

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 08/03/2016</b>	<b>Item No: 5.1</b>
<b>Report Originator</b>	<b>Richard Marlow Senior Development Officer</b>	<b>Application No: KET/2015/0911</b>
<b>Wards Affected</b>	<b>Slade</b>	
<b>Location</b>	<b>Old Cransley Iron Works, Northampton Road (and surrounding land), Broughton</b>	
<b>Proposal</b>	<b>Full Application: 5 no. units (B1, B1c, B2 and B8) with associated works</b>	
<b>Applicant</b>	<b>St Francis Group (Kettering) Ltd</b>	

### 1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### 2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED, subject to a S.106 OBLIGATION being entered into, and to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the following approved plans and details submitted with the application:

Location plan 14-024-P01 received 06/11/15

Development Master plan 14-024-P02 C received 29/02/16

Unit 01 Floor plans 14-024-P03 received 06/11/15

Unit 02 Floor plans 14-024-P04 received 06/11/15

Unit 03A & 03B Floor plans 14-024-P05 received 06/11/15

Unit 04 Floor plans 14-024-P06 received 06/11/15

Unit 01 Elevations and Section 14-024-P07 received 06/11/15

Unit 02 Elevations and Section 14-024-P08 received 06/11/15

Unit 03A & 03B Elevations & Section 14-024-P09 received 06/11/15

Unit 04 Elevations & Section 14-024-P10A received 17/11/15

Existing & Proposed Sections 14-024-P11 received 17/11/15

Fence & Cycle Shelter Details 14-026-P22 received 06/11/15

Illustrative Sections 5755/ASP3/A received 06/11/15

External Lighting Layout BSXX(63)4001(A) received 17/11/15

Reptile Survey KET/2015/0911/5 received 06/11/15

Flood Risk Assessment R/C151595/001.02 received 06/11/15  
Detailed Air Quality Assessment Report R151595.005 received 06/11/15  
Noise Impact Assessment REP-1006022-AM-211015-3 received 06/11/15  
Transport Assessment R/151595/03/Iss2 received 06/11/15  
Transport Assessment Addendum C151595/TN01 received 11/01/16  
Framework Travel Plan R/C151595/FTP/001 received 06/11/15  
Summary Environmental Report GJ055 Cransley Environmental SI received 06/11/15  
Geotechnical Interpretative Report GJ055 Cransley Geotechnical SI received 06/11/15  
Sustainability Statement KET/2015/0911/3 received 06/11/15.  
Acoustic Fence Details 14-024-P23 received 25/02/16.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with policy 11 and paragraph 120 of the National Planning Policy Framework.

4. Landscaping shall be provided in accordance with the following plans:

Planting Plan Overview	5755/ASP.PP1.0/D
Planting Plan 1 of 9	5755/ASP.PP1.1/D
Planting Plan 2 of 9	5755/ASP.PP1.2/D
Planting Plan 3 of 9	5755/ASP.PP1.3/D
Planting Plan 4 of 9	5755/ASP.PP1.4/D
Planting Plan 5 of 9	5755/ASP.PP1.5/D
Planting Plan 6 of 9	5755/ASP.PP1.6/D
Planting Plan 7 of 9	5755/ASP.PP1.7/D
Planting Plan 8 of 9	5755/ASP.PP1.8/D
Planting Plan 9 of 9	5755/ASP.PP1.9/D
Landscape Master Plan	5755/ASP2/D

The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation a building. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy

5. The development shall achieve a minimum of Building Research Establishment Environment Assessment Method (BREEAM) level ""very good"" (or the equivalent standard which replaces BREEAM). In the event that the BREEAM standard achieved for the actual building fall short of the ""very good"" standard (or the equivalent standard) a programme of remediation works shall be agreed in writing by the Local Planning Authority and carried out in accordance with a timetable to be agreed.

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with Policy 14 (a) of the North Northamptonshire Core Spatial Strategy (2008).

6. Within 18 months of the first occupation of each building a copy of the Post Construction Final Certificate to confirm that the construction of each building has achieved at least a "very good" BREEAM rating shall be submitted to and approved by the Local Planning Authority.

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with Policy 10 of the NPPF and Policy 14 (a ii) of the North Northamptonshire Core Spatial Strategy.

7. Prior to first occupation of the development, a scheme for the provision of bat, bird and insect boxes, based on the recommendations of the Protected Species Survey, shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of maintaining and improving habitats and biodiversity in accordance with policy 11 of the National Planning Policy Framework and policies 5 and 13 (o) of the North Northamptonshire Core Spatial Strategy.

8. No part of the development shall be occupied until the highway works as shown on IMA drawing IMA-05-051-006 Rev C (received 25th January 2010) with respect to application KET/2006/0193 are complete and open to traffic.

REASON: In the interests of transport requirements of the site and highway safety in accordance with Policy 13 (n) of the Core Spatial Strategy for North Northamptonshire.

