundary. Areas of soft landscaping are also proposed to the western and northern side of the site to soften the appearance by providing a contrast in height, texture and colour with a mixed plant species and grass mixes. The submitted information suggests planting of additional trees and hedgerows and the inclusion of attenuation ponds. These features are included to enhance the visual amenities of the immediate setting of the site and will be entirely appropriate within the wider context of the area.
- 8.18 The buildings will be a maximum of 3 storey. The proposed development will comprise three main elements: self-storage building, trade counter units building and the drive-thru building.
- 8.19 In the light of the above, officers consider that the proposal, subject to adhering conditions related to Soft Landscape Scheme would adequately deal with this matter.

Access and Parking

- 8.20 Access to the site is via a new point of access off A43 Stamford Road. The existing access off A43 Stamford Road will be closed. The proposal would provide a total of 5713m² of floorspace. This would include a self-storage building (Class B8) (4,466 sqm GIA) with independent Office use (Class B1) of 200sqm within the self-storage unit, 9 Units in flexible use Class B1(b, c), B2 and/or B8 uses with ancillary Trade/retail Counter amounting to 879 sqm GIA, Class A1/A3/A5 Coffee Drive Thru (168sqm) with new access, associated car parking and

landscaping with 60 FT employees. The proposed parking provision is considered acceptable and will not be detrimental to the public highway.

- 8.21 Extensive consultation has been carried out with County Highways department in relation to highway issues and the highway officer confirmed their acceptability of the revised layout. No objection has been raised by Highway Officer subject to planning conditions related to visibility splay, drive-thru servicing vehicles, controlled crossing for pedestrian and cyclists, footpath from the southern section of the site to the drive-thru / café, Public Right of Way, diversion order, details of off-site work along with RSA ½ and Construction Traffic Management Plan.
- 8.22 The proposal would therefore accord with JCS Policies and the NPPF which seek to ensure new development meets the need of the area without compromising the safe and satisfactory operation of the highway network subject to planning conditions.

Ecology

- 8.23 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.
- 8.24 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.
- 8.25 The County ecologist and Wildlife Trust were consulted on this application and provided their observation on the mitigation measures of proposed development. No formal objection was raised by the County Ecologists and recommended planning conditions related to sensitive lighting strategy, detail soft landscaping scheme, method statement for reptile translocation and repeat survey for badgers to ensure biodiversity mitigation.

Flood Risk and Drainage

- 8.26 Policy 5 (Water Environment, Resources and flood risk management) of Joint Core Strategy reflects how development should contribute to reducing the risk of flooding and also protecting the quality of the water environment. The above policy also states that 'development should be designed from the outset to incorporate Sustainable Drainage Systems wherever practicable, to reduce flood risk, improve water quality and promote environmental benefits'. This consideration is reiterated in the NPPF, which states that development should ensure that flood risk is not increased elsewhere.
- 8.27 The application site is located within Flood Zone 1, which is defined as having little or no risk of flooding from rivers or streams. Such zones generally comprise land assessed as having a less than 1 in 100 annual probability of river or sea flooding in any year.
- 8.28 A Flood Risk Assessment (FRA) along with a drainage strategy has been submitted to outline the potential for the site to be impacted by flooding; the potential impacts of the development on flooding both onsite and in the vicinity, and the proposed measures which can be incorporated into the development to mitigate the identified risks.
- 8.29 The FRA has been examined by the Lead Local Flood Authority. Concerns were raised initially by the drainage engineer and requested additional information to fully assess the proposal. Additional information along with a revised Drainage Strategy has been submitted by the applicant to address the raised concerns. Further assessment was undertaken by LLFA and removed their objection, subject to conditions. Mitigation for surface water drainage during construction and operation are incorporated in the conditions attached.
- 8.30 The proposal as submitted is therefore considered to be acceptable and in accordance with the Core Strategy and NPPF.

Air Quality and Noise Impact

- 8.31 The proposals have the potential to cause air quality impacts as a result of fugitive dust emissions during construction and road traffic exhaust emissions associated with vehicles travelling to and from the site during operation. As such, an Air Quality Assessment was requested by CBC in order to determine baseline conditions and assess potential effects as a result of the scheme.
- 8.32 During the construction phase of the development potential air quality impacts as a result of fugitive dust emissions from the site has been identified. These were assessed in accordance with the IAQM methodology. It is also considered that good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities would not be significant.
- 8.33 It is also recognised that potential impacts during the operational phase of the proposals may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site.
- 8.34 There are 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 not significant, in accordance with the IAQM guidance.
- 8.35 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.
- 8.36 CBC Environmental Services was consulted on this application and have not raised any significant concern and confirmed their acceptance of the reports. However, recommended planning condition in relation to unexpected contamination, air quality and noise impact.

