

16/00281/DPA	Zone 3 Link Road to provide highway access from the west (Zone 1) of the Priors Hall Park development site into the north of Zone 2 and the north of Zone 3 and other infrastructure and associated works at Priors Hall Park Development Site, Gretton Road, Corby (application accompanied by Environmental Statement).
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Background

This application relates to the Priors Hall Park development site which lies to the north east of Corby, straddling the boundary with East Northamptonshire. The development site extends to approximately 395ha and the approved development comprises: up to 5,100 residential units, employment (up to 14ha), 1 district centre, 2 neighbourhood centres, schools (1 secondary, 3 primary), a hotel and formal and informal open space.

The application site for this planning application (red line) consists of a relatively small part of the site (4.25ha) straddling the boundary of Zones 1, 2 and 3, south of the data centre in the District of East Northamptonshire and north of residential parcel R23 in Zone 1 in Corby Borough, which is currently under construction. The site is mostly scrub and woodland adjacent to the Willowbrook, which passes through the northern part of the Priors Hall development site.

The applicant has made the following revisions to the planning application in order to address concerns raised during the public consultation period:

1. A revised Flood Risk Assessment (FRA) has been submitted to address the technical comments made by the Environment Agency and was accompanied by plans making associated minor changes e.g. to the proposed culvert.
2. An updated Construction Method Statement has been submitted.
3. Amended plans (and associated updates to supporting information) were submitted making an alteration to the proposed junction with Gretton Road to allow the road to remain open to two way vehicular traffic. As a result the red line (site area) has been reduced slightly at the Gretton Road end. Additional drainage information and a further revised FRA were also provided with this revision.

A full re-consultation with press and site notices was carried out for amendment 1 (above) and the updated Transport Chapter to the Environmental Statement. A re-consultation on the amended plans expired 19.10.16.

At the time of writing the report for committee comments from the Environment Agency are outstanding. The response from the Environment Agency will be reported to planning committee as a late item.

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

The Site and Surroundings

This application relates to the Priors Hall Sustainable Urban Extension (SUE) which lies to the north east of Corby, with Zone 3 lying within the boundary of East Northamptonshire. The SUE extends to approximately 395ha and the approved development comprises up to 5,100 residential units with associate development.

Priors Hall is split into 3 Zones; Zones 1 and 2 fall within Corby Borough, to the east of Gretton Road and to the north of the A43, whilst Zone 3 lies within the District of East Northamptonshire. Zone 3 will comprise 735 residential units, in addition to a primary school,

a neighbourhood centre, hotel and formal and informal open space, all of which will be determined by East Northamptonshire Council.

The application site for this planning application consists of a relatively small part of the Priors Hall SUE, amounting to (4.25ha), straddles the boundary of Zones 1, 2 and 3. It is located to the south of the existing data centre, which lies within the District of East Northamptonshire, and north of residential parcel R23, a parcel currently under construction in Zone 1 in the Borough of Corby, and other Zone 1 residential parcels, where many dwellings are now occupied.

The site is adjacent to the Willowbrook, which flows west to east through the site. There is a designated local wildlife site, Corby Old Quarry Gullet, which falls partly within the site and extends southwards from the site. There are also the remains of a Roman Villa in the vicinity of the northeastern part of the application site, again falling within the District of East Northamptonshire.

The Grade II listed Weldon Lodge lies to the southwest of the site and Kirby Hall (including Grade I listed hall and II* Park and Garden) lies approximately 500m north of Kirby Lane.

The bulk of the site falls within flood zone 1 (low risk of flooding). However, parts of the site which are adjacent to the Willowbrook fall within flood zones 2 and 3, which are at a higher risk of flooding.

Proposal

This detailed planning application seeks permission for a road of approximately 1000m in length. It will provide both vehicular and pedestrian access into Zone 3 of Priors Hall, the East Northamptonshire Zone. There will also be a spur which leads into the north of Zone 2, the zone closest to Priors Hall golf course and within the Borough of Corby. The application is cross boundary and therefore an identical application has been submitted to East Northamptonshire District Council for determination of the part of the development falling within their administrative boundary.

As a result of the erection of the data centre the originally proposed vehicular access to Zone 3, which was identified in the outline planning permission (last amended under 13/00026/RVC), can no longer be provided due to the location of the data centre and its curtilage. The route now proposed corresponds with the Development Framework Plan that has been submitted as part of application 15/00038/RVC which seeks to amend the approved Development Framework Plan for Priors Hall by varying Condition 4 of the previous outline permission.

The proposed link road would begin at Gretton Road, at first heading north and curving towards the east between residential parcel R23 to the south and the Willowbrook to the north. Towards its eastern end, and once in East Northamptonshire, the road would cross the Willowbrook via a stone faced concrete box culvert. The road is to be constructed on an embankment and will feature a 3m wide pedestrian/cycle route to the south of the highway. To provide surface water drainage, an attenuation basin, and swale are proposed adjacent to the road.

A further 2 hectares of land (outside the red line, but within the control of the applicant) are proposed for compensatory planting to the north of the Willow Brook in the region of the roman villa remains.