9. The development shall not be carried out other than in accordance with the following details submitted with application KET/2010/0717 which relate to the phasing, methodology and duration of the A43 access works.

i. Cransley Park Construction Method Statement - Cransley Park Section 278 Works A43 (with Appendices 1 - 5) received 25th January 2011.

ii. Programme of Works (appendix 1 of the above document) received 25th January 2011.

iii. NCC Letter (dated 1st June 2009) "Section 278 Works, Cransley Park, near Kettering, Northants" received 25th January 2011.

iv. Section 278 Works Signing and Lining Plan: P599/401K received 25th January 2011.

v. Section 278 Works Speed Restriction and Gateway Plan: P599/410G received 25th January 2011.

vi. Section 278 Works Pavement Details Plan: P599/402H received 25th January 2011.

The works detailed on the above drawings shall be completed prior to the first occupation of any building.

REASON: In the interests of the transport requirements of the development and highway safety in accordance with Policy 13 (d) and (n) of the Core Spatial Strategy for North Northamptonshire.

10. Within six months of the commencement of development, details of pedestrian and cycle accessibility and associated improvement works from the site up to the junction of Northampton Road and Lake Avenue (northeast of Junction 8) shall be submitted to and approved in writing by the Local Planning Authority. No building on site shall be occupied until the approved works have been carried out in full.

REASON: In the interests of sustainable access to the site and highway safety in accordance with Policy 4 of the NPPF and 13 (d), (e) and (k) of the Core Spatial Strategy for North Northamptonshire.

11. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- i. Overall strategy for managing environmental impacts which arise during construction;
- ii. Measures to control the emission of dust and dirt during construction;
- iii. Control of noise emanating from the site during the construction period;
- iv. Hours of construction work for the development
- v. A daily log of all vehicles attracted to the site shall be kept and made available for inspection at the request of the local planning authority.
- vi. Contractors' compounds, materials storage and other storage arrangements, cranes and plant, equipment and related temporary infrastructure within the site;
- vii. Designation, layout and design of construction access and egress points;
- viii. Directional signage (on and off site);
- ix. Provision for emergency vehicles;
- x. Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials solely within the site
- xi. Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
- xii. Details of measures to prevent mud and other such material migrating onto the highway from construction or demolition vehicles;
- xiii. Storage of plant and materials used in constructing the development within the site;
- xiv. The erection and maintenance of security hoardings;
- xv. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

REASON: In the interests of highway safety in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

12. The development shall not be carried out other than in accordance with the reptile translocation protocol detailed within the Reptile Survey reference KET/2015/0911/5 received 06/11/2015 by the Local Planning Authority.

REASON: In the interests of improving and conserving the ecological and biodiversity interest and value of the site in accordance with Policy 11 of the NPPF and 13 (o) of the Core Spatial Strategy for North Northamptonshire.

13. Prior to the commencement of development a badger survey and mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigation strategy.

REASON: To ensure the protection of badgers, a protected species, and in the interests of improving and conserving the ecological and biodiversity interest and value of the site in accordance with Policy 11 of the NPPF and 13 (o) of the Core Spatial Strategy for North Northamptonshire.

14. Prior to first occupation a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

15. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenity of occupants of neighbouring properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

## **Officers Report for KET/2015/0911**

This application is reported for Committee decision because there are unresolved, material objections to the proposal and the application requires an agreement under s.106.

### **3.0 Update**

The application was deferred at the Planning Committee of 9<sup>th</sup> February due to concerns that the noise impacts of the development had not been fully assessed.

#### Principle of Development

The principle of development is detailed within section 7(1) of the original committee report. The following supplements the earlier information on the principle.

There is an extant outline planning permission on the site through application KET/2013/0827 for 7 no. plots for uses B1, B2 and B8 approved 18 June 2014. This approval which mirrors the previous two approvals in 2008 and 2011 placed restrictions on the uses and amount of B8 development on site as detailed in section 7(1) of the 9<sup>th</sup> February Committee report. Additional consideration has been given to the original B8 restriction in the light of emerging policy.

Significant weight can be attached to the policies in the North Northamptonshire Joint Core Strategy (JCS) which is currently undergoing consultation on the main and minor modifications proposed. The plan highlights that there is an over-supply of committed employment land particularly for B1 uses and identifies sectoral strengths that can be used to stimulate economic growth including logistics, high performance technologies and green technologies. Paragraph 8.12 of the plan highlights that land supply analysis for North Northamptonshire demonstrates a significant over supply of B1 land compared to market demand, and a requirement for additional B8 land within Kettering Borough.

The Joint Core Strategy, in contrast to the adopted CSS, does not seek to be overly prescriptive by sub-dividing employment targets into different use classes. Instead it identifies economic sectors, as detailed above, that are well placed to deliver economic growth in North Northamptonshire. The proposal seeks consent for B1(c), B2 and/or B8 use, which will provide flexibility to attract occupiers. The full application is supported by technical studies enabling a full assessment of the visual and amenity impacts of the proposal to be considered.

Policy 24 of the Joint Core Strategy considers proposal for logistics and considers individual units of 9,300 square metres or more floorspace as strategic distribution development. The supporting text to the policy considers that a proportion of smaller employment units less than 9,300 square metres should be provided on such sites to deliver a mix of unit sizes and employment uses. Using the classification proposed within the JCS only unit 2 would be a large/ strategic unit, with units 1 and 4 classified as mid-box in size and units

3A and 3B small units.

The planning supporting statement which accompanies the application provides analysis of market trends relevant to the site and provides examples of companies with demand for the types of units proposed, which includes a range of B1, B2 and B8 operators.