Overhead Line Clearance

- 8.37 The National Grid have produced a document entitled 'Development near overhead cables' in Appendix III, which gives information on statutory safety clearances and on where further information and advice can be obtained. The document suggests that safe clearances must be maintained from buildings constructed under or adjacent to overhead lines. Moreover, the document states that developers should take into account the requirement of National Grid to maintain access to its equipment.
- 8.38 The applicant has provided evidence that they have reviewed the document entitled 'Development near overhead cables' and sought additional guidance was from Western Power in April 2018. Western Power confirmed that the clearance zone from the underside of the arc of the cables should be 6.6m, 3.6m plus a 'safety factor' to account for temperature sag, and the avoidance of the power lines clashing with adjacent structures. The submitted documents demonstrates that the parapet and ridge heights to all of the proposed buildings within the scheme comply with this statement.

9. Conclusion:

- 9.1 The proposed development is considered acceptable in terms of its use and scale and approval is recommended for the following reasons:
- 9.2 The proposed development will ensure a beneficial use for this site. The site is able to accommodate the level of development proposed without undue detriment to local highway conditions. Environmental matters covering ecology, visual impact, air quality, noise and ground condition have been addressed adequately by planning conditions.
- 9.3 Subject to the conditions of planning permission, it is considered that the proposal is therefore considered in accordance with the North Northamptonshire joint Core Strategy, National

Planning Policy Framework and no other material considerations indicate that the policies of the development plan should not prevail, furthermore the decision has been reached taking into account the National Planning Policy Framework.

10. Pre-commencement Condition:

- 10.1 The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 (S.I. 2018 No. 566) came into force on 1st October 2018. These Regulations derive from changes made to the Town and Country Planning Act 1990, by Section 14 of the Neighbourhood Planning Act 2017. The combination of a new Section 100ZA(8) in the 1990 Act and the Regulations means that after 1st October 2018, a "relevant" planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition. (Section 100ZA (5)).
- 10.2 Corby Borough Council gave notice under Section 2(4) of the Regulations to the agent on 11th December 2020 of the intention to impose pre-commencement conditions.

11. Recommendation:

- 11.1 It is the Officer recommendation that Committee be minded to approve the application subject to the following conditions.

CONDITION:

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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:

- Site Location Plan, Dwg. No.- FIR-FORUM-00-XX-DR-A-XX-P100, Rev- P2
- Proposed Access Arrangement, Dwg. No.- 2019/5137/007, Rev- B
- Topographic Site Plan, Dwg. No.- FIR-FORUM-00-XX-DR-A-XX-P101, Rev- P2
- Proposed Scheme Plan and Key Section through Site, Dwg. No.- FIR-FORUM-00-XX-DR-A-XX-P110, Rev- P2
- Proposed Landscape Plan to Building 1, Dwg. No.- FIR-FORUM-00-XX-DR-A-XX-P111, Rev- P2
- Proposed Landscape Plan to Building 2, Dwg. No.- FIR-FORUM-00-XX-DR-A-XX-P112, Rev- P2
- Proposed Landscape Plan to Building 3, Dwg. No.- FIR-FORUM-00-XX-DR-A-XX-P113, Rev- P2
- Proposed External Refuse Store, Dwg. No.- FIR-FORUM-00-XX-DR-A-XX-P130, Rev- P2
- Magenta Self Storage Building Proposed Elevations, Dwg. No.- FIR-FORUM-01-XX-DR-A-XX-P300, Rev- P2
- Building A - Magenta Self Storage Building - Floor Plans and Roof Plan, Dwg. No.- FIR-FORUM-01-XX-DR-A-XX-P200, Rev- P2
- Building A - Magenta Self Storage Building - Proposed Building Sections, Dwg. No.- FIR-FORUM-01-XX-DR-A-XX-P400, Rev- P2
- Building B - Trading Counter Units - Floor Plan and Roof Plan, Dwg. No.- FIR-FORUM-ZZ-XX-DR-A-XX-P201, Rev- P2
- Building B - Trade Counter Units - Proposed Elevations, Dwg. No.- FIR-FORUM-01-XX-DR-A-XX-P301, Rev- P2