Site History

A brief history of the site comprises the following applications:

- 04/00240/OUT Mixed use urban extension to Corby, including residential (up to 5,100 dwellings), employment (up to 14 hectares), 1 district centre, 2 neighborhood centres, schools (1 secondary, 3 primary), hotel formal and informal open space. Approved.
- 06/00158/REM Zone 1 primary infrastructure, including accesses, primary road network, drainage and strategic services. Approved.
- 11/00437/SC Erection of a data centre including associated ancillary buildings, access, landscaping and other infrastructure. No objection.

- 13/00026/RVC Variation of Condition 4 of planning permission 04/00240/OUT. Approved.
- 15/00038/RVC Variation of Condition 4 of planning permission 13/00026/RVC. Outstanding.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine all applications for planning permission in accordance with the Development Plan, if regard is had to the Plan, unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) was adopted by Government in 2012 and details the national planning policies for England and how they are expected to be applied. The NPPF is a material consideration in determining planning applications. Following the NPPF the government released further guidance in the form of National Planning Practice Guidance (NPPG) which has been taken into consideration in the determination of this proposal.

At the heart of national planning policy is the *presumption in favour of sustainable development* which is seen as a golden thread running through both plan-making and decision-taking. Development must achieve all three facets of sustainability, namely economic, social and environmental.

In July 2016 the North Northamptonshire Joint Core Strategy (JCS) was adopted and this document sets out the overall spatial strategy for North Northamptonshire for the plan period 2011-2031. It provides the basis for considering any future growth, and places a continuing focus on the growth of towns as the focus for infrastructure investment and higher order facilities to support major employment, housing, retail and leisure development.

The Corby Borough Local Plan was adopted in 1997 and certain policies have been saved as they are in general conformity with the policies of the NPPF.

Relevant National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

The NPPF identifies a set of core land use planning principles which now underpin both plan-making and decision making. These 12 principles include that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, securing a good standard of amenity for all existing and future occupants of land and buildings. Achieving these three roles is imperative for any scheme to be considered acceptable.

Policy 1 seeks to secure economic growth in order to create jobs and prosperity.

Policy 4 requires transport policies to facilitate sustainable development by contributing to wider sustainability and health objectives.

Policy 7 attaches great importance to the design of the built environment.

Policy 8 seeks to facilitate and create healthy, inclusive communities by involving all sections of the community in the development of local plans and planning decisions in order to create a shared vision with communities of the residential environment and facilities they wish to see.

Policy 10 requires that planning play a key role in helping shape places to secure reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impact of climate change and support the delivery of renewable and low carbon energy and associated infrastructure.

Policy 11 seeks to conserve and enhance the natural environment by protecting and enhancing valued landscapes, geological conservation interests and soils to prevent both new and existing development from contributing to or being put at unacceptable risk from being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

Policy 12 requires a positive strategy for the conservation and enjoyment of the historic environment. Local Planning Authorities should take into account the desirability of new development to make a positive contribution to local character and distinctiveness and draw on the contribution made by the historic environment to the character of a place.

North Northamptonshire Joint Core Strategy 2011-2031

The North Northamptonshire Joint Core Strategy was adopted in July 2016 by the Joint Committee representing the Councils of Corby, East Northamptonshire, Kettering and Wellingborough. This is now the strategic plan for the period up to 2031.

The following policies are relevant to the application under consideration:

Policy 1 states that when considering development proposals the Local Planning Authority would take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy 2 seeks to protect and preserve the distinctive North Northamptonshire historic environment.

Policy 3 requires that development should be located and designed in a way that is sensitive to its landscape setting, retaining and, where possible, enhancing the distinctive qualities of the landscape character area which it would affect.

Policy 4 requires that a net gain in biodiversity will be sought.

Policy 5 requires that development should contribute towards reducing the risk of flooding and to the protection and improvement of the quality of the water environment.

Policy 6 requires that where development is situated on a site with known or high likelihood of contamination, remediation strategies to manage this contamination will be required.

Policy 8 supports the North Northamptonshire place shaping principles and requires that development should create connected places; make safe and pleasant streets and spaces, and ensure places are adaptable, flexible and diverse as well as creating a distinctive local character.

Policy 10 requires that development should be supported by the timely delivery of infrastructure, services and facilities necessary to meet the needs arising from the development and to support the development of North Northamptonshire.

Policy 11 requires development to be distributed to strengthen the network of settlements to retain and maintain the special mixed urban/rural character of North Northamptonshire with its distinctive and separate settlements through the avoidance of coalescence.

Policy 15 seeks to strengthen connectivity within and around settlements by managing development and investment.

Policy 19 seeks to support the special mixed urban and rural character of North Northamptonshire by managing development and investment to secure a net gain in green infrastructure.

Corby Local Plan (June 1997)

The Corby Borough Local Plan was adopted in 1997 and contains a number of saved policies.

Policy P11(R) of the Local Plan seeks to ensure environmental improvements in the form of adequate protection of trees, new landscaping and traffic management/parking measures as part of housing developments.

Policy P5(C) of the Local Plan seeks to protect inland and ground waters from pollution and derogation as a result of development.