The conclusion regarding the principle of development remains unchanged from that set out in section 7(1) the 9<sup>th</sup> February Committee report.

#### Residential amenity including noise

The response received 9<sup>th</sup> February 2016 from Environmental Health raised concerns about the noise assessment undertaken. This included the assessment being based on 1 Heavy Goods Vehicle (HGV) movement within each service yard.

The applicant has submitted an updated noise report addendum to address the concerns made and Environmental Health have sought additional clarification. The updated report and supplementary information has modelled 5 HGVs moving and unloading simultaneously within the service yard of unit 1, which is closest to the Furnace Cottages.

On-site observations together with continuous logging data indicate the dominant noise source across the site is that of traffic from the A14 and A43. Mean night-time noise levels at the southern perimeter of the site, positioned to the rear of the gardens at Furnace Cottages, were 47.9dB.

The amended development plan for site shows the location of the proposed acoustic fencing to the southwest and southeast of the service yards to units 1, 3A and unit 4. The acoustic fencing details show a continuous close boarded timber fence at a height of 1.8 metres. The acoustic fencing, reduces noise levels by 10dB, and is set beyond the landscape areas of the site, screened by the planting proposed.

Noise levels from HGV movements, fork lift truck movements and reversing beepers have been demonstrated to be below background night-time noise levels at the nearest residential façade and therefore in accordance with British Standards are considered to have a low impact. Noise generated from fork lift trucks and reversing beepers can be intermittent in nature, however given the low impact demonstrated a condition in this regard is not considered necessary or reasonable.

Noise break-out from the proposed buildings on site including unit 1, which are constructed of proprietary composite thermal panelling, has also been demonstrated to be significantly below the typical night-time background noise level and unlikely to have adverse impact on the nearest residential properties.

### Drainage and Flooding

This supplements earlier information which is still relevant.

The applicant has provided additional information to address the comments made by Anglian Water and the Lead Local Flood Authority which reflects works undertaken on the site in respect of foul and surface water drainage. The Lead Local Flood Authority has confirmed that it is content that the impacts of Surface Water drainage have been adequately addressed. Conditions 15 and 16 detailed in the original committee report have therefore been removed.

### S106

The draft S106 has been updated to ensure that the bus shelter is provided early with the development programme and prior to substantial completion of the first building to be erected on site.

### Lighting

An additional condition has been imposed to ensure details of height and position of any external illumination are agreed in writing with the Local Planning Authority prior to their installation.

## **Committee Report of 9<sup>th</sup> February 2016**

### **Relevant Planning History**

KET/2013/0827: Outline planning permission granted for 7 no. plots for uses B1, B2 (Industrial), B8 (Storage), C1 (Hotel) and associated car parking. Approved on 18/06/2014.

KET/2010/0717. Renewal of Extant Permission KET/2006/0193 (Redevelopment site to provide for uses B1, B2 (Industrial), B8 (Storage), C1 (Hotel), car parking, landscaping, nature area and alterations to access). Approved 27/01/2011

KET/2006/0193. Redevelopment site to provide for uses B1, B2 (Industrial), B8 (Storage) C1 (Hotel), car parking, landscaping, nature area and alterations to access. Approved 28<sup>th</sup> January 2008. This was an outline application with access considered at that stage with all other matters reserved for later approval. Approved 29/1/2008.

### **Site Description**

Officer's site inspection was carried out on 2 December 2015. The application site measures 6.9 hectares and sits to the north of the wider Cransley Park development approved through applications in 2006, 2010 and 2013. It is of an irregular shape and is located to the northwest of junction 8 of the A14. It is bordered to the south by the A43, in part to the east by the A14 and with open countryside to its remaining borders. Approximately two thirds of the wider site is brownfield, it being the site of former iron workings and later a vehicle scrap yard. The remainder of the site area, a triangular parcel of land adjacent to the A14, was greenfield land. The site lies outside of the Kettering town boundary. Bridleway GG2 runs northwest through the site. The bridleway runs along the



front of the site and around the northeast corner of the former scrap yard. It follows the boundary of the former scrap yard until it reaches the boundary with farmland to the northwest where it continues out of the site. A tributary to the Slade Brook skirts the eastern perimeter of the site, which is culverted underneath the A43.

The site was largely used as a vehicle scrap yard. The bulk of the site to the rear of this showed evidence of previous ironworks with large areas of tipped material, ash, slag and evidence of a former buildings. To the south west of the site (between the site and the A43) are a row of four two storey terraced houses, 1 – 4 Furnace Cottages. It is likely that these cottages were associated with the iron workings at the site (i.e. workers cottages). The scrap yard was accessed by a single access point off the A43 which was uncontrolled i.e. no signals or right turn lane.

The original outline permissions on site has resulted in the first phase of Section 278 works including the road works up to the A14 junction 8 roundabout having been completed. The main infrastructure for the site including roads and drainage has been installed and development platforms prepared, ready for future development. Other works have included levelling land, setting out of the internal road layout, laying of foul and surface water drainage infrastructure, installation of a substation, water and gas mains, digging out and completion of balancing pond, with pumping station.