- Building B - Trade Counter Units Building - Proposed Building Sections, Dwg. No.- FIR-FORUM-01-XX-DR-A-XX-P401, Rev- P2
- Building C - Drive Thru' - Floor Plan and Roof Plan, Proposed Building Sections, Dwg. No.- FIR-FORUM-03-XX-DR-A-XX-P202, Rev- P2
- Building C - Drive Thru' - Proposed Elevations, Dwg. No.- FIR-FORUM-03-XX-DR-A-XX-P302, Rev- P2
- Building C - Drive Thru' Proposed Building Sections, Dwg. No.- FIR-FORUM-03-XX-DR-A-XX-P402, Rev- P2
- Planning Statement, June 2020
- Design and Access Statement, dated 25.06.2020
- Flood Risk Assessment rev 1.0, ref 113504, prepared by Calinotto, dated 15th June 2020
- Drainage Strategy Statement, dated 15.06.2020
- MicroDrainage File 113504-CAL-XX-XX-CA-D-005 dated 01st October 2020
- Proposed Drainage Layout Plan- Sheet 1 of 3, Dwg. No.- 113504-CAL-XX-XX-DR-D-005, Rev- P2
- Proposed Drainage Layout Plan- Sheet 2 of 3, Dwg. No.- 113504-CAL-XX-XX-DR-D-006, Rev- P2
- Proposed Drainage Layout Plan- Sheet 3 of 3, Dwg. No.- 113504-CAL-XX-XX-DR-D-007, Rev- P2
- Proposed Surface Water Drainage Model-Network Drawing Layout, Dwg. No.- 113504-CAL-XX-XX-DR-D-011, Rev- P2
- Air Quality Assessment, ref: P4436-R1-V1, prepared by NoiseAir Limited
- Noise Impact Assessment Report, ref: P4435-R1-V2, prepared by NoiseAir Limited
- Transport Assessment, ref: FORU/19/5137/TA02, prepared by RGP, June 2020
- Technical Note, ref: CMB/2019/5137/TN03, prepared by RGP, November 2020
- Illustrated Landscape Strategy Proposals Plan, Dwg. No.- 782-LA-P -01 Rev-A, dated February 2020
- Arboricultural Implications Assessment and Method Statement, ref: 181042 - AIA 3, prepared by EcoUrban Limited, dated 25.02.2020
- Ground Investigation Report, ref: GE17477-GIRv1.1-JAN20, prepared by Geo-Environmental, dated 13/01/2020
- Sequential Site Assessment, June 2020
- Ecological Appraisal, prepared by Richard Tofts Ecology, July 2018
- Updated Ecological Survey, dated 31.01.2020
- Utility Search Report, prepared by Groundscan, June 2018
- Sustainability and Energy Statement, ref: B03127, prepared by ScottWhite and Hookins, June 2020
- BREEAM Pre-assessment Report, prepared by ScottWhite and Hookins, dated 19.05.2020

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

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

once written approval from the Local Planning Authority has been given shall development works recommence.

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

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

4. No building or use hereby permitted shall be occupied or the use commenced until the recommendations made in **Air Quality Assessment**, report reference P4436-R1-V1, dated 14th October 2020 by NoiseAir Limited have been implemented in full and thereafter permanently maintained.

Reason: In the interest of public health and to prevent a cumulative increase in background levels of air pollution.

5. No building or use hereby permitted shall be occupied or the use commenced until the recommendations made in **Noise Impact Assessment Report**, report reference P4435-R1-V2 dated 15th October 2020 by NoiseAir Limited have been implemented in full and thereafter permanently maintained.

Reason: To safeguard the amenity of nearby premises and the area generally in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Prior to commencement of the development hereby permitted, a full CTMP (Construction Traffic Management Plan) shall be submitted to and be approved in writing by the Local Planning Authority. The Plan is to include the following elements;