In this instance, the relevant Local Plan policies possess a good degree of conformity with the requirements of both the NPPF and the PPG. As such, considerable weight may still be given to Policies P11 (R) and P5 (C) of the adopted Corby Borough Local Plan and Policies 1, 2, 3, 4, 5, 6, 8, 10, 11, 15 and 19 of the North Northamptonshire Joint Core Strategy which outlines a number of principles to be complied with to achieve sustainable

development. These include promoting good design, reducing flood risk and, in the case of infrastructure for SUE's, to be integrated with the existing communities, but also giving residents a sense of place and local identity.

Consultations

The following technical consultees were invited to comment on the application and provided below are the comments received:

Natural England: No objection. The proposed amendments to the original application are unlikely to have significantly different impacts upon the natural environment than the original proposal.

Northamptonshire Police: No objection.

North Northamptonshire Local Lead Flood Authority: No objection. We can confirm that, provided that the scheme is constructed according to the Flood Risk Assessment, the impacts of surface water drainage have been adequately addressed.

Northamptonshire Highways: No objection. Based on the received documents and subsequent correspondence regarding the scheme we are content with the submission.

Environment Agency: **Response awaited.**

Highways England: No objection.

Northamptonshire Wildlife Trust: No objection subject to suitably-worded conditions to deal with the topic of badgers and to require oversight of the development from the Ecological Clerk of Works and that the applicant's consultants' advice and recommendations are followed in terms of ecological/biodiversity and green infrastructure.

Historic England: Historic England recommends that the Council satisfies itself that it has sufficient information pursuant to paragraphs 128, 129 of the NPPF with which to understand, and accurately assess the potential impact upon the historic environment.

CBC - Environmental Services (Public Health): Have no comments or objections to make.

CBC Housing: Strategic infrastructure therefore no comments.

Weldon Parish Council: No comments have been received. Any comments will be reported to Committee.

Gretton Parish Council: No objection.

The Ramblers Association: No objection.

Principal Rights of Way Officer: No comments received.

East Northamptonshire District Council: have no comments to make.

Northamptonshire County Council Archaeology: The proposed development will have a detrimental impact upon any archaeological deposits present. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. A condition is therefore suggested.

Advertisement/Representations

Site Notices were erected on lampposts on the junction of Gretton Road and Kestrel Road on 19th July 2016. A response to these matters is contained within the relevant sections of the report.

Public Notice – the application was advertised in the Evening Telegraph on 21st July 2016.

Neighbour Notification – The application has been notified to 142 adjoining occupiers on 20th July 2016 and 17th October 2016 in the Priors Hall development.

Summary of representations

Five responses have been received, one in support, three seeking vehicular access to the north and this response from CBRE on behalf of the neighbouring landowner to the north, which states:

Bela kindly provided information relating to the model outputs regarding their flood risk assessment for our analysis. The model outputs provided allowed the identification of flood levels to the nearest 0.1mAOD along the Willowbrook as it passes through the southern edge of the site. The changes in flood level are imperceptible on these drawings, reflecting the limited maximum 80mm increase on Lloyds Banking Group land.

Lloyds Banking Group has concluded that a negligible increase in flood level of the order of 20-80mm has no discernible change on the already demonstrably minimal risk of flooding from the brook to the active parts of the site.

In that context, Lloyds Banking Group wishes to withdraw their objection regarding the increased flood risk to their land.

Notwithstanding this, Lloyds Banking Group still objects to their land ownership being included within the red line boundary of the proposed development. Lloyds Banking Group will not allow access to their land for the removal of any trees or vegetation, or for the construction of any infrastructure works to facilitate the proposed development within their legal demise. This landscaped area provides an invaluable screening tool from the wider development area, specifically the planned housing to the south.

Principle of Development

It is considered that the principle of an access road to serve Zone 3 of the Priors Hall development site is established by the outline planning permission, most recently amended under application 13/00026/RVC. However, impacts arising from this proposed revised location as a result of the construction of the data centre to the north and the detailed design of the road and associated infrastructure must be considered in the determination of this planning application.

Environment Statement

Whilst national planning policy promotes a *presumption in favour of sustainable* development, of equal importance, is the role that planning should play in protecting and enhancing the both the natural and built historic environment, improving biodiversity, using natural resources prudently and minimising waste and pollution.

The application is accompanied by an Environmental Statement (ES) and Non-Technical Summary (NTS) which has been amended during the course of the application as a result of external review.

The ES highlights the following environmental impacts along with the necessary mitigation measures proposed.

Ecology

The application is accompanied by an Environmental Statement (ES) which assesses the impact of the proposal on designated sites, habitats and species. The ES is accompanied by a range of ecological surveys. As previously noted, the site is largely scrub and woodland (plantation woodland), however there are also areas of unimproved calcareous grassland, poor semi-improved grassland, species-poor hedgerow, running water and a small area of recently felled plantation woodland. The site intrudes into the designated Local Wildlife Site and is adjacent to a receptor site where Great Crested Newts have been translocated. The site also forms part of the designated Nene Valley Improvement Area.

The development would result in loss/harm to the habitat types listed above. The loss of habitat would include approx. 6% of the Local Wildlife Site, which would also be further impacted by noise, lighting etc. In terms of the impact on habitats, the ES considers the loss of calcareous grassland (1ha) to be the most significant, as this is of County level importance. It is proposed to strip the top layer of soil in the affected areas, to store it and following the development to re-lay it on appropriate areas of bare ground with a pioneer/nurse calcareous grass seed mix, so that it can re-establish.

The ES describes how other areas around the road would be landscaped and managed and how a programme of enhancement of the archaeological exclusion zone (overseen by the County Archaeologist) would introduce species rich calcareous grass to an area which is

currently poor semi-improved grassland. It is proposed to protect the Local Wildlife Site from vehicles using Heras fencing.

The ES identifies the following species as potentially being affected by the development; birds (including Schedule 1 and Red List birds); Great Crested Newts and toads, although these have previously been moved, under licence, from the development area; badger; bats; reptiles and brown hare.

The ES identifies the most significant potential impact as being the risk of the road to the Great Crested Newts once the amphibian fencing at the adjacent receptor site is removed. As the population of newts at Priors Hall is so significant (estimated to be in the thousands), the impact is classed as 'major' and 'nationally significant'. To mitigate this, it is proposed to install permanent amphibian fencing along the southern edge of the link road corridor.

A range of other mitigation measures are suggested including; adherence to a Construction Management Plan, Protected Species Method Statement and best practice guidance; inclusion of a mammal ledge in the culvert to allow connectivity along the Willowbrook corridor; installation of bird boxes and supervision of vegetation clearance by an Ecological Clerk of Works.

The Northants Bat Group has raised a number of concerns regarding the methodology of the submitted Bat surveys (see 7.7), however the applicant's ecologist has responded that there appears to have been some confusion in the interpretation of the surveys and has clarified that they *'did do a survey at the appropriate time of year, when the ivy had died back by doing the comprehensive BRP [bat roosting potential] in January 2016. Using ladders to climb the trees, the detailed inspection revealed that all of the woodpecker holes and branch wounds were not suitable to support any roosting bats such that they would not have been used by any species. We are well aware that noctule mostly use tree roosts but will only roost in trees with suitable roosting opportunities, of which there are none within this woodland block.'* In light of the above it is considered that there will not be a significant adverse impact upon the bat population.

Whilst foraging habitat will be lost the proposal includes replacement planting and bat boxes, which will help to compensate and improve roosting potential. Road lighting is proposed to be limited to the junctions with only low level bollard lights for the cycleway/footway, thereby minimising the impact on bats and birds.

The Local Badger Group has also raised a number of concerns/queries regarding impact on badger; however the Wildlife Trust has considered these comments and the applicant's subsequent response and advises that they are content that badgers have been adequately addressed in the planning application.

The ES advises that providing the mitigation measures identified are carried out there would not be significant adverse residual impacts on designated sites, habitats or species. The compensatory planting measures will go some way to mitigate the loss of habitat in the longer term. Conditions are proposed to ensure that the proposal will not have an unacceptable impact on habitats and protected species.

Impact of development and mitigation

The Environmental Statement identifies that the construction and operational phases of the development will impact on the habitats and ecology at the site and it is imperative that appropriate mitigation measures are put in place both pre and post construction phases. An updated Construction Management Plan has been submitted to demonstrate that the impact of the development phase can be minimized or mitigated. A condition is proposed to ensure that the Construction Management Plan is adhered to is proposed. Statutory consultees have advised on the content of the document, including the Local Wildlife Trust and Northamptonshire Badger Group, and they confirm that the measures proposed are acceptable. Some of the mitigation measures include:

- protecting sensitive areas with fencing;
- monitoring by the on-site Ecological Clerk of Works;

- Qualified ecologist to undertake a check for badger setts across the area (within a 30m radius of proposed construction area boundary);
- Construction works at site to be phased to ensure that, prior to commencement of vegetation clearance that offers suitable habitat for badgers, is retained;
- Undertake vegetation clearance outside the bird nesting season;
- A lawful agreement in the form of a licence obtained from Natural England would require measures to minimise the risk of killing and injuring Great Crested Newts by capturing and removing them from development land, and relocating them to safe areas.
- Temporary amphibian fencing will be used to stop them from moving back on to the development land before or during construction activity. This will ensure that the infrastructure for development at site will not result in fragmentation of habitats for the Great Crested Newts;
- Reptile protection will comprise fencing, trapping and translocation techniques similar to that already carried out across the Priors Hall site for Great Crested Newts.

In consultation with the Wildlife Trust and Natural England a substantial area within the red line of the site but outside of the highway will be retained and will feature additional habitat enhancement schemes involving the creation of green corridors of hedgerow and scrub planting.

It is considered that sufficient mitigation and monitoring measures have been presented by the applicant to ensure that during both pre and post construction works the impacts on the ecology of the site are effective and will maintain habitats of value to wildlife and biodiversity.

Heritage

Planning policies seek to protect and enhance designated and non-designated heritage assets, specifically Policy 2 of the North Northamptonshire Joint Core Strategy and Policy 12 of the NPPF. The principle of the link road has been considered and established, most recently under S73. 13/00026/RVC, where no issues were raised in relation to the effect on the setting of nearby listed buildings including Weldon Lodge (located adjacent to the proposed junction with Gretton Road). The applicant's Environmental Statement describes the significance of Weldon Lodge and takes account of the impacts of the development, concluding that there will not be an impact upon the significance of the heritage asset. Historic England has confirmed it does not wish to comment in detail on the application.

Much of the proposed road will be on made ground where there will not be archaeological constraints, however the spur of road leading into Zone 3 will be located adjacent to significant archaeological remains of a Roman villa (within East Northamptonshire). An archaeological exclusion zone is proposed to protect the Roman villa, with its remains being preserved in-situ as part of the landscaping/informal open space surrounding the link road. A Heritage Management Strategy has been submitted to set out the broad strategy of managing this heritage asset. It recommends that a planning condition be used to secure a detailed management plan, along with measures to better reveal the significance of the heritage asset such as enhanced footpaths and interpretation boards. As this part of the site lies under the control of East Northamptonshire it is considered impractical for Corby Borough Council to impose such a condition.

The link road extends into an area where geophysical survey anomalies have been noted and therefore it is likely that there would be disturbance of a small area of potential archaeological remains. The Environmental Statement proposes that the footprint of the road in this area be subject to archaeological investigation. Northamptonshire County Council Archaeology has confirmed that the proposals are acceptable in relation to their impact on archaeological remains, subject to appropriate planning conditions. Archaeological implications across the wider site are covered by the existing outline planning permission.

It is therefore considered that the proposal complies with Paragraphs 128 and 129 of the NPPF in respect of heritage as the applicant has provided sufficient information in order for the Local Planning Authority, and Historic England, to accurately assess the potential impact upon the historic environment.

Flooding and drainage

National and local planning policy seeks to prevent increased risk of flooding, to protect and improve the quality of the water environment and to ensure development is designed from the outset to incorporate Sustainable Drainage Systems (SuDS), as required by Policy 5 of the North Northamptonshire Joint Core Strategy.

Policy 5 of the North Northamptonshire Joint Core Strategy seeks to protect the water environment by effectively using resources and flood risk management measures. Therefore all new development should be designed from the outset to incorporate Sustainable Drainage Systems (SUDs) wherever practicable and this in turn will reduce flood risk, improve water quality and promote environmental benefits.

It was originally planned, as part of the first outline planning permission for the Priors Hall SUE, to locate this link road where the data centre has since been constructed. Whilst it would have been desirable to locate the road in the original location, away from areas at risk of flooding, the construction of the data centre results in the need for the link road to be located elsewhere. Due to the various constraints of the site such as heritage, landscape and biodiversity the road can only be sited in a narrow corridor. In these circumstances, the location is considered acceptable in principle.

Chapter 4 of the Environmental Statement confirms that parts of the site fall within the functional floodplain of the Willowbrook, thus flood zone 3a. Flood modeling undertaken by the applicant's consultants predicts a high probability of flooding. The Environmental Statement identifies that the main risks to water quality and flooding are both during the construction phase (e.g. silt, pollution and material run-off) and during the operational phase (e.g. increased run-off from impermeable areas). A series of mitigation measures during the construction phase have been proposed which follow best practice guidance for pollution prevention. A condition is therefore proposed to ensure these measures are followed, along with the measures highlighted in the updated Construction Management Plan. It is considered that the sequencing of the construction works, to minimize the potential for increased levels of flooding at that time, is an appropriate method to further minimize flood risk during construction.

Once the road has been constructed it is proposed that during the operational phase of the link road surface water will be collected by a piped network. Surface water collected by the highway, which is to the south of the Willowbrook, will be discharged to a single attenuation pond to the south of the road, where it will be held and released in a controlled manner into the Willowbrook. For the areas to the north of the Willowbrook the water will be attenuated in a swale. The submitted modelling identifies that the new road would be safe from flooding in the 1 in 1000 year flood event with allowance for climate change.

The road embankment will lead to a reduction in flood storage in the catchment of the Willowbrook as it will sit within the existing floodplain of the river. It is not proposed to mitigate against this loss, therefore some adjacent third party land owned by the landowner immediately to the north will experience greater depths of flooding. According to the submitted Flood Risk Assessment this will be up to 0.08m deeper for a 1 in 1000 year flood event. The affected landowner has confirmed that they do not object to this increased risk of flooding as; 'a negligible increase in flood level of the order of 20-80mm has no discernible change on the already demonstrably minimal risk of flooding from the brook to the active parts of the site.' Whilst national and local planning policy seeks to prevent increases in flooding, in this particular case there is no obvious alternative.

The applicant has investigated alternative means of mitigating against increased levels of flood risk, such as using cellular storage under the road. However, this solution was rejected by the Highway Authority for practical and operational reasons. In any case, the additional flooding that will result from this development is considered to be negligible based on the amount and frequency of flooding (20-80mm in a 1 in 1000 year event) and as the landowner does not object to the additional risk, it is considered that in these circumstances this is an acceptable solution.

The Environment Agency has previously indicated it does not object in principle subject to the landowner confirming acceptance of the flood risk. The Environment Agency has been

provided with a copy of the letter from the landowner and asked to confirm whether this overcomes their initial objection to the scheme. Subject to receipt of satisfactory comments from the Environment Agency it is considered that issues of flood risk have been satisfactorily addressed.

Surface Water Drainage advice is provided to the Local Planning Authority by the Lead Local Flood Authority. Their response is based on the submission of 4 documents; the Flood Risk Assessment, Chapter 4 of the Environmental Statement, Micro Drainage Outputs and covering letter by Freeths dated 3rd October 2016. Based on the development being carried out in accordance with these documents the Lead Local Flood Authority confirms that the impacts of surface water drainage have been adequately addressed.

Noise

The submitted Environmental Statement makes an assessment of the impact of traffic noise from the proposed road on adjacent residents, in particular consented dwellings on parcel R23. It confirms that no noise mitigation measures would be required as part of this scheme, as the noise conditions in the gardens and internally for dwellings within parcel R23 would be acceptable in relation to World Health Organisation guidelines. No concerns regarding noise have been raised by Environmental Protection, subject to the inclusion of conditions to control construction phase noise. Therefore there is considered to be no material harm to the amenity of both existing and future occupiers of the site.

Land Contamination

Historically parts of the site have been used for the quarrying activities associated with the removal of ironstone as a significant part of the site, along with the wider Priors Hall SUE, is thought to be a former ironstone quarry subsequently backfilled between 1950 and 1973. As a consequence of such activities, abstraction and subsequent levelling of the site may have involved backfilling with potentially contaminated material.

The Environmental Statement estimates that approximately 50% of the proposed road will be located on natural ground, whilst 50% will be on backfilled quarry material of unknown depth.

The applicant has carried out contamination testing which found the risks to human health and controlled waters to be low. Environmental Protection is satisfied with the information presented and advises that only a condition to deal with unidentified contamination is required.

Landscape Character

The proposed link road will pass through a relatively wooded area; therefore a significant number of trees will need to be removed. However, following extensive discussion during the application the route of the link road has been chosen to minimize the number and amount of trees which need to be removed. The trees on site close to Gretton Road are a mixture of self-sown Ash and a strip of Scots Pine and Sycamore. There are also strips of self-sown Alders, Willow, Birch and Hawthorn scrub.

The trees and scrub to be lost appear to be predominantly category B and C trees, which are not considered to be the most significant category, i.e. category A. Much of the woodland to be lost appears to be self sown Silver Birch, Alder, Goat Willow and Hawthorn. Whilst it is regrettable that a large number of trees will be lost a vast amount would still remain either side of the development and significant tree planting is being proposed as part of the wider development. Tree protection fencing is proposed along with other mitigation measure to protect retained trees.

Comprehensive landscaping plans have been included with the application which demonstrate how the adjacent areas would be landscaped/enhanced (and managed) with a mix of mainly calcareous grass, woodland, wet woodland, meadow and scrub.

The Local Wildlife Trust is satisfied with the proposal subject to suitable planning conditions to ensure the landscaping is carried out and appropriately managed and to ensure protection of retained trees.

Design, Character and Appearance

The location of the proposed road is constrained by the development to the north and south, the position of the Willowbrook, land ownership, various ecological constraints and highway requirements which leaves only a narrow corridor in which the road can be constructed. The design is functional, providing a relatively direct access to Zones 2 and 3 of the Priors Hall SUE.

The site is located at a low point in the landscape and there is significant tree cover in the vicinity. These factors limit the visibility of the development in the wider landscape. The Environmental Statement concludes that landscape impact would be 'minor' and visual impact would range from 'minor' to 'moderate-major', dependant on location.

It is considered that the most significant impact is from the recently constructed housing adjacent the proposed junction with Gretton Road. The impact of the proposed road will be reduced by mitigation such as planting and sensitive lighting along the cycle and footpath. It is considered that due to the constrained site boundaries the embankment gradients will as steep as 1:3 in places, which could result in the road appearing somewhat incongruous within the wider landscape. In addition, light columns would be required at the junctions (in order to meet adoptable standards) and the introduction of vertical elements here would have a localised negative impact.

On balance, whilst there would undoubtedly be a negative landscape and visual impact due to the construction of what will have a functional character, the impact will be localised due to the topography and adjacent trees. Appropriate mitigation measures have been designed into the development and the benefits of providing this essential piece of infrastructure to support the delivery of the SUE are considered to outweigh the identified harm.

Residential Amenity

The proposed road will pass relatively close to existing residential dwellings in parcel R23 and further to the south. However, due to the nature of the road it is not considered that the proposal would give rise to unacceptable impacts to residential amenity, and thus the proposal is considered to accord with Policy 8 of the North Northamptonshire Joint Core Strategy in respect of amenity.

Highways /Transportation

In setting out the strategic aims for transportation the North Northamptonshire Joint Core Strategy provides a strategic overview informed by the Northamptonshire Transportation Plan. One of the goals of this document is to achieve a modal shift and reduce the need to travel and improve connections for pedestrians and cyclists between and around local neighbourhoods and villages as well as other settlements and the adjoining countryside.

The principle of a link road is established by the extant outline planning permission and the proposed revised location is consistent with the current planning application 15/00038/RVC. Nevertheless for this application it is necessary to assess the details of the road.

Following concerns from local residents and two house builders nearby regarding an intention to restrict vehicular access along Gretton Road the applicant has amended the proposal to include a junction with Gretton Road, enabling two-way vehicular traffic along Gretton Road to continue. The changes have been informally agreed with the Highway Authority and their formal confirmation that the proposal is satisfactory was received on 14/10/2016.

The application includes a cycle/footpath which is welcomed as it will both encourage and enable sustainable travel modes to and from the site and across the wider Priors Hall development site. The path would be 3m wide, offset from the carriageway and lit by bollard lighting which will encourage its use, but at the same time minimise its visual impact upon the surrounding area.

It is considered that the proposal is acceptable in Highway terms and accords with Policy 4 of the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy.

By providing a footpaths and cycle routes that connect to wider areas, the applicant has demonstrated a commitment to promote walking and cycling which in turn enhances the living environment for existing and future occupiers of the site and allows greater access through the development and out into the countryside.

Green Infrastructure

The scheme seeks to promote green infrastructure and this proposal involves enhancing the existing open spaces by creating informal green areas to complement the existing landforms and watercourse. Green Infrastructure is an important consideration for Priors Hall, as the site falls within the Wildlife Trust's 'Nene Valley Living Landscape' scheme and Zone 3 is also located within a designated 'sub-regional Green Infrastructure corridor', as stated in Policy 19 of the North Northamptonshire Joint Core Strategy.

The sub-regional corridors are priority areas for investment and enhancement of Green Infrastructure. As a result of its very urbanizing effect the road has the potential to sever existing Green Infrastructure links. However, the design has sought to maintain the Willowbrook corridor and where the watercourse must be crossed a mammal shelf is proposed in the culvert to allow animals to pass without entering the water. For these reasons, it is considered that the application pays appropriate attention to Green Infrastructure.

Other Matters

Other matters identified in representation letters, and which are not covered within the preceding sections of the report, are dealt with below under separate headings:

Air Quality – The principle of the link road in terms of air quality has been assessed as part of the previously approved variation of condition application for the outline permission (13/00026/RVC), where no significant issues were raised. Dust etc. from construction would be minimised by the recommended conditions and the submitted Construction Management Plan.

Corby is not located in an Air Quality Management Area, although the Council regularly measures and monitors the nitrogen dioxide levels at 14 locations across the Borough and produces an annual Air Quality Strategy Report to DEFRA. (Environmental Sustainability Strategy 'Action on Climate Change 2014-2019).

Comments to East Northamptonshire Council on their consultation – A copy of this report is being provided to East Northamptonshire Council for the purposes of joint-working and collaboration across the site.

Rights of Way – None affected.

Crime and Security – No significant issues raised. The proposed bollard lighting along the cycle/foot path should minimise fear of crime. Northamptonshire Police have confirmed they have no comments or objections.

Land Ownership – The neighbouring landowner objects to the inclusion of their land within the red line. However, land ownership is not a material planning consideration and this would not be a reason to refuse planning permission. The applicant has served the requisite notice and planning permission would not alter ownership or access rights.

Water Quality – No concerns regarding water quality have been raised by the Council's advisors (Environment Agency).

Section 106 Obligations

There are no requirements for S106 obligations for this proposal.

Conclusions:

As identified within the Policy section of this report and within the assessment carried out in the foregoing sections, the application has been considered on the basis that the presumption in favour of sustainable development has been complied with.

The wider site already benefits from outline planning permission for development and the principle of development of this land is therefore well established.

An Environmental Statement has been carried out by the applicants and it details the impacts of the development on the environment and how they can be satisfactorily mitigated and managed.

In terms of the impact on the historic assets the information submitted with the application sufficiently demonstrates that the development would not unacceptably affect the setting of these listed buildings.

Moreover, the impact on the highway network has been assessed and the scheme demonstrates that access and connectivity to existing and proposed development would be satisfactory.

Taking into consideration both local and national policy and advice provided by statutory and non-statutory consultees the proposal would not detract from the character and visual amenities of the area; nor would it detrimentally impact on the amenity of any adjoining occupiers.

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

Recommendation:

It is recommended that planning permission is granted subject to the following conditions:

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

Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure all contamination within the site is dealt with in accordance with Policy 6 of the North Northamptonshire Joint Core Strategy.

3. The developer, all contractors and sub-contractors engaged in any form of construction work as part of the development should employ the principles of current best practice. In particular due regard should be made to British Standard BS 5228: 2009 "Code of Practice for Noise and Vibration Control on Construction and Open Sites".

Reason: To ensure the protection of the local amenity throughout construction works in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. At all times during the carrying out of operations authorised or required under this permission, best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

Reason: To ensure the protection of the local amenity throughout construction works in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. No construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the protection of the local amenity throughout construction works in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. The construction phase shall be carried out strictly in accordance with the submitted Construction Management Plan (version 19.09.16) and the recommendations/ mitigation measures set out in the following sections of the ES at all times:

3.6 (Land Quality chapter mitigation measures)

4.5.5 (Flood Risk and Drainage chapter construction phase mitigation measures)

Reason: To minimise environmental impacts in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. The development shall only be carried out in strict accordance with the mitigation measures outlined in the Tree Survey (B.J.Unwin Forestry Consultancy – revision 23rd June 2016) submitted with the planning application. Tree protection fencing shall be erected as detailed in the survey (and accompanying Tree Retention and Protection Plan – PRHLTRP-JUN 16) prior to the commencement of any development or clearance works and it shall be retained for the duration of all works except final soft landscaping. Only those trees identified on drawing PRHLTRP-JUN 16 as being removed may be removed except by prior agreement with the Local Planning Authority (in writing).

Reason: To ensure the long term viability of retained trees.

8. a) The habitat reinstatement/compensatory planting identified in drawings LA12-D1A, LA12-D2A, LA12-D3A and LA12-D4A shall be implemented (in the first planting season following the completion or first use of the road - whichever comes first), and subsequently maintained/managed in accordance with the 'Biodiversity Management' information set out on those drawings.

b) Within a period of 6 months following the commencement of development a scheme shall be submitted to the Local Planning Authority for approval in writing which sets out a process of future review of the success of habitat reinstatement/compensatory planting and (notwithstanding the approved drawings) allows for the amendment of the ongoing 'Biodiversity Management' regime if necessary to ensure the ongoing success of the habitat reinstatement/compensatory planting. Following the approval of the scheme, the required details shall be submitted at the agreed intervals and the habitat reinstatement/compensatory planting shall be maintained/managed in perpetuity in accordance with the latest details to have been approved.

Reason: To ensure the ecological, arboricultural and visual impacts of the development are satisfactorily compensated for in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

9. The development including any clearance works shall strictly follow the methodology set out in the 'Protected Species Method Statement for the Construction Phase of Works for the Zone 3 Link Road, Priors Hall Corby' (Deltasimons – ES appendix 2-9). The applicant is reminded that this requires involvement by an Ecological Clerk of Works at various stages.

Reason: In the interests of protected species in accordance with Policy 11 of the National Planning Policy Framework.

10. The development hereby permitted shall not be carried out other than in complete accordance with the approved plans and specifications as follows: 3047(A)101G, 3047(A)102F, 3047(A)110A, 3047(A)111A, 3047(A)200C, 3047(A)201C, 3047(A)202, 3047(A)203A, 3047(P)300D, 3047(A)301, 3047(A)302C, 3047(A)310, 3047(A)400C, 3047(A)401C, 3047(A)402A, 3047(A)403, 3047(A)414A, 3047(A)415A and PRHLTRP-JUN 16.

Reason: For the purposes of clarity and to ensure that the development is carried out as permitted.

Informatives

The applicant is advised of the following advice by the Lead Local Flood Authority:

Section 4.3.2. of the SUDS Manual (CIRIA C697) refers to Development Runoff. Within this Section, it is acknowledged that additional datasets have been added to Flood Estimation Handbook (FEH) and rainfall depths obtained using FEH show significant differences from those obtained from Flood Studies Report (FSR) in some parts of the country. Within Northamptonshire, rainfall depths are often greater using more up to date FEH datasets than

those using FSR, therefore for various storm events, greater run-off is produced and additional attenuation is likely to be required.

FEH rainfall data is more up to date than FSR (England and Wales) therefore calculations should use this FEH data to determine the volume of surface water attenuation required on site. We recognise there are uncertainties associated with the use of any datasets. In particular, FSR rainfall data should be used where the critical storm duration is less than 60 minutes, as FEH data is less robust for short duration storms. FEH rainfall data can be used to determine the volume of storage required if the critical storm duration is greater than 30 minutes.

If FEH rainfall data is not used as described above, then sensitivity testing to assess the implications of FEH rainfall must be provided. This should demonstrate that the development proposals remain safe and do not increase flood risk to third parties.

There should be no direct discharge to groundwater. All infiltration structures (permeable pavements, infiltration trenches, soakaways etc.) to be a shallow a depth as possible to simulate natural attenuation. The base of the infiltration structures shall be at least 1m above the highest seasonable water-table.

Under the terms of the Water Resources Act 1991, the Anglian Local Land Drainage byelaw prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 9 metres of the top of the bank of the Willowbrook or the flood storage reservoir defences.

Reasons for Approval:

The Environmental Statement has been assessed by the Local Planning Authority. Responses to consultations including Natural England, Historic England, the Local Wildlife Trust, the Highway Authorities and the Environment Agency were taken into account have been considered and the Local Planning Authority concludes that the requirements for relevant mitigation would be achieved through the imposition of conditions. Subject to the conditions set out above it is considered that the proposed development will provide essential infrastructure to enable the continued sustainable development of the Priors Hall SUE.

Statement of Applicant Involvement

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

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