### **Proposed Development**

The application seeks full planning consent for 5 no. commercial units and associated works which fall within Planning Use Classes B1c, B2 and B8 (with ancillary B1 Office accommodation). The 5 no. Units are set within four parcels of land known as Plots 1, 2, 3 and 4, Cransley Park with plot 3 being subdivided into units 3A and 3B.

The overall area of development totals 25,084 sq.m (270,000 sq.ft) and sits in an overall site area of 6.9HA - this equates to a development density of 35%.

The development comprises of the following units:

- UNIT 01 has an eaves height of 11.6m , 12.7m ridge and provides for a 6,178 sq.m (66,500 sq.ft) Gross Internal Area (GIA) single volume unit with 325 sq.m (3,500 sq.ft) of office space at first floor. A 35-50m deep service area and 135 staff and visitor parking spaces are provided, of which 7 are allocated for use by the less abled. 15 covered cycle spaces are included close to the building entrance.
- UNIT 02 has an eaves height of 13.7m, 15.2m ridge and provides for an 8,826 sq.m (95,000 sq.ft) GIA single volume unit with 464 sq.m (5,000 sq.ft) GIA of two storey ancillary offices. A 35-50m deep service area and 184 staff and visitor parking spaces are provided, of which 9 are allocated for use by the less abled. 21 covered cycle spaces are included close to the building entrance.

- UNIT 03A has an eaves height of 9.8m, ridge 11.1m and provides for an 2,200 sq.m (23,750 sq.ft) GIA single volume unit with 116 sq.m (1,250 sq.ft) GIA of office space at first floor. A 35m deep service area and 48 staff and visitor parking spaces are provided, of which 2 are allocated for use by the less abled. 6 covered cycle spaces are included close to the building entrance.
- UNIT 03B has an eaves height of 9.8m, 11.1m ridge and provides for an 2,200 sq.m (23,750 sq.ft) GIA single volume unit with 116 sq.m (1,250 sq.ft) GIA of office space at first floor. A 35m deep service area and 48 staff and visitor parking spaces are provided, of which 2 are allocated for use by the less abled. 6 covered cycle spaces are included close to the building entrance.
- UNIT 04 has an eaves height of 11.6m, 12.7m ridge and provides 4,413 sq.m (47,500 sq.ft) GIA with 232 sq.m (2,500 sq.ft) GIA of office space at first floor. A 35-40m deep service area and 96 staff and visitor parking spaces are provided, of which 5 are allocated for use by the less abled. 11 covered cycle spaces are included close to the building entrance.

#### **Any Constraints Affecting The Site**

- Bridleway GG2 runs through the site as described above.
- 2 watercourses: (1) Runs to the north of the site in an easterly direction from the north western corner of the site. (2) Runs along the eastern edge of the site and joins watercourse (1).
- Site was contaminated due to its industrial past and use as a scrap yard.
- The A43 and A14 bound the site.
- Outside settlement boundary for Kettering.

#### **4.0 Consultation and Customer Impact**

##### **Highway Authority**

Requested further information from the applicant as documented in the Transport Assessment Addendum. No objection to the proposal and have recommended conditions which ensure that all off site highways works, as envisaged through the original outline approvals, are delivered and that this current application is not seen as diluting the importance of these works.

##### **Highways England**

No objection.

##### **Environment Agency**

The development must be carried out in accordance with the approved flood risk assessment (dated October 2015). This must be secured by condition. Without this condition the EA would object.

**Environmental Health**

No objection to the application subject to conditions relating to contaminated land and paint spraying equipment should consent be given.

**Natural England**

Development is unlikely to affect any statutorily protected sites or landscapes. Standing Advice should be applied for consideration of protected species. Development includes an area of priority habitat; the NPPF should be referred to. The area could benefit from enhanced green infrastructure provision. Measures to improve biodiversity and the landscape should be considered. The LPA should ensure it has sufficient information regarding the impact on any locally designated wildlife sites.

**Northants Badger Group**

Object to the proposal which will have an adverse impact on the local badger population. The Group considers that insufficient evidence of the impact of the proposed scheme of development on badgers has been provided.

**Anglian Water**

The surface water strategy/flood risk assessment submitted is unacceptable. Conditions recommended requiring a foul drainage and surface water strategy.

**Lead Local Flood Authority**

Conditions are recommended to ensure the impacts of surface water drainage are adequately addressed. These conditions require a surface water drainage scheme to be submitted and the maintenance regimes to be agreed.

**Northamptonshire Police**

A number of detailed comments have been made regarding security of the site, car parks and buildings.

**Cransley Parish Council**

No objection subject to the following comments:

- What has been done about the contamination of the site?
- Construction works must be monitored – the stream runs close by taking water to the Ise and Nene.
- The parish council wishes to see the site developed but what has been done to deal with potential pollution? There are risks to human and wildlife.
- Have conditions 18 and 19 of the outline been met? Have the closure report and certification been carried out.
- Other comments have also been made regarding the site history and site address.

**NIA Project Officer**

Comments made regarding the planting plans.