- a) Detailed work programme / timetable.
- b) Site HGV delivery / removal hours to be limited to between 09:30 – 16:30 unless otherwise approved as part of the CTMP.
- c) Detailed routeing for demolition, excavation, construction and abnormal loads.
- d) Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors.
- e) Detailed plan showing the location of on-site stores and facilities including the site compound, contractor & visitor parking and turning as well as un/loading point, turning and queuing for HGVs.
- f) Breakdown of number, type, size and weight of vehicles over demolition & construction period.
- g) Details of debris management including location of wheel wash, programme to control debris spill/ tracking onto the highway to also include sheeting/sealing of vehicles and dust management
- h) Details of public impact and protection to include road, footway, cycleway and PRow. Details of TROs and road / footway / cycleway / PRow closures and re-routeings as well as signage, barriers and remediation.
- i) Public liaison position, name, contact details and details of public consultation/liaison.
- j) Route details as required covering culverts, waterways, passing places, tracking of bends/junctions and visibility splays.
- k) Pre and post works inspection of the highway between points A and B as requested to identify remediation works to be carried out by the developer. Inspections are to be carried out in the presence of a member of the Highway Authorities Inspection team. To also include the removal of TROs, temporary signage, barriers and diversions.
- l) Details of temporary construction accesses and their remediation post project.
- m) Provision for emergency vehicles.

Reason: In the interests of safe operation of the highway in the lead into development both during the construction phase of the development in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy 2016.

7. Prior to commencement of the development, the applicant is to submit full technical plans detailing how the visibility splays are provided to LHA standards for vehicles exiting the site onto the A43.

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.

8. Prior to commencement of the development, the applicant is to submit full technical plans detailing how the drive-thru servicing vehicles can track the tight turn from the A43 off-ramp LHA standards.

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.

9. Prior to occupation of the development the applicant is required to emplace a controlled crossing for pedestrians and cyclists with links from the site to the existing provision on Geddington Road.

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.

10. Prior to occupation of the development the applicant is required to emplace a footpath from the southern section of the site to the drive-thru / café, within the site.

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.

11. Prior to the commencement of works affecting any existing public right of way full details of any enhancement, improvement, diversion or closure shall be submitted to and gain the approval of the local planning authority.

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.

Notes:

No works affecting any existing public right of way may commence without the express written permission of the local highway authority's Rights of Way or Definitive Map Teams.

The developer is reminded to apply to the local planning authority for any proposed permanent diversion of a right of way under Section 257 of the Town and Country Planning act 1990 required to facilitate the development of N/2019/0393. The alternative route for such a diversion must be agreed with the local highway authority's Area Rights of Way Officer and be available for public use prior to the closure of any existing route.

Northamptonshire County Council is available and preferably required for the involvement, guidance and consultation at all stages of the diversion orders as necessary.

This response is without prejudice to any Public Right of Way which may exist across the site but whose presence is not recorded on the County Council's Definitive Map and Statement (2016).

Note Section 257 of TCPA 1990 only applies to PROW as follows; FP's BW's and Restricted Byways. LPA's cannot divert or stop up BOATS; this can only be done at a magistrates court.

12. Prior to commencement of the development full engineering, construction and drainage plans for the off-site works along with an RSA 1/2 shall be submitted and approved in writing by the LHA.

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

13. No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping. All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory in accordance with Policies 3 and 8 of the North Northamptonshire Joint Core Strategy.

14. Prior to occupation, a Lighting Design Strategy for Biodiversity shall be submitted to and approved in writing by the local planning authority. The Strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging, and;
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications: so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the Strategy, and they shall be maintained thereafter.

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

15. Prior to the commencement of the relevant work, the trees on the site have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): Trees in Relation to Construction. Before the fence is erected its type and position shall be approved by the Local Planning Authority, and after it has been erected it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

Reason: To enable the Local Planning Authority to ensure the protection of trees on the site in the interests of visual amenity and to accord with Policies 3 and 8 of the North Northamptonshire Joint Core Strategy.

16. No development shall take place (including any demolition, ground works, site clearance) until a method statement for reptile translocation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;

- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To ensure the protection and enhancement of biodiversity features in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

17. Prior to the commencement of any site works a repeat survey shall be undertaken to:
- i) establish if there have been any changes in the presence and/or abundance of badgers and
 - ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure the protection and enhancement of biodiversity features in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

18. Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding

19. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment rev 1.0 ref 113504 dated 15th June 2020 prepared by Calinotto., will 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.
- ii) Details of the drainage system are to be accompanied by full and appropriately crossreferenced 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) Details of permeable paving. v) Details of the surface water pump and umping station

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

20. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been

submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are 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 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

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.

21. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment rev 1.0 ref 113504 dated 15th June 2020 prepared by Calinotto, 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) CCTV 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.

22. The proposed development shall achieve BREEAM Very Good.

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

23. Prior to the occupation of each building within a phase or sub-phase, the following information shall be provided to the Local Planning Authority in respect of that building, unless otherwise agreed in writing: a BREEAM post construction report to confirm that BREEAM very good (2011), (or the equivalent standard which replaces the British Research Establishment Environmental Assessment Method which is to be the assessment when the buildings concerned are to be assessed) that the carbon emissions from regulated energy will be at least 40% better than that required by Part L2a 2006, and that the recommended Low and Zero Carbon technologies have been installed.

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

24. 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.*

25. The proposed development shall comply with The Energy Networks Association Technical Specification Note 43-8 (Issue 4, 2015) and thereafter shall be so maintained.

Reason: To ensure the development has a suitable relationship with the overhead line in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Informative:

1. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework 2019 to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' Local Plan Policies 1997, Joint Core Strategy Adopted July 2016, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2. Public Rights of Way

The diverted PRoW should be no less than 3m wide asphalt and connected where it starts at the A43 to run to the entry of the commercial area.

The PRoW will require dropped kerbs with tactile crossing points over the entry and exits, plus a 3m CFC link at the southern end of the site to the exiting footway near the southern roundabout.

Please ensure that the applicant is made fully aware of their responsibilities in respect of Public Footpath No GZ12 (as shown on attached plan) which crosses to the proposed development site as follows:

With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements:-

- The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under Section 137 HA 1980.
- There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by the Area Rights of Way Officer, (as per Section 131 HA1980).
- If as a result of the development, i.e. the safety of the public cannot be guaranteed, the Right of Way needs to be closed, and a Temporary Traffic Regulation Order would become necessary. An Application form for such an order is available from Northamptonshire County Council website, a fee is payable for this service and a period of six weeks' notice period is required. Please contact the highway authority at: defmap@kierwsp.co.uk

www.northamptonshire.gov.uk/en/councilservices/transport/row/legal/pages/temptros.aspx

- Any new path furniture such as a gate can only be authorised if needed for the ingress or egress of livestock (Section 147 Highways Act 1980) and needs to be approved in advance with the Area Rights of Way Officer, standard examples can be provided.
- *Please do not rely on the position of features on site for an accurate position of the public rights of way. This must be taken only from the Current Definitive Map and Statement.*

Human Rights Act 1998

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

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

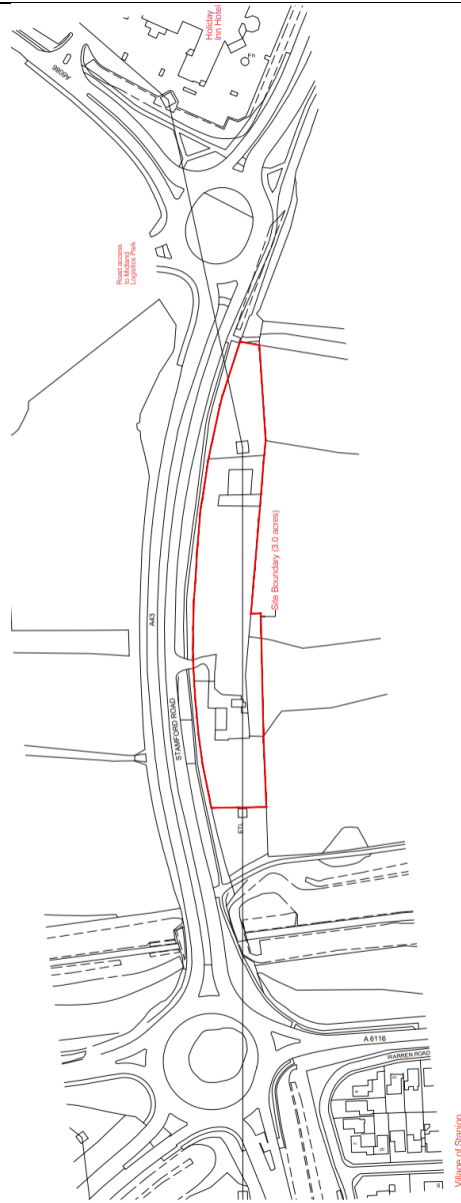
Section 17 of the Crime and Disorder Act 1998

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

Officer to Contact:

Farjana Mazumder

Email: farjana.mazumder@corby.gov.uk



**Fircroft Nurseries, Stamford Road, Stanion,
Northamptonshire, NN14 1DU
Planning Application Reference: 20/00260/DPA
Planning Committee Date: 22 December 2020**

Scale: 1:1250