## **Neighbours**

15 objection letters from third parties (5 are from two occupiers of the same property). Objections are summarised as follows:

- A restriction of use and hours should be considered to minimise disruption to adjacent homes. Limit to day time use only.
- Noise and pollution from 24 hour industrial park and lorry movements.
- Vehicular traffic directly adjacent to homes.
- Impact on safety of adjacent occupiers.
- High rate of accidents near to where access is proposed; dangerous access. This will increase with the development.
- Traffic lights will cause chaos with traffic flows (already grid lock in this area).
- Improvements made to this part of the A43 have not improved highway safety, accidents have increased.
- The access should be on the A14/Northampton Road roundabout.
- Impact on access for emergency vehicles.
- Lack of infrastructure and highway capacity.
- Impact on wildlife/protected species on the site.
- Additional traffic/traffic lights will make it more difficult to get in and out of driveways (dwellings adjacent to the wider site).
- Could a service road be installed at the rear with allocated parking spaces for existing dwellings? A service road did historically exist.
- Light, noise and air pollution (odours from new uses).
- Acoustic and visual screening should be put in place.
- Detrimental impact on residential amenity – overlooking, overshadowing, noise and light pollution.
- Lack of screening between site and existing homes.
- Trees planted have died.
- Visual impact – immediate to neighbours and also to those approaching/entering Kettering.
- Flooding.
- Site will not be connected to main sewers. It will be served by a holding tank.
- Loss of countryside. Return to farmland.
- Development is unnecessary. Development within the town centre should be encouraged.

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Policy 1 – Building a strong, competitive economy.

Policy 4 – Promoting sustainable transport

Policy 7 – Requiring good design

Policy 8 – Promoting healthy communities

Policy 10 – Meeting the challenge of climate change, flooding and coastal change

Policy 11 – Conserving and enhancing the natural environment

Policy 12 – Conserving and enhancing the historic environment

## **North Northamptonshire Core Spatial Strategy**

Policy 1 Strengthening the Network of Settlements

Policy 5 Green Infrastructure

Policy 6 Infrastructure Delivery and Developer Contributions

Policy 8 Delivering Economic Prosperity

Policy 9 Distribution and Location of Development

Policy 11 Distribution of Jobs

Policy 13 General Sustainable Development Principles

Policy 14 Energy Efficiency and Sustainable Construction

## **Local Plan**

Policy 7 Protection of Open Countryside

Policy 103 Hotel Accommodation

## **Supplementary Planning Document**

Sustainable Design SPD

Biodiversity SPD

## **6.0 Financial/Resource Implications**

### **Section 106**

A Framework Travel Plan has been produced which sets out a wide range of measures that will be used to encourage a reduction in the number of single occupancy car journeys and encourage the use of alternative modes of transport to the private car. A Travel Plan Coordinator will be appointed to implement the Travel Plan and the framework secured through a S106 obligation should permission be granted. The success of the Travel Plan will be monitored and reviewed by the Travel Plan Coordinator and where necessary, the Plan will be adapted to improve its progression.

The Highways Authority has also requested a commuted sum of £15,000 for 15 years maintenance of the bus shelter which is to be provided to the west of the main entrance to the site. This is in addition to the provision of the bus shelter which is an obligation on the developer.

The Section 106 obligation is currently being drafted.

## **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of Development
2. Design and visual impact
3. Highway and Access
4. Residential Amenity
5. Landscaping
6. Ecology and Green Infrastructure
7. Drainage and Flooding
8. Contamination
9. Sustainable Design, Construction and Energy Efficiency

## 1. Principle of Development

The application site which includes a large proportion of brownfield land is located outside the settlement boundary to the west of the A14 at junction 8. The three previous outline planning permissions granted in 2008, 2011 and 2014 have established the principle of commercial development on this site and a number of conditions were discharged allowing site remediation and initial infrastructure to be installed.

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development which establishes that proposals which accord with the development plan should be approved without delay. The National Planning Policy Framework through paragraphs 6 and 7 details that the purpose of the planning system is to contribute to the achievement of sustainable development which has economic, social and environmental dimensions. The Government's commitment to ensuring economic growth is detailed at paragraph 19 of the NPPF which states that planning should operate to encourage and not act as an impediment to economic growth. Policy 1 states that the Government is committed to ensuring sustainable economic growth and support for an economy fit for 21<sup>st</sup> Century. Investment in business should not be over-burdened by policy expectations.

The proposed development would comprise of 5 no units falling within use classes B1c, B2 or B8, with ancillary B1 offices. Such uses are not main town centre uses as defined by the National Planning Policy Guidance and therefore there is no requirement for a sequential test or impact assessment to be undertaken as set out in paragraphs 25, 26 and 27 of the NPPF.

The previous outline approvals on the site were subject to two conditions which placed limitations on the nature of the development that could come forward. Condition 11 of the latest outline permission restricted which uses could be located within areas 1, 2 or 3 on the outline site plan to protect the amenity of the residents of Furnace Cottages and provide a mix of uses. Condition 29 of the same approval restricted B8 uses to a total of 5,000 square metres due to the visual impacts of the site. However, the submission of a detailed planning application has sought to positively address those concerns.

The NPPF is clear in its policies which state that the planning system should do everything it can to support economic development. The proposal seeks consent for B1(c), B2 and/or B8 use, which will provide flexibility to attract occupiers and deliver jobs to benefit the local economy. The application which is supported by a range of technical studies seeks full planning consent, enabling a full assessment of the visual and amenity impacts of the proposal to be considered as set out in detail below.

Examination Hearings took place on the North Northamptonshire Joint Core Strategy during November 2015. As an outcome of that process a number of main and minor modifications have been agreed, and will be subject to public consultation starting 3<sup>rd</sup> February 2016. The modifications do not affect Cransley Park's designation as a Committed Strategic Site within the Joint

Core Strategy. Given this, and the stage the Joint Core Strategy has reached towards adoption, it is considered significant weight can be given to its designation within the Plan.

In conclusion, the proposed development is consistent with the provisions in the NPPF and the main thrust of the Core Spatial Strategy (CSS) and Joint Core Strategy (JCS). The site benefits from previous planning consents for employment development, which have been implemented by onsite infrastructure works to effectively, provide serviced plots. This planning application seeks to achieve greater flexibility for development on the site and this is in line with national planning guidance which states that the planning system should do everything it can to support economic development.

## 2. Design and Visual Impact

Good design is promoted by section 7 'Requiring Good Design' of the National Planning Policy whilst policy 13(h) of the North Northamptonshire Core Spatial Strategy requires that development is of a high quality of design and respects and enhances the character of its surroundings.

The application is accompanied by a Design and Access Statement which sets out the design rationale behind the proposed development. In contemplating the design for the proposed development, careful consideration has been given to the site constraints such as existing trees and hedgerows; the surrounding local countryside and areas where the site is visible; and retention of the existing bridleway that extends through the site.

The development site subject to this application is surrounded by open countryside and the A14. The layout of the site has been configured to ensure that the four buildings sit comfortably within their environment, with development located towards the edge of the site enabling operational elements including car parking and service yards to be screened. Aerial photomontages demonstrate how the development will be viewed within the wider context and highlight how the design and orientation of the buildings has carefully considered key vistas into the site including junction 8 of the A14 and the approach into the site from the A43. Those elements of the development which face these key viewpoints add visual interest and aesthetically pleasing features to punctuate the development. Hard and soft landscaping is used throughout the site to help soften the development, including considerable on plot landscaping, and differentiate between the different areas on site.

Building heights range from between 11.1 - 15.2 metres to the ridge, with the largest and tallest unit, number 2, set furthest north within the site minimising its mass when viewed from key vantage points surrounding the site. The applicant considers that volume of the buildings balances the needs of the proposed tenants, including the requirement for modern storage racking systems, with an acceptable development density and has produced elevations, level plans, photomontages and landscaping plans to demonstrate the suitability of the proposal in this particular location.

The proposed buildings incorporate robust and simple detailing, with clean sharp lines and crisp functional detailing complemented by a limited range of surface materials. The structures would utilise steel and composite cladding systems with aluminium curtain walls, windows and doors, together with feature composite wall light panels in individual colours differentiating each unit.

A restricted palette of neutral colours is proposed which combine to reduce the perceived mass of the buildings and should ensure that they do not quickly date. Simple design details such as shadow recesses and subtle changes in surface texture are incorporated where necessary to improve proportion and give variety and rhythm to the elevations.

In conclusion, the proposal is, therefore, considered positively in design and character terms and is in accordance with the requirements of criterion h of Core Spatial Strategy Policy 13 and section 7 of the NPPF.

### 3. Highway and Access

Policy 13 (d) of the North Northamptonshire Core Spatial Strategy requires that developments have a satisfactory access and provide for parking, servicing and manoeuvring in accordance with adopted standards. A criterion (n) of the same policy requires that developments do not have an adverse impact on the highway network and will not prejudice highway safety.

The application is accompanied by a Transport Assessment and subsequent Transport Assessment Addendum which have assessed the merits of the proposed development having regard to accessibility, highway safety and the impacts of the proposal upon the surrounding highway network.

The individual plots are accessed off the existing road infrastructure constructed through the outline planning permissions. An assessment of likely trip generation has been undertaken and this concludes that the proposed development would generate less peak hour trips than the extant planning permission approved in 2014. This represents a net highway gain to the local road network and as a result the development will not have a severe impact upon the highway network.

A Framework Travel Plan has been produced which sets out a wide range of measures that will be used to encourage a reduction in the number of single occupancy car journeys and encourage the use of alternative modes of transport to the private car. A Travel Plan Coordinator will be appointed to implement the Travel Plan and the framework, which will be secured through a S106 obligation should permission be granted. The success of the Travel Plan will be monitored and reviewed by the Travel Plan Coordinator and where necessary, the Plan will be adapted to improve its progression.

The layout of the development has been designed to incorporate safe and comfortable walking and cycling routes with permeability throughout the site, with the existing bridleway through the site retained. Details have also been submitted of the secure, covered cycle parking that will be provided for each



individual unit.

The Highway Authority has no objection to the scheme and wishes to ensure that the offsite highway works, secured through the outline approvals are delivered prior to any of the plots being open for use. Conditions will be imposed, consistent with previous outline approvals, which will deliver an appropriate fully operational junction into the site from the A43 together with pedestrian and cycleway improves from the site back into Kettering, linking with the footway/cycletrack improvements made by the Westhill Developers at the Northampton Road and Lake Avenue junction.

Based on the above, it is considered that subject to the imposition of a S106 and conditions the proposal accords with criteria d and n of CSS Policy 13.

#### 4. Residential Amenity

Policy 13(l) of the Core Spatial Strategy requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.

The application site is located 95 metres northwest of the nearest residential properties at nos. 1 – 4 Furnace Cottages and separated by an area of land within the applicants control that has previously been approved for office and hotel development not exceeding two storeys in height.

The following noise information has been superseded by the details set out in the updated report.

*A noise assessment has been produced in support of the application which indicates that the background level of noise affecting the proposed development site is solely attributable to road traffic noise from surrounding roads. An assessment of activity noise levels for the proposed development indicates that night time BS 8233 limit criteria for open windows would readily be achieved at the nearest residential properties on Northampton Road. Assessment of activity noise levels, including HGV movement and reversing, in accordance with BS 4142 indicates that the noise impact of the proposed development is unlikely to give rise to noise disturbance at the nearest dwellings on Northampton Road. Environmental Health has raised no objection to the application in respect of noise*

An external lighting plan has been produced which demonstrates that proposed lighting on site complies with guidance on the reduction of obstructive light to the nearest residential properties and no objection from Environmental Health has been received.

Cross section and land level plans show that the proposed development is sufficiently removed from the neighbouring residential properties to ensure that no unacceptable detrimental amenity impacts will arise to these properties. Accordingly the proposed development is consistent with policy 13 (l) of the CSS.

## 5. Landscaping

Policy 13 (h) of the North Northamptonshire Core Spatial Strategy requires that developments be of a high standard of design, architecture and landscaping and respect and enhance the character of its surroundings and be in accordance with the Environment Character of the area.

A landscaping masterplan and planting plans have been submitted in support of the application, providing detail of the species and location of specific planting proposed. The application is also mindful that there are a number of existing established trees and hedgerows on the perimeter of the development site which would remain.

The application includes new trees which are to be planted to provide an attractive setting for the proposed buildings and to soften the overall development. Lower level shrubs will be laid to open views through to the more active frontages of the office areas and car parking areas will be softened with appropriate shrub planting. A formalised area of feature planting to the north of the roundabout and either side on the main spine road will provide an attractive entrance and approach into the site from the south.

The proposed choice of native trees is beneficial to local biodiversity as the species of trees chosen are well adapted to the soil and climatic conditions. This includes a range of extra heavy standard, selected standard and semi-mature specimens providing a variety of height from the outset. The blend of herbaceous plants chosen for the grassed and shrub areas incorporates native species to the benefit of the scheme.

Landscaping within the site will be appropriate to the size of the buildings helping define areas, separate uses, and generally articulate exterior space. It will assist in establishing comprehensive and easy to use pedestrian and vehicular circulation.

The quantity, location, variety and specimen size proposed through the submitted landscaping details will ensure that the site is integrated without having an undue impact on the wide valley landscape. The scheme is therefore consistent with policy 13 (h) of the North Northamptonshire Core Spatial Strategy.

## 6. Ecology and Green Infrastructure

The National Planning Policy Framework states that the planning system should minimise impacts on biodiversity and provide net gains in biodiversity where possible. Significant harm from development should be avoided, mitigated or compensated for. This is echoed in the authority's Biodiversity SPD. Policy 5 of the North Northamptonshire Core Spatial Strategy states that a net gain in green infrastructure will be sought through the protection and enhancement of assets and the creation of new multi-functional areas of green space that promote amongst other things biodiversity. Policy 13 (o) of the North Northamptonshire Core Spatial Strategy also requires that developments conserve and enhance biodiversity. The site now forms part of the Nene Valley Nature Improvement Area.

The applicant has submitted a Protected Species Scoping Report which found evidence of badgers and areas within the site boundary that meet the criteria as reptile habitat but no potential or evidence of other protected species. The scoping report recommends that there should be a 20m buffer zone around any badger sett and if this is not practical then a Natural England Licence will be required to disturb prior to work commencing. A selection of bat and insect boxes are recommended to be installed at suitable locations across the site to enhance the sites biodiversity.

A reptile survey recorded a small population of common lizard that will be translocated beyond the application site but in an area within the applicant's control. Subject to the translocation protocol being adhered to as set out in the document, which can be secured by condition, will ensure that no detrimental result will occur from development of the site.

Northants Badger Group has commented on the proposal and consider that whilst the principle of development of the site is accepted insufficient survey and mitigation measures have been set out. An updated badger survey and mitigation plan has been submitted in response to the concerns of Northants Badger Group. An updated response has been provided which raises concerns that the survey produced is inaccurate and concludes that there remains insufficient evidence and analysis of the impact of the proposed development on a protected species i.e. badgers and suitable mitigation has not been submitted. Although harm may be caused to badgers, it is considered that the development will not result in significant harm which cannot be mitigated in accordance with paragraph 118 of the NPPF. Mitigation will be possible and this will address any impacts that the development has on this protected species. Officers consider that further assessment work should be completed which will inform a robust mitigation strategy. A condition is recommended to secure this before works start on site.

## 7. Drainage and Flooding

Policy 13(q) of the CSS states that new development should not increase the risk of flooding on the site or elsewhere.

The information within the section is supplemented by the details set out in the updated report.

The application is supported by a Flood Risk Assessment which shows that the site lies predominantly within Flood Zone 1 with a small proportion within Flood Zones 2 and 3 associated with the adjacent watercourse to the north and east. Hydraulic modelling has confirmed that the proposed development is within Flood Zone 1 and that the site is not at risk from any other sources of flooding. The Environment Agency has no objection to the proposal subject to a condition which ensures that the development is only carried out in accordance with the submitted FRA dated 29 October 2015.

The FRA shows that due to existing soil conditions and the proposed layout, large scale infiltration techniques are impractical as an effective means of the disposal of surface water in any part of the development. The FRA also

highlights existing surface water and foul drainage infrastructure that has been delivered as part of the previous outline permissions, including the attenuation pond. The basis of the surface water scheme proposed is that there will be no increase in the surface water flow rates to the existing infrastructure sewers from the individual parcels above the values already set by the previous approved design for the outline. Both the Lead Local Flood Authority and Anglian Water have commented on surface water drainage and have recommended that conditions are imposed requiring a surface water strategy to be submitted for the site. Anglian Water has also recommended that a condition regarding foul water drainage be imposed. The applicant has provided additional information to address the comments made and any further progress on this element will be set out in the Committee update.

Subject to conditions the proposed development is considered acceptable in terms of flood risk impact and drainage in accordance with policy 13(q) of the CSS.

#### 8. Contamination

Paragraph 109 of the NPPF seeks to prevent new development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution amongst others.

A Site Investigation Summary Environmental Report and Geotechnical Report have been submitted which conclude that further mitigation measures in the form of soil and groundwater remediation are not required to be protective of controlled water or users of the proposed commercial buildings.

The outline approvals on the site and remediation work undertaken to date has remediated the land which had been contaminated by former uses, and notably the former scrap yard. Environmental Health has discharged conditions on the site which ensure that unacceptable risks do not result from the development of the site. A condition will be imposed, should permission be granted, to ensure that any unexpected contaminants arising on site during the construction phase are suitably managed. As such the proposed development will conform to paragraphs 109 and 121 of the NPPF which requires development to enhance the local environment by remediating and mitigating contaminated land.

#### 9. Sustainable Design, Construction and Energy Efficiency

Sustainable development is the core principle underpinning planning. Policy 10 of the NPPF emphasises the role planning has in tackling climate change, flooding and coastal change. When considering the environmental performance of buildings planning authorities will expect developments to meet a number of criteria. Developments should for example minimise energy consumption and CO2 emissions, deliver high quality environments and opportunities for sustainable transport.

The development of the application site has been proposed with the intention to meet the sustainable objectives outlined in the emerging North Northamptonshire Joint Core Strategy. This requires through policy 9 that,

subject to economic viability, developments of 1000+ square metres of non – residential floorspace should, as a minimum meet BREEAM very good or equivalent nationally recognised standards.

The Examination Hearings took place on the North Northamptonshire Joint Core Strategy during November 2015. As an outcome of that process a number of main and minor modification have been agreed, and will be subject to public consultation starting 3<sup>rd</sup> February 2016. The modifications do not alter part 1 of policy 9 which considers resource and energy efficiency for non-residential development. Given this, and the stage the Joint Core Strategy has reached towards adoption, it is considered significant weight can be given to policy 9 in determining this application

The application is supported by information which demonstrates how the development will reduce carbon dioxide emissions over and above the building regulations requirements, through the use of low carbon technologies. In addition, BREEAM will be used to demonstrate implementation of sustainable design and construction methods and by achieving a 'Very Good' rating the development will exceed best practice. To accompany the application a BREEAM Pre-Assessment report has been undertaken and is submitted in support of the application.

The proposed development aims to optimise performance and productivity through the use of efficient technologies and design to produce a sustainable building, demonstrated through compliance with sustainable design assessment tools and current regulations and legislation. The development shall achieve BREEAM certification and shall achieve a rating of 'Very Good'. BREEAM shall be used as the main tool to demonstrate how the development will incorporate sustainable design practices and sustainable construction methods, whilst providing buildings which are efficient to operate and manage.

The applicant has submitted details about a range of measures that will be introduced to achieve a BREEAM rating of 'Very Good' consistent with adopted policy 14 of the Core Strategy. These specifically relate to the reduction of carbon emission levels and the minimising of energy usage both during the construction phase of the development and the long term use of the buildings, as envisaged by both the adopted policy 14 and emerging policy 9. Measures include low air permeability to reduce heat loss and the buildings energy demand, specification of low carbon technologies e.g. air source heat pumps, enhanced building fabric and a range of energy efficiency measures. Planning conditions can be imposed to secure the policy requirements as set out above.

## **Conclusion**

The challenge of providing a mixed commercial and industrial use, as envisaged in 2006 compared with 2016 is recognised. The applicant has sought to respond to Members concerns by reference to users, and the area at the front remains an option for wider uses of the gateway site.

The proposed development is considered acceptable in principle and in accordance with relevant policies of the development plan and the NPPF. The development is recommended for approval subject to conditions and completion of a new S106 obligation based upon earlier and updated planning obligations as stated.

**Background Papers**

Title of Document:

Date:

Contact Officer:

Richard Marlow, Senior Development Officer on 01536 534316

**Previous Reports/Minutes**

Ref:

Date: