## APPLICATIONS FOR DETERMINATION

### PLANNING MANAGEMENT COMMITTEE – 20\textsuperscript{th} January 2021

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| 20/00486/FUL | **Blotts Barn, Brooks Road, Raunds, Northamptonshire**  
*Proposed Commercial Development for a B1 Office Unit and Ancillary Storage Barn at Blotts Barn.* | GRANT      | 87     |
| 20/00347/OUT | **Hillside, Brick Klin Road, Raunds, Northamptonshire**  
*Outline: Residential development for up to 21 dwellings and access (with all matters reserved except Access).* | GRANT subject to s.106 | 91     |
| 20/01447/QRY | **East Northants Resource Management Facility, Stamford Road, Kings Cliffe, PE6 6XX.**  
*Development Consent Order - Pre-Application Consultation from Augean South Ltd, for an extension in the area and life of the East Northants Resource Management Facility (ENRMF) including an extension to the west of the existing landfill site (comprising active hazardous waste and low level radioactive waste (LLW) landfill) and increasing the throughput of the waste treatment facility ("Proposed Development") at the East Northants Resource Management Facility, Stamford Road, Kings Cliffe, PE6 6XX.* | Further justification and illustration required. | 124    |
Applicant  Mr N and Mrs J Macdonald
Agent        MVG Design - Mr Mark Fitzgerald
Location     13 Windsor Road, Rushden, Northamptonshire, NN10 0BB
Proposal     Demolition of garage and outbuilding, construction of single storey side extension.

The application is brought before the Planning Management Committee because one of the applicants is a member of staff at East Northamptonshire Council and the determination of the application falls outside of the Scheme of Delegation in Part 3.2 of the Council’s Constitution (2019).

1  Summary of Recommendation

1.1  That planning permission is GRANTED subject to conditions and an acceptable revised design.

2  The Proposal

2.1  The proposal seeks to demolish the existing detached garage to the side of the dwelling and the outbuildings to the rear of the property. A single storey flat roofed side extension would be erected in their place.

2.2  The proposed extension would extend have a width of 6.1 metres, a depth of 9.4 metres and a ridge height of 2.92 metres.

2.3  The extension would accommodate a storage area with garage doors to the front, a downstairs W/C, a bedroom with en-suite and a dining area to extend the existing kitchen.

2.4  Officers were initially concerned that the proposed extension appeared to be slightly too wide and not enough attention to detail had been paid to design features (such as brick detailing) which would enable the extension to better assimilate with the host dwelling and the surrounding development. It was considered that these issues could be rectified easily and would not require an additional round of consultation. The applicant has provided an amended drawing showing a slight reduction in the width of the extension. An additional window would also be included to the front elevation and the window opening to serve the ground floor WC would also be widened to prevent a stark front elevation.

3  The Site and Surroundings

3.1  This application relates to a post war three bedroomed, two storey, end terraced property of brick and render construction under a concrete tiled roof. The property is situated on a large corner plot and is part of a terrace of four; with this property and the property at the
other end of the terrace (number 19) having forward facing gables which provide ‘bookends’ for the two mid terrace properties.

3.2 The area immediately surrounding the property is characterised by similar style two storey dwellings set back from the road. Some of the neighbouring properties have open frontages with off road parking to the front but only the corner plots are as large as the application site. There are examples of similar side extensions in the immediate area.

3.3 The property is not listed or within a Conservation Area. It is within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area and within a Nature Improvement Area.

4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption In Favour of Sustainable Development
Policy 4 - Biodiversity and Geodiversity
Policy 8 - North Northamptonshire Place Shaping Principles

4.3 Rushden Neighbourhood Plan (Adopted 2018)
Policy EN1 – Design in Development

4.4 Other Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)
East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

5 Relevant Planning History

5.1 None relevant

6 Consultations and Representations

6.1 Neighbours

Seven neighbouring properties were notified by letter and no representations were received.

6.2 Rushden Town Council

Comments received 12.11.20: No objection

6.3 Northamptonshire County Council - Local Highway Authority (LHA)

Comments received 26.10.20: No objection: the property has enough parking to support an increase to four bedrooms.
7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following considerations are relevant to the determination of this application:

Design and Visual Impact

7.2 The proposal seeks to erect a single storey extension to the side of the property measuring 6.1 metres wide, with a depth of 9.4 metres and a ridge height of 2.92 metres. The front of the proposal would be visible from the street scene at Windsor Road and the side from Denton Close to the south. The use of matching brick work and UPVC windows would ensure that the proposal related well to the host dwelling.

7.3 Whilst it is acknowledged that the extension would extend approximately 6.1 metres in width, it is considered acceptable in this instance, due to the property being situated on a wide plot. Further, given the single storey nature of the proposed extension, it would still appear subservient to the host dwelling.

7.4 Whilst guidance in the adopted East Northamptonshire Council Householder Extensions SPG discourages the use of flat roofs, it is not considered in this case that a refusal of the application would be justified. This is because there are numerous examples of flat roof garages and outbuildings to the side of properties in the surrounding area; some of which are large. Therefore, in this instance, it is considered that a large section of flat roof would not cause a significant impact on the character or appearance of the area.

7.5 For the reasons noted above it is considered that the proposal complies with Policy 8 of the JCS, Policy EN1 of the Rushden Neighbourhood Plan and guidance within the NPPF.

Highway Safety and Parking

7.6 The existing property accommodates three bedrooms on the first floor and the proposal would increase the number of bedrooms to four; with the proposed additional bedroom at ground floor. Although the proposal would result in the loss of a garage capable of parking a car, the existing driveway would still have ample parking space for at least three vehicles. Three parking spaces is the prescribed number required for a four bedroom property as described in the Northamptonshire County Council - Local Highway Authority Parking Standards (2016). No changes are proposed to the access arrangements as part of this proposal.

7.7 For the reasons noted above it is considered that a refusal of the application would not be justified in terms of highway safety.

Residential Amenity

7.8 The single storey flat roof nature of the proposal would ensure that the proposal would not have an overbearing or overshadowing effect on any of the neighbouring properties.

7.9 The single storey nature of the extension and its position on the corner plot away from the nearest neighbour at 2 Denton Close would not give rise to any overlooking. A bathroom window is proposed on the side (south east) elevation and the front (north east) elevation
contains a window serving a WC. A condition is recommended to ensure that these windows are fixed shut below 1.7 metres above floor level and obscure glazed and retained this way in perpetuity to protect the privacy of the future occupiers and passers by.

Ecology

7.10 The minor nature of the proposal would not have a detrimental impact on local ecology or biodiversity.

8 Other Matters

8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

9 Conclusion / Planning Balance

9.1 Overall, the proposal is considered to be acceptable and there would not be a detrimental impact on the character of the area, the amenity of neighbouring occupiers or highway safety to a level that would justify a refusal of this application.

10 Recommendation

10.1 That planning permission is GRANTED subject to the following conditions:

11 Conditions

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

*Reason*: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended.

2 The development hereby permitted shall be carried out strictly in accordance with the following plans and documents:
   - Application Form, received 1st October 2020,
   - Location Plan, received 1st October 2020,
   - Proposed Plans, drawing no, WR02B, received 5th January 2021,

*Reason*: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

3 The external materials used in the construction of the extension hereby approved shall match those used in the construction of the original dwellinghouse (as stated in the submitted and approved application form and plans). A sample of the proposed brick shall have been submitted to and approved by the Local Planning Authority prior to the development progressing above damp-proof course level (DPC) and the development shall thereafter be carried out and retained in perpetuity in accordance with the approved details.

*Reason*: To ensure a satisfactory elevational appearance.

4 Notwithstanding the submitted details, the windows serving the ground floor WC and bathroom shall be obscure glazed and fixed shut below 1.7 metres above floor level
prior to their first use and retained in this manner in perpetuity.

**Reason:** To protect the privacy of future occupiers and neighbouring land users.

12 **Informatives**

1 None
### Summary of Recommendation

1.1 That planning permission be GRANTED subject to conditions.

### The Proposal

2.1 This is a full planning application. The proposal is for the erection of a vehicle refurbishment unit with a mezzanine floor and the resurfacing of loose gravel hardstanding to tarmac. To the south of the building would be ancillary buildings including a wash bay. The building will be fairly centrally located within the site with land to the east and west used as the parking area. To the west would be an area for staff parking and HGV parking, as well as a cycle shelter.

2.2 The proposed building will be used by an automotive logistics company. The building is to be sited towards the centre of the site with ancillary buildings to the south. The main access point to the site is the south-west entrance via a private road that connects to Gretton Road to the east. There is an emergency access point to the north via Mitchell Road.

2.3 Planning permission has been granted for the use of the majority of the land for automotive logistics including the storage of vehicles, vehicle parts and refurbishment of vehicles (Use Class B8), ancillary auctions and retention of ancillary office building. This application relates to the erection of the maintenance unit, ancillary structures and resurfacing.

### The Site and Surroundings

3.1 The application site extends to 13.65 ha and consists of an area of gravel hardstanding at Rockingham Motor Speedway. Its authorised use was previously for car parking associated with the speedway, however, planning permission was granted in January 2019 for the use of the majority of the land for automotive logistics including...
the storage of vehicles, vehicle parts and refurbishment of vehicles (Use Class B8), ancillary auctions and retention of ancillary office building. The predominant use of the site and surrounding land has been for car parking. Planning permission has recently been granted on land to the north for a maintenance building and resurfacing to tarmac.

3.2 To the south of the site is part of the Corby North Orbital Road (CNOR) and Mitchell Road lies to the north, separating the application site from the recently approved maintenance unit. To the east is Rockingham Motor Speedway. To the south there are industrial and commercial buildings beyond an area of undeveloped land and the Willow Brook. To the west is undeveloped land with an established industrial estate with a distribution centre to the northwest.

3.3 The site is a backfilled former quarry and there are engineered landfill cells within it. The site does not fall within a Conservation Area or other designation and there are no protected trees within the site.

3.4 The main body of the site is fairly flat, with levels tending to fall away to the south. The site is generally elevated in relation to adjacent areas.

3.5 The closest listed asset is Grade II listed Weldon Lodge which lies some distance to the east of the site. Kirby Hall and grounds (including the Grade I listed hall and Grade II* park and garden) are over 2km north east of the site.

4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)
National Design Guide

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 2 - Historic Environment
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 6 - Development on Brownfield Land and Land Affected by Contamination
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings
Policy 10 - Provision of Infrastructure
Policy 18 - HGV Parking
Policy 19 - The Delivery of Green Infrastructure
Policy 22 - Delivering Economic Prosperity
Policy 23 - Distribution of New Jobs
Policy 24 - Logistics
Policy 27 - Rockingham MRC Enterprise Area

4.3 Rural North, Oundle and Thrapston Plan (RNOTP) (2011)
Policy 5 - Transport Network
Policy 12 - Considerate Construction

4.4 Other Documents
Northamptonshire Place and Movement (PaM) Guide 2008 (Northamptonshire County Council (NCC))
Northamptonshire Parking Standards 2016 (NCC)
North Northamptonshire Sustainable Design Supplementary Planning Document
(North Northamptonshire Joint Planning Unit (NNJPU))
Planning Out Crime in Northamptonshire (NCC)
Trees and Landscape Supplementary Planning Document (Wellingborough Borough
Council (WBC) and East Northamptonshire Council (ENC))
Biodiversity Supplementary Planning Document for Northamptonshire (NNJPU)
Developer Contributions Supplementary Planning Document 2006 (ENC)
Rockingham Development Framework (2011) (Corby Borough Council (CBC) and
ENC)
Northamptonshire Current Landscape Character Assessment (2010)
Emerging East Northamptonshire Local Plan Part 2

5 Relevant Planning History

5.1 The site has a lengthy planning history. The following applications are the most
relevant to this proposal:
- 92/00668/FUL - Motor racing circuit, associated buildings and access.
  Approved 1993
- 01/00293/FUL - Erection of two grandstands. Approved 2001
- 02/00380/FUL - Formation of new pedestrian and vehicular accesses to circuit
  and car park. Approved 2003
- 02/00378/VAR - Variation of conditions to secure revisions to the use of the
circuit. Approved 2003
- 05/02093/FUL - Change of use of part of the land to showground, including
  engineering operations. Approved 2005
- 05/00119/OUT - Development of B1, B2 and B8 uses and associated
  infrastructure. Approved 2007
- 15/02020/OUT - Development of an Employment Park. Resolved to grant,
  subject to S106 2016
- 18/2061/FUL - The use of the land for automotive logistics including storage of
  vehicles, vehicle parts and refurbishment of vehicles (Use Class B8), ancillary
  auctions and retention of ancillary office building. Approved January 2019
- 18/02062/FUL - The change of use of Rockingham Motor Speedway for
  automotive logistics, including open storage of vehicles, vehicle parts and
  refurbishment of vehicles (Use Class B8). In addition, permission is also sought
  for the removal of the external (open air) speedway stands. Approved January
  2019
- 19/01769/FUL - Erection of a maintenance building, a concrete inspection area
  and the resurfacing of loose gravel hardstanding to tarmac. Approved February
  2020
- 20/00400/FUL - The erection of a maintenance building, for the purposes of
  automotive logistics, and the resurfacing of loose gravel hardstanding to
  tarmac. Approved June 2020

6 Consultations and Representations

6.1 Neighbours

Letters sent to 46 properties. No comments received

6.2 Corby Borough Council
No comments received.

6.3 Parish Councils

Deene and Deenethorpe: Object to this application on the grounds of Light Pollution. The plans show 16M lamp stands all around the site and in the car park. The Parish Council are suffering from complaints about light pollution and feel that we do not need to add to the already intrusive light problem. Lowering the height of the light stands and having them turned off when the site is closed would help. We did not see any mention of 24 hour working and therefore in our view there is no need for 24 hour lighting (received 12.10.20).

On receipt of revised plans: Still object to this application on the grounds of light pollution.

The application specifies the type of flood lights but we can not see where they would be sited, nor the height of the light stands or how many. They do not state the time they will be switched off (received 30.11.20).

Bulwick: No comments received.

Benefield: No comments received.

Gretton: No objections were raised with regard to the above planning application. It is imperative building work ensures adequate drainage is put in place to prevent any risk of flooding on roads in vicinity. With reference to the increase in drainage into the Gretton brook, the Parish Council remain concerned that, during the last spells of rain, water runs from the raceway on to the Gretton Brook Road, especially around the Corby Road T-junction. This issue has not been fully resolved during the works to the brook. The parish council request that the drainage on the raceway side needs to be surveyed and clean/repaired ensuring that the run-off from the site and the new balancing pond finds its way in to the brook without going over the road (received 16.10.20).

Weldon: Object to this application due to the concerns of the height of the light stands. The area already suffers from light pollution and this will contribute greatly especially to the close proximity of Priors Hall (received 15.10.20)

On receipt of revised plans: Are still of the opinion that we object to this application on the grounds of light pollution. The application specifies the type flood lights but we can not see where they would be sited, nor the height of the light stands or how many. They do not state the time they will be switched off (received 30.11.20).

Stanion: No comments received.

Brigstock: No objection (received 12.10.20).

6.4 Northamptonshire Police

Comments received 07.10.20: No formal objection, satisfied that all reasonable security measures have / will be implemented.
6.5 Highways Agency

Comments received 23.10.20: No objection.

On receipt of revised plans 25.11.20: No further comment to make.

6.6 Environment Agency

Comments received 27.10.20: The previous use of the proposed development site as a landfill presents a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the site is located over a Secondary A aquifer and is within 250 metres of Willow Brook.

The application’s environmental assessment report demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

In light of the above, the proposed development will be acceptable if planning conditions are included as set out below (condition wording available on the website). The remediation strategy should be produced and carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework. Without these conditions we would object to the proposal in line with paragraph 170 of the NPPF because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

6.7 Natural England

Comments received 08.10.20: No comments to make.

On receipt of amended plans 27.11.20: No comments to make.

6.8 North Northants Badger Group

No comments received.

6.9 RSPB

No comments received.

6.10 Community Safety Officer

No comments received.

6.11 Northamptonshire Fire and Safety Officer

No comments received.
6.12 **Anglian Water Services**

*Comments received 20.10.20:* Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

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

Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. (If we can be more specific e.g. a full assessment cannot be made due to lack of information, the applicant has not identified a discharge rate) We therefore request a condition requiring phasing plan and/or on-site drainage strategy.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

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

*On receipt of amended plans 09.12.20:* Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

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

**Used Water Network** - This response has been based on the following submitted documents: Drainage Strategy The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

**Surface Water Disposal** - The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of
surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reassessed to ensure that an effective surface water drainage strategy is prepared and implemented.

6.13 Historic England

Comments received 12.10.20: No comment, refer to published advice.

On receipt of amended plans 27.11.20: No further comment to make.

6.14 Commission for Dark Skies

Comments received 23.10.20: The submitted documents relating to lighting appeared unclear as to a specific lighting product and how the proposed lighting scheme will conform to NPPF Paragraph 180c and NNJPU JCS Policy 4iii which relate to Local and National guidance on control of energy waste from light pollution.

CFDS suggests that ENC requests clarification as to the design of lighting product and how the use of this will minimize energy waste from light pollution ideally to an Upward Light Output Ratio of less than 1%. Most similar lighting schemes for Planning Approval achieve 0% ULOR, thus, conforming to NPPF Paragraph 180c, NNJPU JCS Policy 4iii and Section 102 CNE Act prior to granting Full Planning Permission.

On receipt of amended plans 01.12.20: CFDS notes that the proposed luminaire for use is 280W Portland Asymmetrical Floodlight totalling 37 in number mounted on 16mtr masts. Within the supporting documents, there appears to be little information as to the proposed Upward Waste Light ratio or upward tilt angles of the final installation. CFDS would expect that this proposed floodlight mounted at a height of 16mtrs will be positioned at Full Cut Off thus having an upward tilt of 0 Degrees to maximize downward output of light but produce an upward waste light output of 0 %.

CFDS suggests that ENC clarify the proposed final upward tilt angles of the flood lights with a view to Conditioning a 0% Upward Waste Light Output for the entire scheme in perpetuity. This will help to ensure that the proposed lighting maximizes safety and security of the site whilst enabling the proposed scheme to conform to NPPF Paragraph 180 C and NNJPU JCS Policy 4iii.

6.15 Environmental Protection

Comments received 29.10.20: The proposed development will provide for levelling of the site, resurfacing of unpaved areas, surface water drainage and installation of an attenuation tank. In making the following comments I have been in discussion with officers from Corby Borough Council and the Environment Agency (EA). The EA have sent comments independent to this but should have a common theme on contamination. Whilst some of the aspects covered can be dealt with by planning conditions others will need referring back to the applicant prior to determination as they may affect the use and layout of parts of the site.
Contamination

The application area has a chequered history of use from the extraction of ironstone, steel making, waste lagoons and landfiling. Of particular note is the Soot Hills waste repository which is a capped area in the eastern half of the site and part of Deene Quarry landfill. Part of this area is currently used for parking and covered by a tarmac surface and gravel hard standing before sloping down towards the Corby Northern Orbital Road.

The applicant has submitted a ground investigation report in support of the planning application. My comments are made with respect to risks to human health and will be advised on risks to controlled waters by the EA. I gather that a detailed response has been sent. Many other aspects of this development need to have due regard to the potential risks from contamination including the drainage strategy, boundary treatments, lighting and construction management. Particularly any works around and on the Soot Hills waste repository.

The site investigation concentrated on the central area of the site where the maintenance building will be erected. No investigation took place over the Soot Hills waste repository or land on the western side of the site within the red line boundary. Land in the west of the site had been investigated when the Corby Northern Orbital Road was constructed. Also when material from the area was used as backfill on another part of the road.

Having discussed the site investigation report with the EA I am in agreement with their opinion that given the history of the site it would not be reasonable to ask for further investigation at this time. However, a remedial strategy will need to be agreed and verification plan submitted to demonstrate that remediation has been carried out as per the agreed scheme. This should include monitoring of water quality in the Willow Brook and protection of monitoring boreholes during the construction phase. This can be dealt with by way of planning conditions.

Boundary treatments / lighting

Boundary treatments are detailed on the drawing Proposed Perimeter Fence Plan & Details dated 11/09/20, Rev: P01. This shows a palisade fence around the boundary of the site and across parts of the Soot Hills repository. The foundations for the fence may need to go down to 1 metre below ground level. Information in the drainage strategy and from our own records indicates that soil capping over the HDPE membrane may be a little as 500mm. Prior to the installation of any fence across the Soot Hills repository a survey should be carried out to ensure the capping liner will not be damaged. This also applies to the installation of any lighting columns. This may require changes to both boundary treatments and types of lighting columns. Please refer this back to the applicant as I would not wish to agree their proposals at this time.

Drainage strategy

Having looked through the drainage strategy I have concerns about the proposals with respect to works over the Soot Hills repository. Due to ground conditions the use of soakaways/infiltration is not feasible. Drainage over the existing tarmac car park will be retained and attenuated to the existing balancing pond. It is proposed that surface water drainage from new impermeable pavement will be split into two separate systems. The western area attenuated to the existing balancing pond and the south east to a below ground tank. This is shown on drawing Job No Y19043, Rev: 2, dated 21.08.20. It is proposed the land is raised with a retaining wall to level the area and
accommodate the tank. These works would be over the Soot Hills repository.

Having looked in more detail at the specification for the tank the invert level, base of
the tank, will be at 108.00m AOD. The tank cover level will be 110.00m AOD. Details
from the topographic survey indicates the land in this area is around 108.50m AOD. I
am concerned the capping membrane may be damaged during installation of the tank
and construction of the retaining wall. Furthermore, the structural integrity of the
completed works may be at risk of slippage over the HDPE membrane. Please refer
this back to the applicant for further details and information to demonstrate the
proposed works would not result in damage to the Soot Hills capping system either
during construction or future use of the site.

Construction

Measures will need to be agreed to ensure that any environmental impacts are
controlled. This can be by way of the agreement of a construction management plan.
This should be accompanied by a separate dust management plan to minimise soils
becoming airborne and moving beyond the site boundary. Particularly as asbestos has
been detected at or near to the laboratory detection limit (<0.001%) in a number of soil
samples. This can be dealt with by way of planning conditions (see below).

As there is a considerable depth of made ground used to backfill the quarry the soils
under the maintenance building will require ground treatment to support the building.
The site investigation has suggested the use of controlled modulus columns on a grid
beneath the buildings or alternatively a piled solution. This may mobilise or introduce
new pathways for contamination that may impact on controlled waters. This has been
identified by the EA in their comments. Therefore, a condition should be placed on the
permission to submit and agree a piling risk assessment in line with current best
practise and guidance. Thereafter to carry out any piling works as per the agreed
scheme (see below). This could be included in the remedial scheme.

Further comments received 27.11.20: Provides further comments on the amended
information submitted in support of this planning application.

Comments were made on the drainage plan and proposal to install an attenuation tank
in the area of the Soot Hills waste repository. It is very welcome that the attenuation
tank is no longer proposed. The drawing Job no: Y19043, Rev: 3, dated 21.08.20
indicates that surface water drainage will now be collected and fall into the existing
east balancing pond. There is no objection to this.

Updated information has also been submitted on lighting and boundary treatments.
This does not alter our earlier comments on environmental impacts. However, the
applicant should already be aware of our concerns about installing lighting columns
and fencing over the Soot Hills repository. There is a danger of the columns/fencing
damaging the capping liner. It may not be possible to install the proposed
columns/fencing because of this. This matter has already been discussed with the
environmental consultant dealing with contamination issues.

Whilst there is no objection with respect to luminance from the lighting or the type of
fencing how they are installed does need to be carefully considered. The Soot Hills
HDPE capping membrane may be as shallow as 500-700mm below the existing
ground level. Please refer this back to the applicant as it may require an element of re-
design to ensure the lighting columns and fencing can be securely anchored.
6.16 Senior Tree and Landscape Officer
No comments received.

6.17 Waste Management
No comments received.

6.18 Senior Economic Development Officer
No comments received.

Northamptonshire County Council Consultations

6.19 Local Highway Authority (LHA)

Comments received 26.10.20: Make the following observations:

Please note the referenced Transport Assessment was not appropriately scoped with the LHA and does not include the required assessment of the future year which is set at 2031 and not 2023. The current assessment work does not therefore include the appropriate level of committed development and cannot be relied upon.

With regards to Sustainable Links and Public Transport I would like to highlight that the Rockingham Development Framework 2011 aims to create good links, especially for walking, cycling and bus, between the Town Centre & Priors Hall, including this site.

The location is over 1km from the nearest bus stop for the town hopper service, and is over a mile's unattractive walk to both the existing residential areas near to the Town Centre, and Priors Hall. Whilst cyclists will have segregated lanes for the most part, this is through a car dominated landscape and would be very unattractive to the users. I request that the applicant liaise with NCC Bus and Rail Team to determine improvements required to the bus services.

Pedestrian and cycle links to Mitchell Way should be maintained in perpetuity to improve connectivity even though the access proposed is only via Mitchell Way initially until the accesses South and South East are ready.

Further comments received 09.12.20: Confirm the following observations:

Please note the future year referenced in the Transport Assessment will need to be assessed to 2031 and not 2023.

Written consent will be required regarding the redline boundary and use of the section of road, not owned by the applicant, that connects to the Steel Road/Birching Road roundabout.

Pedestrian and cycle links to Mitchell Way [NB – the proper road name is Mitchell Road] should be maintained in perpetuity to improve connectivity even though the access proposed is only via Mitchell Way initially until the accesses South and South East are ready.

Planning Permission does not give or imply permission for adoption of new highway or to implement any works within the highway and / or a Public Right of Way.
6.20 Lead Local Flood Authority (LLFA)

Comments received 22.10.20: We would advise that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of surface water flooding.

Further comments received 09.12.20: We would advise that there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.

The application fails on the following grounds,
1) The above drawing indicates a discharge rate from the site in excess of previously approved as detailed within Drainage Strategy ref AMF/DS/Y19043.2.v1 dated August 2020 prepared by RWO

Overcoming our concerns:
Our concerns can be overcome by submitting surface water drainage information which covers the deficiencies highlighted above.

Upon submission of revised surface water drainage information, we may deem that the impacts of surface water drainage have been adequately addressed, pending the imposition of any relevant planning conditions or we may consider that the nature of the proposal, drainage solution or information submitted remains insufficient to overcome our concerns.

Please note that our comments only cover the surface water drainage implications of the proposed development.

Further comments received 30.12.20: Having reviewed the applicants submitted information would advise that planning conditions are included, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions the proposed development on this site may pose an unacceptable risk of surface water flooding.

6.21 Development Management (NCC)

No comments received.

6.22 Ecology Advisor

Comments received 30.10.20: The ecology report has included a number of mitigation measures which must be implemented; I would recommend these be conditioned.

The first two measures relate to the trees: I note that there is no tree survey and the proposed site plans suggest that all trees will be removed. I will leave it to the council’s tree officer to address the arboricultural implications of this, but I would say that losing all the trees would result in a net biodiversity loss. The site plans also appear to suggest that there will be no landscaping or other biodiversity enhancement. If this is the case then in my view the proposal would not be consistent with either paragraph 170 of the NPPF or Policy 4 of the Joint Core Strategy.

Finally, the Crime Prevention Statement (section 4.8) states that the site lighting will be enhanced. I question the need to provide enhanced lighting on a secure site, however if the lighting must be enhanced the luminaires should be directional, LED and
otherwise consistent with the 2018 Bats and artificial lighting in the UK by the Bat Conservation Trust and Institution for Lighting Professionals.

6.23 Archaeology Advisor

Comments received 27.10.20: No comments to make in relation to this application.

6.24 Key Services

Comments received 21.10.20: New developments and associated infrastructure within Northamptonshire equates to an increase in visitors as well as traffic movements. This will inevitably lead to an increase in the spread of fire risk, which places additional demands on Fire and Rescue Service resources to ensure safe places are maintained, consistent with national Government expectations and guidance. Northamptonshire Fire and Rescue Service sets out its criteria for responding to incidents within its Standards of Operational Response (SOR). The standards outline how the Service will respond to different incident types which fall within its statutory responsibilities under the Fire and Rescue Services Act 2004.

New developments generate a requirement for additional fire hydrants and sprinkler systems in order for fires, should they occur, to be managed. An assessment of the site will need to be undertaken by the Water Officer of Northamptonshire Fire and Rescue Service in order to establish the precise requirement. It is expected however that this development may require a minimum of 2x fire hydrants to be provided and installed. The capital cost of each hydrant (including its installation) is £892 per hydrant, the cost of which is expected to be met by the developer in full (Totalling £1,784). Any hydrants and/or sprinkler systems, if required, should be installed at the same time as the rest of the water infrastructure and prior to any dwellings/commercial building being occupied. This is to ensure adequate water infrastructure provision is made on site for the fire service to tackle any property fire. The final location of any fire hydrants and/or sprinkler systems for the new development must be agreed in consultation with the Northamptonshire Fire and Rescue Service Water Officer prior to installation, and secured through a planning condition.

Broadband

The vision for the county is to be at the leading edge of the global digital economy. To meet this challenge we’ve set an ambitious target of 40% full fibre connectivity across the county by December 2023. To deliver on this, it is essential that new developments (both housing and commercial) are served by high quality full fibre networks. Access to the speeds, 1 gbps or faster, delivered by this technology will bring a multitude of opportunities, savings and benefits. It also adds value to the development and is a major selling point for potential residents and occupiers. In order for the commercial communications market to be able to deploy to these new build areas, measures must be introduced at the earliest opportunity. This will provide the required specification to enable full fibre connectivity for all new developments. To help developers, some fibre based broadband network providers such as Openreach and Virgin Media have dedicated online portals which provide assessment tools and technical help. There are also a variety of other suppliers operating in the area such as: Gigaclear, CityFibre and Glide. Early registration of development sites is key to making sure the people moving into your developments get a full fibre broadband service when they move in. It is advised that ducting works are carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works- specifically Volume 1 Specification Series
Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following considerations are relevant to the determination of this application:

Principle of Development

7.2 The NPPF 2019 supports economic development and the reuse of previously developed land.

7.3 The development plan for East Northamptonshire comprises the North Northamptonshire Joint Core Strategy 2016 (NNJCS), the Rural North, Oundle and Thrapston Plan (RNOTP) and saved policies from the East Northamptonshire District Local Plan (1996).

7.4 The site has been used for open storage and planning permission was granted in January 2019 for the use of the majority of the site for automotive logistics, which included storage of vehicles and parts as well as refurbishment of vehicles. Therefore, the principle of the use of the site for automotive logistics has been established and the redevelopment for employment generating uses is supported.

7.5 This application is to consider the impact of the proposed building, ancillary structures and the resurfacing of loose gravel hardstanding to tarmac.

7.6 NNJCS Policy 27 - Rockingham Enterprise Area is site specific and states that the site:

'...will be a focus for employment development within and beyond the plan period. Development proposals must include a land remediation strategy for the decontamination of the site and should demonstrate how, subject to viability, the proposal will contribute towards infrastructure requirements such as phase 2 of the Northern Orbital Road. Development proposals will be supported where they will deliver a mix of high quality employment, particularly in priority employment sectors.'

Priority employment sectors are clarified in NNJCS Policy 22 as Renewable and Low Carbon Energy and Green Technologies, High Performance Technologies and Logistics.

7.7 The application is supported by a ground investigation report in respect of contamination. Environmental Protection and the Environment Agency have reviewed the application and have raised no objection to the proposal subject to the imposition of conditions. These conditions are considered to be reasonable and necessary to safeguard against contamination and controlled waters and would comply with Policy 27 in terms of decontamination of the site. The site area remains unchanged from the previous application for the change of use of the land for automotive logistics and would not impact on phase 2 of the Northern Orbital Road.

7.8 Logistics is listed in NNJCS Policy 22 as a "priority employment sector" and should therefore be supported on this site. This development would support 200 jobs.
7.9 Therefore, the principle of the use of the site for automotive logistics has already been established and is supported in terms of Policy 27 and for employment development. The impact of the proposed building and associated infrastructure will be assessed further, including consideration of the place shaping principles contained within the above policy.

**Visual Impact**

7.10 This application proposes a purpose-built vehicle refurbishment unit towards the centre of the site which will measure 101.325m by 84.325m with an internal mezzanine for offices of 384m². The building would have an eaves height of 7.15m with a ridge height of 10.93m and would be constructed from wall cladding panels in blue with a composite roof in Goosewing Grey. The doors and windows in the unit are proposed in Merlin Grey. The mezzanine level will be positioned at a height of 3.6m. The building would provide approximately 7072 sq metres gross internal area.

7.11 To the south of the maintenance unit would be various ancillary items for vehicle storage and refurbishment including a 126sqm wash bay, sprinkler tank, pump room, recycles cleaning water tank, bottle storage and fuel tank. Surrounding the building, predominantly to the east, and southwest would be the designated parking for the fleet cars which would be tarmacked. To the northwest, frontage of the site, would be staff parking, cycle and smoking area and HGV loading, unloading and parking. The site is to be enclosed by palisade fencing to a height of 2.4m along the north and eastern boundary and with a black paladin fence to the south.

7.12 It is acknowledged that the proposed building is large, with a ground floor area of approximately 6304 sq metres. It would be similar in appearance to those buildings within the neighbouring industrial estate, in particular to the recently approved maintenance building to the north. The unit would be smaller in scale in relation to the Staples Distribution Centre to the north west of the site. The site has planning permission for fleet storage which will be the predominant use of the site with the addition of the maintenance unit and inspection yard.

7.13 Views of the site are obscured from the north by the approved maintenance building and Gretton Brook Road, which runs further to the north along the entire northern boundary of the site, by an established bund and mature planting. To the northwest of the site is a large distribution centre building currently occupied by Staples and undeveloped land and to the east is the Rockingham Motor Speedway and the Hub Rockingham Building to the northeast. To the south of the site, beyond an area of undeveloped land and tree planting, lies Willowbrook Industrial Estate with Weldon North Industrial Estate lying to the south-east. As such, if approved, the proposed building would not be out of character with the surrounding area and industrial nature of the site and as such would have a neutral visual impact, both within the site and from public viewpoints.

7.14 The application also proposes formalising the layout of the car park and resurfacing the site which would represent a visual improvement as well as having a positive visual impact upon the appearance of the wider site.

**Highway Issues**

7.15 The application is accompanied by a Transport Assessment (TA) which states that the proposal will initially continue to be accessed as per the current arrangement, via Mitchell Road. The analysis carried out in the submitted Transport Assessment states
that the expectation is that the proposed development along with the three consented developments will generate significantly less traffic than the consented Rockingham Hub use in 2016. The TA also demonstrates that the Phoenix Parkway / Mitchell Road priority junction would operate within capacity under the “with development” scenario.

7.16 Once the works are completed on the section of private road to the south, the proposals will be accessed via an existing roundabout situated on the south-west corner of the site. The submitted TA states that the Gateway Roundabout, further to the east of the site, would operate within capacity under the “with development” scenario in 2023. For the Birchington Roundabout, to the southeast, it has also been demonstrated that the impact of the proposed development at this junction is negligible and the junction would operate within capacity under the with development scenario. The report concludes that the development can be accommodated on-site without any adverse impact on the surrounding area.

7.17 Comments have been received from the Local Highway Authority, with regards to the TA not being appropriately scoped, sustainability links and pedestrian and cycle links. Further information has been submitted in response to these initial comments and the Local Highway Authority has commented on the red line boundary, assessment year and that pedestrian and cycle links to Mitchell Road should be maintained in perpetuity to improve connectivity, even though the access proposed is only via Mitchell Road initially until the accesses South and South East are ready.

7.18 In response to the Local Highway Authority comments the agent has responded stating that the development has been assessed up to 2023 and the software modelling results (PICADY) have indicated that the maximum Ratio of Flow to Capacity (RFC) is significantly below the practical capacity of 0.85, it is anticipated that the junction will continue to operate without delays in 2031. For the Birchington Road Roundabout, the ARCADY results indicated that the highest RFC is at the Steel Road West Arm during the PM Peak period at 0.62. Considering the maximum RFC is below the practical capacity of 0.85, it is anticipated that the junction will continue to operate without delays in 2031. For the Gateway Roundabout, the ARCADY results indicated that the highest RFC is at the Gretton Road East Arm during the AM Peak period at 0.11. Considering the maximum RFC is significantly below the practical capacity of 0.85, it is anticipated that the junction will continue to operate without delays in 2031.

7.19 The agent has also confirmed that Written consent will be obtained by the applicant for the section of road that is not owned by the applicant (section of road between the Gateway Roundabout and the Birchington Road Roundabout) and that a Certificate B notification has been served. Finally, it has been confirmed that the existing cycle links will be retained.

7.20 The proposed development is to be accessed initially as per the current arrangement, namely via the Phoenix Parkway / Mitchell Road priority junction to the west of the site. Eventually the access will lead off a private road to the southwest of the site. The majority of the site has permission, and an existing use, for automotive logistics including the storage of vehicles, vehicles parts and refurbishment of vehicles and this application seeks consent to resurface the land and construct a maintenance unit.

7.21 The site is currently accessed from the north via Mitchell Road / Phoenix Parkway, which includes pedestrian and cyclist access to the site. There is a footway along both sides of Mitchell Road and the eastern side of the A6116 Phoenix Parkway. These routes will remain open once the access to the southwest is opened with the two northern access points being retained. This will also allow connectivity to the car park.
north development. There is a footway and cycle route already in situ along the access road to the south.

7.22 In light of the consented use of the site, for automotive logistic, and no objection from the Local Highway Authority with regards to the proposed access to the site it is not considered that the proposed development would have any detrimental impact on the highway or highway safety.

Flood Risk and Drainage

7.23 The site is entirely within Flood Zone 1, which has a low risk of flooding. The application has been accompanied by a drainage layout plan, drainage strategy and Flood Risk Assessment to demonstrate an acceptable impact from surface water flooding.

7.24 An amended drainage strategy has been submitted which states that the disposal of surface water via infiltration methods is deemed unsuitable due to the potential contaminated ground conditions associated with the historic waste disposal activities on the site. Therefore, surface water shall discharge to the existing drainage network at rate equivalent to a greenfield discharge rate of 2.0 litres/second/hectare. Surface water attenuation will be provided in the two existing balancing ponds, with surface water flows controlled via new Hydrobrake flow control devices prior to out-falling to the existing drainage network. The existing flow controls will be removed from the control chambers and replaced with new flow control devices. Foul water drainage from the maintenance building and vehicle wash facility shall be connected to the existing foul water drain located to the north of the site and finally a trade effluent licence will be required from Anglian Water Services for the discharge from the vehicle wash to the foul sewer network.

7.25 The Environment Agency, Environmental Protection and Anglian Water Supply have assessed the submitted information and have advised that there is no objection to the proposal subject to conditions.

7.26 After initial comments from the Lead Local Flood Authority (LLFA) of no objection subject to condition, following receipt of an amended drainage strategy and plan, the LLFA expressed concerns over insufficient information with regards to the proposed surface water drainage scheme. It would appear that the latest comments of the LLFA are referring to the latest strategy drawing (Rev 3 05.11.20), but a superseded copy of the Drainage Strategy report (V1). Clarity is being sought with regards to this and will be detailed on the update sheet. However, based on the discharge rates specified in the revised drainage strategy and drainage drawing it would appear that adequate surface water drainage can be provided to ensure that there will be no downstream flooding impacts.

Ecology

7.27 The application has been accompanied by an Ecology Assessment. The County Council’s Ecological advisor has identified that the report including a number of mitigation measures which must be implemented and can be controlled via means of a condition.

7.28 The Ecologist has raised some concerns over the loss of trees and net biodiversity loss on the site. The site is currently used for parking and is predominantly surfaced in loose gravel, there are a number of young trees within the site which are not of any significant value. To the southwest of the site is an area of grassland and a pond, with
a smaller area of planting along Mitchell Road to the northwest and to the south east.

7.29 Amended plans have been submitted which show the trees within the site being removed and provision of further landscaping within the site. The existing areas of grassland are to be retained with a larger area of landscaping, wildflower grass mix, proposed to the south of the access and along the access road.

7.30 The site has permission for vehicle storage and additional landscaping, albeit a small area, is now proposed to mitigate for the loss of the trees. It is also acknowledged that the quality of land is not significant and with the additional planting agreed, the current and approved use of the site and the identified benefits of the proposal in terms of employment use and the use of the site for a priority employment sector the benefits of the proposal identified outweigh the harm. Therefore, on balance the proposed mitigation/offsetting of the potential loss of biodiversity, the existing quality of the land and benefits to employment outweigh any harm identified. The mitigation measures proposed can be controlled by means of a condition.

7.31 Comments have also been made by the Ecologist with regards to the proposed enhancement of the site lighting. This is discussed below within the report.

Heritage and Archaeology

7.32 The application site is a backfilled former quarry and there are engineered landfill cells within it. The site does not fall within a Conservation Area or other designations. To the south east of the site is a Grade II listed farmhouse, Weldon Lodge, and over 2km north east of the site is Kirby Hall and grounds (including the Grade I listed hall and Grade II* park and gardens). Due to the scale of development proposed and the distance separations involved it is not considered that the proposal would have any impact on the setting or significance of these designated heritage assets.

7.33 As the site has previously been quarried, there are no archaeological constraints affecting the development.

Social and Economic Impacts

7.34 The proposal is for a large scale employment development and this weighs heavily in support of the scheme. The Planning Application form states that the proposed development would support 200 jobs.

7.35 Northamptonshire Police has considered the application and has raised no objection to the proposal. A Crime Prevention Statement has been submitted with the application which states that existing and proposed security measures will deter anti-social behaviour and criminal activity throughout the site.

7.36 NCC Key Services have requested that the development requires additional fire hydrants and sprinkler systems in order for fires, should they occur, to be managed and have requested a condition. The applicant has confirmed that they are happy for this to be dealt with by means of a condition.

Lighting

7.37 The County Ecologist, Parish Council's and Commission for Dark Skies have expressed concerns or made comment with regards to the lighting on the site.

7.38 The County Ecologist has questioned the need to provide enhanced lighting on a
secure site, however if the lighting must be enhanced the luminaires should be directional, LED and otherwise consistent with the 2018 Bats and artificial lighting in the UK by the Bat Conservation Trust and Institution for Lighting Professionals.

7.39 Deene and Deenthalpe Parish Council and Weldon Parish Council have expressed concern over light pollution and the Commission for Dark Skies has queries energy waste from the lighting and angle of the lights.

7.40 A lighting assessment and specification have been submitted with the application. The applicant has advised that the light fixtures have been specifically chosen to prevent light spill and upward glare. They will be directional down lights to ensure this and the fixtures are installed horizontally as 90 degrees the lighting column. Environmental Protection have advised that given that the 37no 20lux lights will be mounted on 16 meter masts similar to neighbouring sites and it is shown to be directed towards the site in the report the suggested light spill should not pose a greater effect to neighbouring receptors. Therefore, Environmental Protection offers no objections in regard to lighting.

7.41 In light of the existing use of the site, surrounding development and proposed lighting and fixtures it is not considered that the proposed lighting would have a detrimental impact to warrant a refusal.

Environmental Considerations

7.42 Environmental Protection have commented in respect of the foundations for the proposed boundary fence and lighting columns and that it has the potential to damage the capping liner. They advise that prior to the installation of any fence and lighting columns across the Soot Hills repository a survey should be carried out to ensure the capping liner will not be damaged.

7.43 The agent has stated that the fence post foundations can be designed to be shallow foundations to mitigate the impact on the soot hill capping layer, which is what is being undertaken on Car Park North. The lighting column foundations will also have to undergo a design process, which will identify if this is possible, if it is not, then alternative measures can be taken to eliminate any damage to the existing capping layer. This can be controlled via means of a condition.

8 Other Matters

8.1 S106 Contributions - This proposal does not generate a requirement for developer contributions.

8.2 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

8.3 Pre-commencement Conditions: The applicant has agreed to the proposed pre-commencement conditions.

9 Conclusion / Planning Balance

9.1 This application relates to the erection of a maintenance unit and resurfacing of the car park on a site which has consent for automotive logistics. The principle of the use of the site for automotive logistics have already been established and is supported in terms of Policy 27 and for employment development.
9.2 The proposal is considered to be acceptable in terms of design, parking, residential amenity and drainage.

9.3 The proposal would result in the loss of some trees on the site, however, it is considered that on balance the proposed mitigation/offsetting of the potential loss of biodiversily, the existing quality of the land and benefits to employment outweigh any harm identified.

9.4 Therefore, on balance, the proposal would provide employment development which carries significant weight and would accord with the relevant policies of the adopted development plan and the National Planning Policy Framework. It is considered that the proposed development is acceptable and is recommended for approval.

10 Recommendation

10.1 That Planning Permission be GRANTED subject to conditions.

11 Conditions

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

**Reason:** To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development shall be carried out in accordance with the following approved plans:

ROCK2-BED-ST-ZZ-DR-A-0100-P03 received on 24.11.20
ROCK2-BED-ST-ZZ-DR-A-0101-P03 received on 24.11.20
ROCK2-BED-ST-ZZ-DR-A-0102-P03 received on 05.01.21
ROCK2-BED-ST-Z1-00-DR-A-0103-P03 received on 24.11.20
ROCK2-BED-ST-Z1-SE-DR-A-0105-P03 received on 24.11.20
ROCK2-BED-ST-Z1-EL-DR-A-0106-P03 received on 24.11.20
ROCK2-BED-ST-ZZ-SK-A-0017-P01 received on 24.11.20
Y19043 Rev 3 received on 11.12.20

**Reason:** To clarify the terms of this permission.

3 The development the subject of this planning permission shall be carried out using external materials as specified in the application and detailed on plan reference: ROCK2-BED-Z1-EL-DR-A-0106-PO3.

**Reason:** To achieve a satisfactory elevational appearance for the development.

4 The maintenance building hereby approved shall be used in connection with the consented use of the site for automotive logistics, including the storage of vehicles and parts, vehicle refurbishment and vehicle auctions and for no other purpose in Class E of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.

**Reason:** So that the Local Planning Authority may re-assess alternative uses which, without this condition, may have been carried on without planning...
permission by virtue of Article 3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

5 Prior to commencement of the development hereby permitted an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the Local Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model procedures for the Management of Land Contamination, CLR11’.

Reason: To ensure the proposed remediation plan is appropriate.

6 Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: To ensure site remediation is carried out to the agreed protocol.

7 On completion of remediation, two copies of a verification report shall be submitted to the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

8 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 with the Local Planning Authority. Development must take place in accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with.

9 Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that any proposed piling does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

10 There shall be no burning of any material during construction and/or from site preparation works (i.e. clearance of trees, scrub, vegetation, etc).

Reason: To minimise the threat of pollution and disturbance to local amenity.
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 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 residential amenity, highway safety and visual amenity.

12 Prior to the commencement of the development hereby permitted, a scheme for the control of dust shall be submitted to and approved in writing by the Local Planning Authority. 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.

13 No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Drainage Strategy ref AMF/DS/Y19043.2.v3 dated 5th November 2020 prepared by RWO, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).

ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations. Calculations should also demonstrate that the attenuation basin can accommodate 80% of the 1 in 10 year storm 24hrs after reaching top water level.

iii) Cross sections of the control chamber (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for the hydrobrake.

**Reason:** To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

14 No above ground work shall take place until full details of the management and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets.
with a schedule of when replacement assets may be required, should be submitted.

A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

15 No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on Drainage Strategy ref AMF/DS/Y19043.2.v3 dated 5th November 2020 prepared by RWO, has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The details shall include:

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

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

16 Any lighting shall be carried out in accordance with the submitted lighting specification (submitted 24.11.20) and as detailed in the Lighting Assessment by DKO dated 13.08.20 (submitted 16.09.20).

Reason: In the interests of public and residential amenity.

17 Prior to the first occupation of the hereby permitted development the proposed landscaping and additional planting shall be implemented in accordance with the details on plan reference: ROCK2-BED-ST-ZZ-SK-A-0016 & ROCK2-BED-ST-ZZ-SK-A-0017-P01.

Reason: The landscaping of this site is required in order to protect and enhance the biodiversity of the area and to reduce the visual and environmental impacts of the development hereby permitted.
18 All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

**Reason:** To ensure a reasonably satisfactory standard of development which is not detrimental to the visual amenity of the area.

19 All ecological measures and/or works shall be carried out in accordance with the details contained in section 6.1 of 'Rockingham Car Park South Development Ecological Appraisal' by Aspect Ecology and dated September 2020.

**Reason:** In order to protect and enhance the biodiversity of the area and to reduce the visual and environmental impacts of the development hereby permitted.

20 No development shall take place until a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

**Reason:** To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

21 Prior to installation of any lighting columns and fencing details of the location and depth of any foundations shall be submitted to and approved in writing by the Local Planning Authority. The lighting and fencing shall be carried out in accordance with the approved details.

**Reason:** To protect the capping liner over the Soot Hill repository in the interest of public safety.

22 The existing pedestrian and cycle links to Mitchell Road are to be maintained in perpetuity.

**Reason:** To improve connectivity of the site and to meet sustainability requirements.

12 **Informatives**

1 **At the request of Anglian Water:**

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

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the

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

Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

2

At the request of the Environment Agency, it is recommended that developers;

Remediation strategy
We consider the findings of the Phase II Environmental Assessment should be used to produce a remedial strategy/verification plan that will ensure controlled waters receptors such as the Willow Brook are adequately protected during the development and to ensure the development will not increase any risks posed to controlled waters. This should include, but not be limited to, how potentially impacted run-off will be prevented from entering surface waters and how any redundant drains will be decommissioned if they pose risk of contaminant migration. We would also like the remedial strategy to propose a suitable monitoring strategy to demonstrate that the development has not increased risk posed to controlled waters receptors. With regard to the Phase II Environmental Assessment, we offer the following comments relating to the controlled waters risk assessment:

- The report does not seem to make any assessment of concentrations of hydrocarbons or ammonia detected in groundwater. Guidance on hydrocarbons is available in 'Petroleum Hydrocarbons in Groundwater' (CL:AIRE, 2017).
- Concentrations of ammonia should be compared to relevant standards available in the Water Framework Directive (Standards and Classification) Directions (England and Wales) 2015, where surface waters are a potential receptor.
- There is limited coverage provided by the boreholes and only one set of groundwater samples seems to have been collected to date. Additionally, there does not seem to be any laboratory analysis for phenols or cyanides.
- At this stage we do not fully agree that there is low risk or incomplete linkages between potential on-site sources of contamination and controlled
waters receptors. Recorded groundwater elevations are potentially consistent with nearby surface water receptors.

- Given the surrounding land uses and history, at this time it may not be reasonable to ask for further investigation of these potential pollutant linkages as part of this planning application. However we consider it is reasonable to ask for conditions relating to a remedial strategy and verification plan being produced. This is to ensure development does not increase the potential risk posed to controlled waters from land contamination.

We recommend that developers should:

- Follow the risk management framework provided in 'Land contamination: risk management' when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information

Landfill site
The development is on the area of a closed landfill which is regulated under an environmental permit issued to Corby District Council. There are conditions in the permit which require monitoring to be conducted on and around the landfill in order to ensure no pollutants are released into the wider environment. The developer should be aware that their activities should not interfere with or damage any existing monitoring infrastructure. Any damage would need to be made good to the satisfaction of the permit holder. It is recommended that the developer discusses the issue of monitoring with the permit holder in order to fully understand the situation.

Part of the site includes areas known as the Soothills waste containment cells. The integrity of any such cells should not be compromised by groundworks in these areas. We recommend that any groundwater monitoring boreholes that may be present on site relating to the site's environmental permit are suitably protected during development so they are not damaged or lost. We advise that any ground workers are made aware of the exact locations of any capping layers or cells and any risk posed by the waste; any work in these areas should ensure that capping layers are replaced appropriately if disturbed. This is to prevent new pathways being created for potential contaminant migration towards controlled waters during construction of services and drainage.

Although this is not within our remit, we also recommend that the Local Authority is in agreement with any control measures that may be needed for dust during development or during any removal of waste if this is undertaken, given the site's history.

Landfill gas
The proposed development is located on or within 250m of a landfill site that is potentially producing landfill gas. An examination of our records of this monitoring show that there is no previous evidence of landfill gas migration from the site that could affect the proposed development. This environmental monitoring data from the site is available on our public register. A landfill gas risk assessment may be required.
by the Local Planning Authority.

Landfill gas consists of methane and carbon dioxide. It is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance. The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites may have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.

Waste removal
The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes. Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation.

The code of practice applies to you if you produce, carry, keep, dispose of, treat, import or have control of waste in England or Wales. The law requires anyone dealing with waste to keep it safe and make sure it is dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found here: https://www.gov.uk/uploads/system/uploads/attachment_data//waste-duty-care-code-practice-2016.pdf

In order to meet the developer’s objectives for the waste hierarchy and obligations under the duty of care, it is important that waste is properly classified. Some waste (e.g. wood and wood based products) may be either a hazardous or non-hazardous waste dependent upon whether or not they have had preservative treatments. Proper classification of the waste both ensures compliance and enables the correct onward handling and treatment to be applied. In the case of treated wood, it may require high temperature incineration in a directive compliant facility. More information on this can be found here: https://www.gov.uk/how-to-classify-different-types-of-waste.

If you need to register as a carrier of waste, please follow the instructions here: https://www.gov.uk/register-as-a-waste-carrier-broker-or-dealer-wales.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on gov.uk for more information.

If you require any local advice or guidance please contact your local Environment Agency office.

Drainage – pollution prevention
As proposed in the submitted Drainage Statement, foul water drainage from the maintenance building and vehicle wash facility should be connected to the existing foul water drain and a trade effluent licence will be required from Anglian Water Services for the discharge.
4 With reference to Condition 19, the developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure

5 Conditions 5, 11, 12 and 20 are necessary to make the development acceptable in planning terms, and have been agreed with the applicant.
This application is reported to the Planning Management Committee as it is major development. The application is accompanied by an Environmental Statement (ES) as it represents Environmental Impact Assessment (EIA) development.

1 Summary of Recommendation

1.1 That planning permission is **GRANTED** subject to the satisfactory resolution of ecological / SPA concerns, and subject to conditions.

2 The Proposal

2.1 This application is an amended scheme relating to planning permission 18/00004/FUL and seeks permission for the construction of a new link road between Ditchford Road and the Rushden Lakes development. There would be associated footpaths / crossings / junctions / lighting etc along the route and there would also be a requirement for alterations to Ditchford Road as well as off-site works to the A45 east slip road, which falls outside of East Northamptonshire’s district.

2.2 The application site is larger than that of the previously approved link road as it also includes land intended for the temporary storage of excavated material for a period of up to five years.

2.3 The application is accompanied by an Environmental Statement (ES) which contains a multitude of chapters relating to the various impacts and material considerations, together with a non-technical summary.

2.4 There would be some overlap between the site and the layout at the west of Rushden Lakes, where car parking and servicing arrangements would be altered / separated / improved. A further improvement upon the previous permission (18/00004/FUL) is that this application also proposes a pedestrian link to the neighbouring filling station / hotel site to the south.

2.5 The proposal would result in the loss of agricultural land, but much of the site already benefits from planning permission under the original scheme (18/00004/FUL), or
under the 'Rushden Living' mixed use proposal (19/01092/FUL).

3 The Site and Surroundings

3.1 The Site is located on land between Ditchford Road and Rushden Lakes, close to the A45 on the north-western edge of Rushden. The site is 9.66 hectares which is substantially larger than the previously approved scheme (3.89 ha) but the increase in size is associated with a large area of land to the south of the proposed road, which would be used for the temporary storage of excavated material associated with the development for a period of up to five years.

3.2 The site is bounded to the east by the existing Rushden Lakes development; to the west by Ditchford Road; to the south by agricultural land and the A45 service station, beyond which is the A45; and to the north by a railway embankment and agricultural land beyond which is the Ditchford Reserve Local Wildlife Site (LWS).

4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 – Presumption in Favour of Sustainable Development
Policy 3 – Landscape Character
Policy 4 – Biodiversity and Geodiversity
Policy 5 – Water Environment, Resources and Flood Risk Management
Policy 6 – Development on Brownfield Land and Land Affected by Contamination
Policy 8 – North Northamptonshire Place Shaping Principles
Policy 15 – Well-Connected Towns, Villages and Neighbourhoods

4.3 Rushden Neighbourhood Plan (Made Version) (2018)
Policy EN1 – Design in Development
Policy EN2 – Landscaping in Development
Policy EN3 – Rushden’s Greenways
Policy T1 – Development Generating a Traffic Impact

4.4 Supplementary Planning Guidance / Documents (SPG/SPD):
Trees and Landscape SPD, 2013
Biodiversity SPD for Northamptonshire, 2016
Upper Nene Valley Gravel Pits Special Protection Area SPD, 2016
Planning Out Crime in Northamptonshire (SPG), 2003

4.5 Other Policies / Guidance
Northamptonshire County Council Highways Parking Standards, 2016
East Northamptonshire Council Tree Management Guidance and Principles, 2018
Emerging East Northamptonshire Local Plan Part 2

5 Relevant Planning History

5.1 There have been multiple applications and permissions at the Rushden Lakes site, some of which partially overlap this site. Only the most relevant permissions are shown below.
Original Link Road Permission

5.2 18/00004/FUL – Construction of a new link road between Ditchford Lane and Rushden Lakes (with associated site clearance and earthworks) alongside junction works, footpaths, cycleways, lighting, hard and soft landscaping and associated works – PERMITTED 8.2.19.

“Rushden Living” Permission

5.3 19/01092/FUL – Hybrid application comprising: A full application for the erection of retail units, restaurant units, office floorspace, physiotherapy/leisure floorspace, ancillary storage floorspace, (with associated site clearance, earthworks, site levelling and formation of banks) together with proposals for access, footpaths, parking and servicing space, hard and soft landscaping, drainage works, attenuation ponds and other associated works and an outline application for the erection of employment units with some matters reserved (layout, scale, appearance). Plus construction of a new link road between Ditchford Road and Rushden Lakes (with associated site clearance and earthworks) alongside junction works, footpaths, cycleways, lighting, hard and soft landscaping and associated works (Resubmission of 18/01197/FUL) – PERMITTED 16.9.20.

Rushden Lakes Permissions

5.4 16/01662/FUL – Erection of a leisure building to include a cinema, other leisure uses and restaurant units and erection of retail units, cycle hire facilities together with proposals for access, parking and servicing space, hard and soft landscaping and other associated works – PERMITTED 11.9.17.

5.5 17/02559/FUL – Erection of retail and restaurant units together with proposals for access, parking and servicing, hard and soft landscaping and other associated works – PERMITTED 17.5.18.

A45 / Ditchford Lane Permission

5.6 Works are already proposed to the A45/A5001 Ditchford Lane interchange as part of the Stanton Cross development at Wellingborough. Part of these works fall within East Northamptonshire’s district and have been assessed under the following application:

5.7 17/01072/FUL - Update of the existing A45(T) Ditchford Road interchange including new slip roads, widening works and replacement of existing roundabouts with signal controlled junctions (as previously granted under planning permission 12/01733/RWL) – PERMITTED 14.12.17.

6 Consultations and Representations

6.1 Where more than one response has been received, the most recent is shown first. Responses may be summarised.

6.2 Local Community

No representations received.
6.3 **Rushden Town Council**

*Comments received 24.6.20: NO OBJECTION*

Rushden Town Council do not have any objections to the amended proposed link road.

However, we would like to comment that whilst we are pleased to see that provision has been made for a pedestrian/cycle route, there are currently two options for linking to the existing Greenway to enable travel onto Wellingborough and we would like to see these included within the draft plans. We also note the comments made by Irchester Town Council regarding pedestrian access and would endorse their proposals for enhanced access.

6.4 **Irthingborough Town Council**

*Comments received 11.6.20: NO OBJECTION*

Irthingborough Town Council’s Planning Committee have considered Planning Application 20/00534/FUL and wish to return the following response:-

- No Objection

6.5 **Higham Ferrers Town Council**

*Comments received 29.1.20: RAISE CONCERNS*

The Town Council objected to the previous application 18/00004/FUL. The Stanton Cross highway improvements with slip roads to the A45 are now noted. However, the Council concern regarding traffic backing up onto the A45 from an increase in traffic on the slip road leading to the Ditchford Lane junction remains. Consideration needs to be given to widening the slip road off the A45 leading to the Ditchford roundabout. At busy times traffic already backs up on the A45 to access this slip road and it would therefore be beneficial to have two lanes to accommodate the predicted increase in traffic.

6.6 **Borough Council of Wellingborough**

*Comments received 9.7.20: NO OBJECTION TO ROAD / CONCERNS OVER STORAGE OF MATERIAL*

No objection for the proposed road itself. BCW has previously expressed concerns about the Rushden Living application and the effect of this proposed development on businesses in Wellingborough. There is concern about the storage of excavated soil and materials associated with the construction of the link road on site for a temporary period of five years and subsequent use to form a platform in the Rushden Living site. The council does not support the Rushden Living application.

6.7 **Irchester Parish Council (IPC)**

*Comments received 26.5.20: NO OBJECTIONS / CHANGES REQUESTED*

I have been asked by Irchester Parish Council to write to say they do not have any major objections to the revised proposed link road and welcome it as it will elevate
traffic congestion. (Officer comment: it is assumed that IPC mean ‘alleviate’ rather than ‘elevate’)

They are also pleased to see that the link road will have a pathway/cycleway access from Ditchford Lane. We hope that this pathway/cycleway will enable a great linkage to the wider area going forward.

Whilst the Parish Council realise that in due course this new entrance will be tied in with a new slip road to the A45 as part of the development with Wellingborough Stanton Cross, they do have current concerns about pedestrian/cycleway access until this happens.

Currently there is a footpath that runs from Irchester along the High Street to the A45, you can cross the A45 and walk along the footpath on the east bound carriageway to the A45 Ditchford Slip Road where the footpath crosses the slip road and then you can walk into Rushden. At this point the bridleway from Knuston also meets.

As part of the application for the new link road the Parish Council would ask that a pedestrian island/crossing could be included to allow pedestrians to actually cross the Ditchford Lane from the A45 Ditchford Slip Road to access the new link road to Rushden Lakes. Without this provision pedestrians will find it very difficult to actually cross the busy Ditchford Lane.

Officer comment: There are two proposed crossing points on Ditchford Lane with central refuges which are at the A45 interchange (north roundabout) and at the proposed link road entrance.

6.8 Highways England

Comments received 3.6.20 (Summary): NO OBJECTION / CONDITION

Referring to the planning application referenced above, consultation dated 19 May 2020, Revised scheme to construct a new link road between Ditchford Road and Rushden Lakes (with associated Site clearance and earthworks) alongside junction works, car parking, footpaths, cycleways, lighting, drainage works, hard and soft landscaping and associated works. Reconfiguration of existing car parking and Service Yard areas and the temporary storage of excavated material for a period of up to five years at Land West of Rushden Lakes Ditchford Lane Rushden Northamptonshire, notice is hereby given that Highways England’s formal recommendation is that we:

recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);

Condition 1:
Highway mitigation measures at A45 Ditchford Interchange as per Vectos Drawing VD18750 HE-VEC-HGN-RDBT-DR-CH-D100.1 Rev P01 (or as amended by Road Safety Audit and/or Detailed Design) must be delivered and open to traffic prior to the opening of the proposed Ditchford Lane Link Road, unless otherwise agreed with the Local Planning Authority in consultation with Highways England.

Reason for Condition 1:
To ensure that the A45 continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 in the interests of road safety.
Condition 2:
Prior to the construction of the proposed link road and improvement scheme at Ditchford Interchange a Construction Environmental Management Plan (CEMP) incorporating a Construction Traffic Management Plan (CTMP) for the construction shall be submitted to and approved by the Local Planning Authority, in conjunction with Highways England, prior to the commencement of any works. The approved plan shall be adhered to throughout the construction period.

Reason for Condition 2:
To ensure that the construction works do not impact the operation of A45 and thereby continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 in the interests of road safety.

Informative note to applicant:
The highway mitigation works associated with this development involves works within the public highway, which is land over which you have no control. Highways England therefore requires you to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works. Contact should be made with the Highways England Section 278 Service Delivery Manager David Steventon to discuss these matters on david.steventon@highwaysengland.co.uk.

The applicant should also be made aware that any works undertaken to Highways England network are carried out under the Network Occupancy Management policy, in accordance with Highways England procedures, which currently requires notification/booking 3 months prior to the proposed start date. Exemptions to these bookings can be made, but only if valid reasons can be given to prove they will not affect journey time reliability and safety. The contact email for these matters is Area7networkoccupancy@highwaysengland.co.uk.

6.9 The Ramblers Association – Northamptonshire Area

No representations received.

6.10 Northamptonshire Police – Crime Prevention Design Advisor

Further comments received 23.7.20 and 24.7.20 (Summary: Following dialogue about a pedestrian link to the neighbouring petrol station / hotel site): CONCERNS RAISED / FURTHER INFO REQUESTED

I am happy to accept the location as detailed by the applicant. Yes all my comments (shown below) will still apply.

Looking at the info. forwarded I comment as follows:

- I agree the Travelodge/PFS site must have a pedestrian access, wherever located it will need a form of motor cycle barrier.

- The footpath must also be covered by a CCTV system, preferably that managed and maintained by Rushden lakes.

- My only concern with the location you suggest in yellow are, you will be making pedestrians go further into an area where vehicular movements will be greater putting their safety at risk.
• The access needs to be well sign posted and kept visually open for good surveillance opportunities hopefully the area will benefit from good light spillage during darker periods as the fear of crime will prevent persons from using it.

• It needs to be well maintained and well designed as a planned route, not just like an afterthought footpath, to make it permanently safe and secure as I can see visitors staying overnight at the Travelodge after using the leisure facilities.

Can I take this opportunity to say that I notice on the plans attached with your enquiry that I still don’t see any access barrier at the Ditchford Road end for out of hours use as previously recommended on all the various applications. Northamptonshire police have serious concerns re potential unauthorised use and anti-social behaviour down this route. Can you please inform us what Rushden Lakes are implementing to prevent such incidents without having to rely on police attendance.

*Initial comments received 3.6.20: CONCERNS RAISED / FURTHER INFO REQUESTED*

Northamptonshire Police fully support this application in principle to help relieve congestion on the A45 but would like to bring to the attention of the planning authority certain observations and strongly suggests that are concerns are considered before any decision is arrived. Until these concerns are agreed Northamptonshire Police do not recommend this application be approved as proposed. National and local policy and Section 17 of the crime and disorder act 1998 should ensure designing out crime and anti-social behaviour is a material planning consideration. The implementation of minimum measures could still help match the crime prevention measures to the actual, as well as the perceived crime risk. I make the following recommendations/observations which need to be addressed:

• Lighting – The lighting scheme submitted is acceptable in terms of lux levels and uniformity. Dependant on the agreed pedestrian/vehicular access control policy the lighting scheme to the road and car park could be dimmed as I believe currently it is planned to remain fully on by means of a photo electric cell and time switch. This reduction in light will help deter its use after normal opening hours.

• Access control to the private road from Ditchford Road – Access to all traffic should be prevented during out of hours periods. This will prevent access of those with criminal intent within the retail/leisure area, prevent the road being used for anti-social acts/gatherings, unauthorised encampments and HGV parking with all the associated road/verge damage rubbish and human waste. These concerns were also expressed by Northamptonshire Highways on previous application responses. There is no detail of such access control measures on the DAS, submitted layouts or detailed drawings but agreement seems to have been made within the Environmental Statement: Volume 3 Appendix 2.1 ‘A barrier will be provided within the Proposed Development and the original Link Road at the entry to the Link Road from Ditchford Road to control access outside of operating hours. It will be operated in tandem to the existing barriers at the eastern end of Rushden Lakes to avoid vehicles entering and then being trapped between the barriers. The barriers will also

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prevent HGV delivery vehicles parking up overnight on the Link Road. A
detailed scheme must be submitted and agreed.

- I also recommend that a CCTV/ANPR scheme be submitted which I believe
  will be an extension to the existing system which is controlled/monitored 24/7
  from the main customer service/security office. This should include coverage
  of the proposed car parking areas and access via the link road and pedestrian
  link to the service area on the A45.

- A ‘crime impact/strategy statement’ should be submitted and should include
  management practises and how the new development ties in with existing
  measures and procedures.

6.11 Natural England

Comments received 18.6.20 (Summary): OBJECTION

Natural England objects to the revised Ditchford road scheme application
(consultations 20/00534/FUL & WP/20/00291/EXT) because in our view it is not
compliant with the Habitats Regulations.

- The Habitat Regulations Assessment (HRA) (and ES) does not identify or
  explore what we consider to be the key environmental constraints associated
  with developing this site.

- An Appropriate Assessment is required to explore whether there is an
  adverse effect of the integrity of the Upper Nene Valley Gravel Pits Special
  Protection Area (SPA) and Ramsar, via numerous impact pathways, however
  it is not supplied.

- The in-combination effects of development west of Rushden Lakes will need
  to be a key consideration of the HRA

- The assessment for Functionally Linked Land is not adequate or complete.

- The in-combination assessment is vague and inadequate.

- The additional wintering bird survey effort (in addition to the previous surveys
  for previous road applications) is poor.

- There is no information about how the enhanced pedestrian and cycle access
  routes will feed into existing Public Rights of Way, or impact the SPA via
  recreational pressure which is an existing key problem within the adjacent
  SPA.

- We require information on how discharging surface water to the wet flush
  located within Ditchford Lakes and Meadows Local Wildlife Site (and feeding
  into the SPA) is appropriate.

- It is unclear how the schemes’ lighting proposals, which have been identified
  as a Likely Significant Effect, will be addressed in terms of the Habitats
  Regulations.

Officer Comment: The Council is seeking independent advice in relation to this
objection and will provide a further update to the Committee.

6.12  Commission for Dark Skies (CFDS)

Comments received 8.6.20: NO OBJECTION

Thank you for requesting Commission for Dark Skies’ comments on this revised scheme.

Our comments are based upon the attached Appendix 14.2 Lighting Design Strategy and accompanying drawing.

CFDS agrees that the area is classified as Environmental Zone E2, we also welcome the reduced height of the lighting columns from 10 metres to 8 metres.

The proposed design of light will not, we feel, produce undue glare or energy waste from light pollution and the proposed 3000 Kelvin light output of the LEDs will reduce the blue rich element of the lighting which is increasingly understood to effect nighttime ecology. This is welcome.

As a result, we consider this scheme will meet NPPF Policy 180c and NNJPU JCS Policy 4ii.

6.13  Environment Agency

Comments received 3.6.20: NO OBJECTION

We have no objection to the application. The flood risk assessment (FRA) demonstrates that the sequential approach to development has been applied and all built development has been located in Flood Zone 1. The application explains that the area of floodplain is included in the red line boundary of the application is to allow a surface water connection and discharge point into the non-main river.

6.14  National Grid

No representations received.

6.15  Cadent Gas

Comments received 22.5.20: NO OBJECTION

Looking at the above planning application, we are aware of this project from quite a while ago, we would not object but we would be most grateful if you would raise an informative with the applicant.

We hold a legal easement for the HP gas pipeline and no development may take place in the easement without Cadent written permission.

No development or work may take place until Cadent have been consulted and liaised with as there may be plant protection measures that are necessary to protect the integrity of the HP gas pipeline.

6.16  North Northamptonshire Joint Planning and Delivery Unit (JPDU)

No representations received.
6.17 **Wildlife Trusts**

*Comments received 25.6.20: FURTHER INFO REQUESTED*

Thank you for the opportunity to comment on the above proposal. This application site is within an ecological sensitive area due to its proximity to the Upper Nene Valley Gravel Pits Special Protection Area (SPA) and its associated Site of Special Scientific Interest (SSSI), Local Wildlife Sites and linked habitats. It is, therefore, important that any planning application is particularly careful to assess the potential effects of the proposal, avoids harmful impacts and provides a net gain in biodiversity. This application extends the red line boundary to enable the storage of soil beyond the boundary of the already permitted link road (18/0004/FUL) for future use.

Although this application is for a new link road, it is also vital that the wider aspirations for the area are considered to ensure that the current proposal does not prejudice wider considerations. We continue to engage with the applicants and their ecologists concerning the future of the broader site. The sensitive ecology of the adjacent nature reserve and SPA result in significant challenges remaining. To overcome (if possible) the threats to these nationally and internationally important sites may require fresh thinking. For example, part of the discussion concerning the Rushden Living proposal includes the management of visitors to Ditchford Lakes nature reserve. This application includes a footpath alongside the series of pools which forms part of the drainage system for the western section of the link road towards Ditchford Lakes. Whilst this was also included in the previous application it may, or may not, be appropriate to include this path in future access plans for the reserve. Another key consideration is the impact of the proposals (both the road and other linked applications) on the hydrology of the nature reserve. This requires further detailed study, modelling of potential impacts and ongoing monitoring to prevent deterioration to the site.

6.18 **North Northamptonshire Badger Group**

*Comments awaited*

6.19 **Northamptonshire County Council – Lead Local Flood Authority**

*Final comments received 27.10.20: NO OBJECTION / CONDITIONS*

Thank you for consulting us on the above application. On review we have no comment to make and our response dated 1/6/2020 remains current, however we would wish to make an amendment to our proposed conditions which we have attached (changes incorporated in the conditions shown below). The amendment is to the verification condition.

*Initial comments received 1.6.20: NO OBJECTION / CONDITIONS*

Having reviewed the applicant's submitted information located within,

1) Flood Risk Assessment ref 12348 rev FI dated 18th March 2020 prepared by Campbell Reith we would advise that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of surface water flooding.
Condition
Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment ref 12348 rev FI dated 18th March 2020 prepared by Campbell Reith, will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include;

i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures

ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.

iii) Cross sections of the control chambers (including site specific levels mAOd) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.

Condition
No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

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

The scheme shall include:

- A maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- A site plan including access points, maintenance access easements and outfalls.
- Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.
- Details of expected design life of all assets with a schedule of when replacement assets may be required

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

Condition
Prior to public use a Verification Report for the installed surface water drainage system for the site based on the Flood Risk Assessment ref 12348 rev FI dated 18th
March 2020 prepared by Campbell Reith, has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The details shall include:

a) Any departure from the agreed design is keeping with the approved principles

b) Any As-Built Drawings and accompanying photos

c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)

d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

e) CCTV Confirmation that the system is free from defects, damage and foreign objects

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

As you are aware, the discharge of planning conditions rests with the Local Planning Authority. It is, therefore, essential that you are satisfied that the proposed draft conditions above meet the requirements of paragraph 4 of the National Planning Practice Guidance (Use of Planning Conditions, section 2). Please notify us immediately if you are unable to apply our suggested conditions, as we may need to tailor our advice accordingly.

Please note that our comments only cover the surface water drainage implications of the proposed development.

6.20 Northamptonshire County Council – Ecology

*Final comments received 26.10.20: NO OBJECTION*

I’m writing in response to your consultation on amended details for the above application for the Ditchford Link Road. I note from the new soft landscaping plans that my recommendations have been incorporated.

As the application site impinges on the Wildlife Trust’s Ditchford Lakes reserve I would want them to have agreed to any amendments which could have implications for their site. Should their comments conflict with my own in any respect I would defer to their local knowledge. I don’t expect that this will occur but if it does please do get in touch.

*Comments received 20.7.18: CHANGES REQUESTED*

Having reviewed the ecological and landscaping documents submitted I have the following observations and recommendations:

- The proposed Construction Environmental Management Plan (CEMP; Appendix 4.1) appears to include the information outlined in BS42020:2013. Therefore provided no changes are needed for other reasons I think this could be conditioned 'as already agreed with the local planning authority'.
- The proposed Landscape Ecological Management Plan (LEMP; Appendix 6.2) similarly appears to include information outlined in BS42020. However some of the mixes and species proposed in the landscaping plans are not ecologically suited to this part of the county; the LEMP would therefore need amendments to reflect any changes and could not be conditioned at this stage.

- To make the landscaping more reflective of the local ecology I would recommend the following changes:
  
  - **Swale embankments**: EM3 is not a great mix for this area, however EM2 would be suitable
  
  - **Swale base**: EM8 is also not appropriate here; instead British Seed Houses’ RE3 or Phoenix Amenity WFG9 would be fine.
  
  - **Marginal and aquatic**: Carex paniculata is not naturally found in this part of the county, and marsh cinquefoil Comarum palustre (identified as Potentilla palustris on the drawings) is extinct in Northamptonshire so I would rather not see them used on this site.

As the application site impinges on the Wildlife Trust’s Ditchford Lakes reserve I would want them to have agreed to the proposals described in the application. I have not discussed this application with the Trust, however should their comments conflict with my own in any respect I would defer to their local knowledge. I don’t expect this will occur but if it does please do get in touch.

6.21 **Northamptonshire County Council – Local Highway Authority (LHA)**

*Final comments received 28.10.20: NO OBJECTION / INFORMATIVE*

Please note that the S278 access works had technical approval in September 2019. If any changes are proposed to the approved plans, the developer will need to submit the revised plans for approval, clearly identifying any changes.

*Further comments received 23.6.20: LAYOUT CHANGE REQUESTED*

The LHA is content with the supplied information but has concerns regarding the shared cycle/pedestrian link to the southern side of Ditchford lane, it seems a layby bottle necks the pathway, could this please be revised to ensure that the 3m width is continuous.

*Initial comments received 29.5.20: FURTHER INFO REQUESTED*

The LHA has no in principle objection to this application if the applicant can provide the following details:

- The LHA requires tracking of the tear drop turning area to demonstrate that buses are able to negotiate this area safely.

- The LHA notes that the link road junction with Ditchford road is being changed with an additional lane southbound into Rushden Lakes, this will improve capacity, however we require the capacity to be modelled to demonstrate this along with tracking of an HGV at this junction.
6.22 Northamptonshire Fire and Rescue

Comments received 20.5.20: NO OBJECTION

Thank you and we have no representations re this application.

6.23 Northamptonshire County Council – Minerals and Waste

No representations received.

6.24 Northamptonshire County Council – Archaeology

Comments received 3.6.20 (Summary): NO OBJECTION / CONDITION

The proposed development will have a detrimental impact on any archaeological remains 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. In order to secure this please attach a condition for an archaeological programme of works as per NPPF paragraph 199 to any permission granted in respect of this application.

In the intervening period since the approval of the 18/00004/FUL application with archaeological condition 8 the wording of our conditions has changed to reflect the imminent opening of our new archives store. This new wording allows a phased discharge to the condition. Our new standard condition is worded as follows:

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) Approval of a Written Scheme of Investigation;

(ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;

(iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To allow investigations to be made and sufficient mitigation to be secured in an area where archaeological remains are understood to exist in accordance with the requirements of the NPPF – Chapter 16 Conserving and enhancing the historic environment.

6.25 East Northamptonshire Council – Environmental Protection Officer (Contamination)

Final comments received 17.6.20: NO OBJECTION / CONDITION REQUESTED

I have been consulted on this planning application for a new link road into Rushden Lakes from Ditchford Lane. The application also includes earthworks, material storage, footpaths, parking, lighting, etc but no commercial development. The link
road has already been granted planning permission under 18/00004/FUL. This application is to provide an alternative development option to that approved and also for the pending hybrid application.

These comments relate to contamination in particular the site investigation and a ground gas risk assessment for the landfilled railway cutting running west to east across the site. Environmental Protection were approached some time ago about the extent of the site investigation and it was agreed in principle with them.

In essence the site investigation has not reported any significant risk from soil contamination that would impact on the proposed development or controlled waters. The ground gas risk assessment characterises the majority of the site as Characteristic Situation 1 (CS1) and no gas protection measures are required. The area occupied by the former landfill has been assessed as CH2 due to the presence of slightly elevated levels of carbon dioxide coupled with a steady flow rate recorded in monitoring locations across the landfill. Situation CS2 requires gas protection measures be incorporated into any building design, however, as this application is simply for the link road and associated infrastructure then no specific gas protection measures are required.

Based on the submitted information no further investigation or remediation is considered necessary and as such I have no objection to the proposed development. However, it may be prudent to place the following condition on the planning permission to deal with any previously unidentified contamination as follows:

If, during development, contamination not previously considered is identified, then the LPA 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 with the LPA.

**Reason:** To ensure all contamination within the site is dealt with.

 Initial comments received 12.6.20 (Summary): **FURTHER INFO REQUESTED**

Can you please request that a copy of the full site investigation report is submitted as soon as practicable. I am in possession of the earlier reports that are referenced. Please note I have copied in the agent.

6.26 East Northamptonshire Council – Environmental Protection Officer (Construction Management)

Comments received 12.6.20: **NO OBJECTION / CONDITIONS REQUESTED**

Dust emissions during the construction phase will be controlled through the Construction Environmental Management Plan (CEMP). The proposed development includes significant movement of materials around the site that has the potential to result in dust emissions. Table 7.5 of the CEMP states that a dust control plan will be produced and suggests a number of measures to control dust throughout the construction phase. Given the level of earthworks I feel this should be produced as a stand alone document.

Other measures outlined in the CEMP should be sufficient to protect amenity and the environment during works. Noise and working hours will be commented on separately. It is suggested that a planning condition is placed on the permission to ensure the CEMP is followed and a dust control plan submitted. The following may
suit.

The Construction Environmental Management Plan, Project Number: 12348 dated February 2020, 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 residential amenity and environmental protection.

Prior to the commencement of the development, a scheme for the control of dust shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained for the duration of the construction works. **Reason:** To limit the detrimental effect of demolition and construction works on adjoining residential occupiers.

6.27 **East Northamptonshire Council – Environmental Protection Officer (Air Quality)**

**Comments received 12.6.20: NO OBJECTION / CONDITIONS REQUESTED**

I have been consulted on this planning application for a new link road into Rushden Lakes from Ditchford Lane. The application also includes earthworks, material storage, footpaths, parking, lighting, etc but no commercial development. The link road has already been granted planning permission under 18/00004/FUL. This application is to provide an alternative development option to that approved and also for the pending hybrid application 18/01197/FUL.

There is no objection to the proposed development on the grounds of air quality as is a similar development to that permitted under 18/00004/FUL. Having looked through the air quality reports for both applications there is very little difference in traffic flow which is the main source of airborne pollutants. The applicant has updated the report for a proposed opening year for the development in 2021.

Measures have been proposed to support sustainable travel, air quality improvements, traffic reduction, etc and these measures should be conditioned through the planning consent. Also, for the provision of electrical charging units at an agreed rate commensurate with an increase of 39 parking spaces.

6.28 **East Northamptonshire Council – Environmental Protection Officer (Lighting)**

**Comments received 12.6.20: NO OBJECTION**

Although not specifically commented on previously a lighting plan has been submitted in support of this planning application. Natural England should be consulted on any potential impact on the ecologically sensitive sites nearby. The proposed scheme is unlikely to result in light pollution affecting persons in premises resulting in either nuisance or loss of amenity. Although the lighting will be visible in the environment.

6.29 **East Northamptonshire Council – Environmental Protection Officer (Noise / Working Hours)**

**Comments received 12.6.20: NO OBJECTION / CONDITIONS REQUESTED**

**Noise**

There is no objection to the proposed development on the grounds of noise. An assessment of noise and vibration has been provided in section 8.0 of the ES and follows a similar methodology for that submitted under 18/00004/FUL. The dominant
noise source in the local area is traffic noise from the A45 and other roads in the immediate vicinity. It is predicted there should not be significant adverse impact from noise on any sensitive receptor when the road becomes operational.

There is the potential for some impact from noise and vibration on the Travelodge during construction and movement of materials around the site. This has been recognised in the assessment. This will be managed through the CEMP and the use of temporary noise barriers may be required when working in noise sensitive areas.

Working hours
Please place the following condition on the planning permission. The hours of work mirror those suggested by the applicant in section 1.7.1 of the CEMP.

No construction work (including deliveries to or from the site) 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 protect residential amenity and the ecology of the locality.

6.30 East Northamptonshire Council – Senior Tree and Landscape Officer

Comments received 23.11.20: NO OBJECTION / CONDITIONS REQUESTED

The necessary landscaping detail and specifications for planting and maintenance can be secured by condition.

My comments refer to the following documents:

- Landscape and Ecological Management Plan:
- Land to the West of Rushden Lakes
- Ditchford Road Link Road 2020 January 2020 by The Richards Partnership Document Reference No 18-36-R02 rev B

Including the following drawings:

- Landscape Strategy Plans
- Drawing numbers:
  - TRP 18-36-PL-221 Landscape Strategy Plan sheet 1 of 3
  - TRP 18-36-PL-222 Landscape Strategy Plan sheet 2 of 3
  - TRP 18-36-PL-223 Landscape Strategy Plan sheet 3 of 3
  - (incorporating Macgregor Smith proposals drawing number 1216-4-001 Rev 1)
- TRP 18-36-PL-225 Tree Planting Details

Comments:
Macgregor Smith proposals drawing number 1216-4-001 Rev 1 Transition Area Landscape General Arrangement Plan

This plan covers the transitional area immediately to the west of the existing built up developed area and the area around the undeveloped link road. In principle I have no objections to the proposals. There is a quite sudden change of feel to the landscaping in terms of species selection in this drawing when compared to the other site landscaping drawings by The Richards Partnership. This should help provide a
sense of space, and clearly define the transition between open space and built space.

One of the smaller shrub/tree species chosen is unsuitable. Sambucus nigra (Common Elder) is a very invasive species, and is only suitable on sites where there is intensive management. Although the fruit of this species is valuable for birds and other wildlife, because it is highly invasive and very fast growing, it can monopolise resources at the expense of other species, and to manage it properly requires harsh cutting back every year.

Any one of Prunus spinosa, Corylus avellana, Cornus sanguinea or Viburnum opulus, are suitable choices to replace Sambucus nigra on this site.

TRP 18-36-PL-221 Rev 1 Landscape Strategy Plan sheet 1 of 3
TRP 18-36-PL-222 Rev 1 Landscape Strategy Plan sheet 2 of 3
TRP 18-36-PL-223 Rev 1 Landscape Strategy Plan sheet 3 of 3

Having reviewed these proposals, I have no objection in principle. My only comment again is on one of the species chosen.

I’d prefer not to see Sorbus aucuparia (Mountain ash or Rowan) which although a native tree to the UK is not native to Northamptonshire, having a natural habitat of high altitude. This is a good opportunity to introduce more Sorbus torminalis (Wild service tree) back into the local landscape.

TRP 18-36-PL-225 Tree Planting Details

Suggested conditions

Appendix 6.2 part 4 of the Environmental Statement, the Landscape and Ecology Management Plan (LEMP) explains

“During the pre-construction phase, a series of drawn and written documents will be produced to set out the detailed landscape design proposals in accordance with the design objectives set out above and on the Landscape Strategy Plans. This package will include a detailed landscape maintenance specification to ensure all maintenance operations are carried out in accordance with best horticultural practice”.

Therefore, for the avoidance of doubt we include the same language in our conditions.

LANDSCAPE DESIGN PROPOSALS

No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) until detailed landscape design proposals in accordance with the design objectives in accordance with the Landscape Strategy Plans within the submitted Landscape and Ecology Management Plan (LEMP) have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

- Proposed finished levels or contours
- Means of enclosure
- Other vehicle and pedestrian access and circulation areas
• Hard surfacing materials
• Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting)
• Proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc).
• Soft landscape details shall include:
• Planting plans
• Written specifications (including cultivation and other operations associated with plant and grass establishment)
• Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
• Implementation timetables.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

LANDSCAPE WORKS IMPLEMENTATION
All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

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

LANDSCAPE MAINTENANCE
Prior to the occupation of the development a detailed landscape maintenance specification in accordance with the Landscape Strategy Plans within the submitted Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the maintenance of all landscaped areas for a minimum period of 5 years and specify the maintenance responsibilities and arrangements for its implementation. The landscape maintenance scheme shall be carried out as approved.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

6.31 No representations were received from the Council’s Senior Conservation Officer, Planning Policy and Economic Development Teams. Any responses received will be reported on the update sheet, or verbally at the meeting.

7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
Introduction and Principle of Development

7.2 This application relates to primarily agricultural land/countryside between Ditchford Lane and the Rushden Lakes development. For the avoidance of doubt, this application is only for a link road and its associated works, and is not to be confused with the recently consented "Rushden Living" hybrid application (19/01092/FUL). This is a revised proposal following the grant of permission for the original link road scheme (18/00004/FUL).

7.3 The site is close to (but not within) the Upper Nene Valley Gravel Pits Special Protection Area / Ramsar site which was formally classified by the UK government in 2011. This is situated to the north and east of the application site. To the south is the A45 trunk road and service area, which comprises a hotel (Travelodge), restaurant (Buddies) and filling station.

7.4 Whilst there is no specific policy with the Joint Core Strategy which identifies this site for development, there are two implementable planning permissions which have established the principle of development. These are:

- 18/00004/FUL – the original link road permission; and
- 19/01092/FUL – the "Rushden Living" mixed use development.

Details of the Proposal

7.5 The application, as with the original link road application ("original scheme"), is for earthworks and to create a new single carriageway link road across the agricultural land between Ditchford Lane and the Rushden Lakes development. Its purpose would be to provide a second point of access into Rushden Lakes, and to alleviate congestion both at, and in the vicinity of the A45 Skew Bridge roundabout.

7.6 In terms of detail, the road would require upgrades to Ditchford Lane and the eastbound slip road of the A45. Ditchford Lane would be widened to accommodate a vehicle turning lane and central island for pedestrians & cyclists to cross and there would be a new footpath/cycleway along its eastern side, which would link to the existing footpath at the north roundabout at the A45 interchange. The upper section of the A45 slip road would be widened to two lanes where it meets the Ditchford Lane roundabout, with associated alterations and improvements to the footpaths and crossing points, to ensure that pedestrians are able to safely cross Ditchford Lane. As with the original scheme, the speed limit along Ditchford Lane is expected to be lowered to 40mph, whilst the speed limit on the new road is expected to be 30mph.

7.7 Regarding the link road itself, this would be single carriageway and would have four points of access at the Rushden Lakes end; as follows:

- A northbound access into the service yard of the leisure building;
- A direct link into the Rushden Lakes car park;
- A junction / link to the southern service road for Rushden Lakes; and
- A pedestrian link to the neighbouring petrol station / hotel site.

7.8 There would be two bus stops (one either side of the road) and a series of zebra crossings close to the Rushden Lakes entrance. Unlike the original scheme, the link road would flow directly into the Rushden Lakes car park, and would see the separation of service and customer traffic for the leisure building. A footpath link to the neighbouring petrol station and hotel site has also been negotiated. These
represent significant improvements to the layout when compared with the original scheme.

7.9 At the Ditchford Lane end, there would be two lanes on the westbound approach and a central island for pedestrians and cyclists to be able to cross safely. There would be 3m wide foot / cycle paths on both sides of the road. The road would be privately owned, and would be lit.

7.10 A major difference with this proposal is that a large area of land to the south of the road would be used for the temporary storage of excavated material associated with the development for a period of up to five years. The land proposed to be used for this storage falls within the red line of the existing “Rushden Living” permission, so the principle of developing it in some form has already been established.

Highway Impact

7.11 As the application is primarily for a road, highway impact is one of the key considerations. Ditchford Lane is within the County Council’s control, whilst the A45 trunk road is the responsibility of Highways England. Both parties have been consulted on the application and, subject to conditions, are not objecting to the application.

7.12 Works to the highway mirror those of the original scheme, and involve the widening of both Ditchford Lane and the eastbound slip road from the A45.

7.13 If the link road – whether in this or its original form – is built, it will undoubtedly change traffic flows in and around the A45 corridor. The A45 slip roads and Ditchford Lane would be busier than they are at present, whilst Rushden Lakes-related traffic on the A45 between Ditchford Road and the Skew Bridge roundabout would be likely to decrease, which should partially alleviate congestion issues at the Skew Bridge roundabout. It would also provide a much easier route into Rushden Lakes from the new Stanton Cross development at Wellingborough.

7.14 Paragraph 109 of the NPPF is clear that

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

7.15 In the absence of an objection from the two respective highway authorities, and in the context that there is an existing permission for a very similar scheme (the original link road), as well as for the “Rushden Living” scheme, the highway impact is considered to be acceptable.

Landscape and Visual Impact

7.16 The proposal, as with the previous link road and Rushden Living approvals, would urbanise / suburbanise an area of open countryside, on the outskirts of Rushden and in a somewhat elevated position relative to its surroundings in parts. Ditchford Lane would be widened and the new road would have 3m wide cycleways on both sides, thus resulting in a significant amount of additional hardstanding.

7.17 With the principle of development already established for a link road in this location, the visual impact of a new road has already been judged to be acceptable. Therefore, the key issue here is to ensure that the landscape works are acceptable.
7.18 The majority of soft landscaping would be to the north of the link road and there would be an attenuation pond, swale and informal footpath link to the north toward Ditchford Lakes and Meadows Nature Reserve and public footpath UK1.

7.19 Consultation responses to the application on landscape have been favourable, with both the County ecologist and the Council's Senior Tree and Landscape Officer raising no objections subject to tweaks to species types and the imposition of conditions requiring further details relating to:

- Landscape design proposals;
- Landscape works implementation; and
- Landscape maintenance

7.20 Subject to the imposition of these conditions, the proposals are considered to be acceptable with regard to landscape and visual impact.

Biodiversity / Protected Species

7.21 The ES submitted with the application includes a chapter on Biodiversity and this has been assessed by the relevant consultees (Natural England / NCC Ecology / North Northants Badger Group / The Wildlife Trusts).

7.22 No objections have been received from the County ecologist, who is content to defer to the knowledge of Natural England on matters relating to impacts upon the SPA. Comments are awaited from the North Northants Badger Group, who did not object to the previous link road application.

7.23 Natural England did not object to the previous link road application, but at the time of writing the report, are objecting to this application. Briefly, the objection is on the basis that insufficient information has been provided by the applicant, meaning that in their view it is not compliant with the Habitats Regulations. The objection is also on the basis of recent evidence of declining conservation performance of the adjacent Special Protection Area (SPA). The concerns raised by Natural England are echoed by the Wildlife Trusts, and for similar reasons.

7.24 The issues raised in Natural England’s objection are as follows:

- The Habitats Regulations Assessment (HRA) (and ES) does not identify or explore what they consider to be the key environmental constraints associated with developing this site;

- An Appropriate Assessment is required to explore whether there is an adverse effect of the integrity of the Upper Nene Valley Gravel Pits Special Protection Area (SPA) and Ramsar, via numerous impact pathways, however it is not supplied;

- The in-combination effects of development west of Rushden Lakes will need to be a key consideration of the HRA

- The assessment for Functionally Linked Land is not adequate or complete;

- The in-combination assessment is vague and inadequate;

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• The additional wintering bird survey effort (in addition to the previous surveys for previous road applications) is poor;

• There is no information about how the enhanced pedestrian and cycle access routes will feed into existing Public Rights of Way, or impact the SPA via recreational pressure which is an existing key problem within the adjacent SPA;

• We require information on how discharging surface water to the wet flush located within Ditchford Lakes and Meadows Local Wildlife Site (and feeding into the SPA) is appropriate; and

• It is unclear how the scheme’s lighting proposals, which have been identified as a Likely Significant Effect, will be addressed in terms of the Habitats Regulations.

7.25 There is also clear concern from Natural England about the intent for land beyond the application site (known as “Rushden Lakes West”) to come forward for development in the near future, as this has been promoted by the applicant’s representatives for inclusion within the Local Plan Part 2 for a mixed use development.

7.26 At the Council’s Planning Policy Committee meeting of December 10th 2020, the land known as Rushden Lakes West was discounted for inclusion in the Local Plan Part 2. A site to the east of the A6 / Bedford Road is to be taken forward instead.

7.27 This negates part of Natural England's concerns, as the short term risk of mixed use development adjacent to the SPA has somewhat subsided, but the fact remains that there is a fallback position of two other implementable planning permissions on the application site (the original scheme and Rushden Living). As this is a revised scheme for a link road, the impact upon ecology is not considered to be any worse than what is already able to happen under either the original scheme or Rushden Living.

7.28 Nonetheless and given the importance of the SPA, the Council is seeking further advice from its own independent ecologist. This advice will be reported on the update sheet, or verbally at the committee meeting.

**Flood Risk / Water Quality / Contamination**

7.29 The ES includes chapters relating to water environment, land & contamination and a flood risk assessment. The site falls within Flood Zone 1, so there is a considerably reduced risk of flooding when compared with Zones 2 and 3. Sustainable drainage forms part of the design and will include an attenuation pond and swale.

7.30 As with biodiversity, given the site’s proximity to the SSSI and SPA, it is reassuring that no objections have been raised to the application from the Environment Agency, Lead Local Flood Authority or from our own Environmental Protection team.

7.31 A precautionary contamination condition has been requested by the Environment Agency and the Lead Local Flood Authority have requested conditions requiring further details of surface water drainage and management. These are reasonable requests and conditions will be imposed in the event of an approval.
Connectivity / Layout

7.32 There are several elements to this part of the proposal. Firstly, the road has been proposed on the basis that it will provide a second route into Rushden Lakes, so this is its primary purpose. In this regard, the proposal is considered to represent an improvement when compared to the existing arrangements.

7.33 The layout is similar to the previously approved scheme in that there would not be a direct or free-flowing link from the A45 into Rushden Lakes for vehicular traffic. As before it would involve a left turn at the top of the A45 slip road, and a right turn into the link road. For traffic travelling to the A45 (W) from Rushden Lakes, the route is similar and would require navigating both roundabouts at the A45 Ditchford Interchange. This is not ideal but is no worse than the previously approved scheme.

7.34 At the Rushden Lakes end of the road however, the layout would involve reconfiguration of parts of the car park layout and is substantially better than the previous scheme. Firstly, servicing for the leisure building would be separated from general car park traffic and there would be a separate vehicle access point for it. This would improve safety in the car park area and will reduce confusion for delivery drivers.

7.35 Secondly, the link road would now flow directly into the Rushden Lakes car park, so for the majority of vehicles, this represents a much more straightforward, free-flowing route, with less likelihood of motorists ending up on the southern service road by mistake. The alignment of the southern service road would be altered to create an additional parking area to the immediate west of the Garden Square (Skechers) building.

7.36 Thirdly, pedestrian linkages are much improved. The route between the Garden Square and Leisure buildings would be re-aligned and would be safer, wider and more desirable to use, with two priority crossings. There would be good links from the staff parking area to the south of the Garden Square, and a pedestrian link (not included in the previous scheme) would also be provided to the neighbouring hotel / petrol station site to the south. The bus stops would be located close to the car park entrance and pedestrian routes to / from them would be convenient and safe.

7.37 As with the previously approved scheme there would be a footpath along Ditchford Lane to the A45 Ditchford Interchange, as well as a crossing (with central refuge) to provide access to the west side of the road. Along the link road itself there would be 5 pedestrian crossing points between Ditchford Lane and the Garden Square building.

7.38 The application site is larger than that of the previously approved link road as it also includes land to the south (between the link road and A45) which is intended for the temporary storage of excavated material for a period of up to five years.

7.39 Overall, connectivity is much improved when compared with the previously approved link road. The layout remains somewhat disjointed at the Ditchford Lane / A45 end but is now considerably better at the Rushden Lakes end, which will be to the benefit of all users. In the context of the two extant permissions, the use of additional land for the storage of excavated material, whether temporary or longer term, is also considered to be acceptable.
Crime Prevention

7.40 Consultation has been undertaken with Northamptonshire Police who fully support this application in principle to help relieve congestion on the A45, but who also have concerns which they believe should be considered before any decision is made. These concerns relate to:

- Lighting – Advice is that dependant on the agreed pedestrian/vehicular access control policy the lighting scheme to the road and car park could be dimmed during non-operational hours to help deter its use.

- Access control to the link road from Ditchford Lane – Advice is that access to all traffic should be prevented during out of hours periods to prevent access of those with criminal intent within the retail / leisure area, prevent the road being used for anti-social acts / gatherings, unauthorised encampments and HGV parking with all the associated road/verge damage rubbish and human waste. The police further advise that a detailed scheme must be submitted and agreed in respect of this.

- CCTV / ANPR (Automatic number plate recognition) – Advice is that a scheme should be submitted. This is likely to be an extension to the existing system which is controlled / monitored 24/7 from the main customer service/security office. The scheme should include coverage of the proposed car parking areas and access via the link road and pedestrian link to the service area on the A45.

- Crime impact strategy / statement – None has been submitted and advice is that this should include management practises and how the new development ties in with existing measures and procedures.

7.41 All of the above concerns are reasonable but are able to be conditioned, with details to be agreed and implemented before the road opens. This is consistent with the approach taken on the previous link road application.

Archaeology

7.42 The ES covers this issue and the County Archaeologist acknowledges that the proposed development will have a detrimental impact on any archaeological remains present, but concludes that this does not 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.

7.43 They have recommended a pre-commencement condition for a Written Scheme of Investigation and associated fieldwork. This is consistent with the previously approved link road scheme, and new wording will allow for a phased discharge to the condition.

Other Adverse Effects

7.44 The ES submitted with the application has highlighted a number of adverse effects created as a result of the development, most of which will be during the construction phase only. These are as follows:

- Changes to a number of views associated with construction activities from
the A45, local roads and footpaths including Public Right of Way UK1 and TL3;

- Local changes to landscape features and character as a result of the construction activities;
- Temporary disruption to users of the surrounding road network, especially along Ditchford Road and at the A45 Ditchford Road Interchange;
- Potential for mobilisation of contaminants resulting in the deterioration of surface and groundwater quality;
- Potential for dust emissions resulting from the construction activities; and
- Potential for dust, lighting and noise disturbance for species within the Upper Nene Valley Gravel Pits SPA, Ramsar and SSSI and Ditchford Reserve LWS.

7.45 Post-construction there will also be adverse changes to a limited number of local views associated with the Proposed Development from Ditchford Road and Public Rights of Way UK1 and TL3, as well as the continued exceedance of air quality objectives within the application site.

7.46 There will also be moderate adverse effects within the application site from the loss of 5.72 ha of good quality agricultural land, but there are now two extant planning permissions which have agreed the principle of this loss. In addition, there will be a minor adverse effect from glare, light spill, light presence and local sky glow on the A45 service area adjacent to the application site.

7.47 These effects have previously been considered to be acceptable by the council. The application site is larger in this case as it also includes the area of land proposed for excavated material storage, but this land was also included within the Rushden Living application (19/01902/FUL), which also received planning permission.

8 Other Matters

8.1 Equality Act 2010: It is considered that the proposal does not raise any concerns in relation to the Equality Act (2010).

8.2 Built Heritage: The site is not located in or adjacent to a conservation area or any listed buildings and the proposed development would not have an adverse impact on any built heritage assets in the vicinity.

8.3 Local Finance Considerations: There are no material matters that would affect the overall recommendation.

9 Conclusion / Planning Balance

9.1 In conclusion, the recommendation is that the application should be approved subject to ecological / SPA impacts being satisfactorily addressed.

9.2 To date, Rushden Lakes has generated more vehicular traffic than envisaged and more phases have opened since the previous link road permission (18/00004/FUL) was issued, which will have increased traffic levels further. On that basis, a second
access into Rushden Lakes not only seems sensible, but in reality will be vital as the retail and hospitality sectors recover from the effects of the Covid pandemic (which have temporarily reduced traffic levels). The link road should alleviate some of the congestion at the A45 Skew Bridge roundabout.

9.3 At the time of writing the report, the ecological impact is felt to be comparable to the original scheme, and when compared with the originally approved road, the layout is considerably better, particularly at the Rushden Lakes end, which will be to the benefit of all users. Connectivity is now also proposed to the neighbouring hotel site and overall the proposal would offer better connectivity to both Rushden and Wellingborough for motorists, pedestrians and cyclists.

9.4 Both the Local Highway Authority and Highways England are satisfied with the proposals and subject to a range of conditions to control matters raised by consultees, the design and layout are considered to be acceptable.

10 Recommendation

10.1 That planning permission is GRANTED subject to the satisfactory resolution of ecological / SPA concerns, and subject to the following conditions.

11 Conditions

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

   **Reason:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended.

2. Except where otherwise stipulated by Condition, the development shall be carried out strictly in accordance with the details outlined in the application form and the following plans/documents:

   - 6305-098 Rev 0 - Site Location Plan
   - 16305-099 Rev 0 - Existing Site Plan
   - 16305-102 Rev 01 - Proposed Site Plan
   - 1216-4-001 Rev P1 - Transition Area - Landscape General Arrangement Plan
   - RLLR-BED-ST-00-DR-C0900 Rev P1 - Proposed Levels - Sheet 1
   - RLLR-BED-ST-00-DR-C0901 Rev P1 - Proposed Levels - Sheet 2
   - RLLR-BED-ST-00-DR-C0920 Rev P1 - Link Road Layout and Long Sections
   - RLLR-BED-ST-00-DR-C0921 Rev P0 - Typical Road Cross Sections
   - RLLR-BED-ST-00-DR-C0930 Rev P1 - Link Road Gas Protection Slab 1
   - RLLR-BED-ST-00-DR-C0931 Rev P1 - Link Road Gas Protection Slab 2
   - RLLR-BED-ST-00-DR-C0932 Rev P1 - Link Road Gas Protection Slab 3
   - 18-36-PL-221 Rev 1 - Landscape Strategy (Sheet 1 of 3)
   - 18-36-PL-222 Rev 1 - Landscape Strategy (Sheet 2 of 3)
   - 18-36-PL-223 Rev 1 - Landscape Strategy (Sheet 3 of 3)
   - 18-36-PL-224 Rev 1 - Landscape Strategy Cross Sections
   - 18-36-PL-225 Rev 0 - Tree Planting Details
   - CPW-190405-E-EXT-00-01 Rev 1 - Proposed Roadway Lighting
   - HE*******-VEC-HGNMLLR- DR-CH-D100 Rev P03 - General Arrangement (Sheet 1 of 2)
• HE*******-VEC-HGNMLLR- DR-CH-D100.1 Rev P02 - General Arrangement (Sheet 2 of 2)
• GIS451 Rev B - Archaeology Survey
• Flood Risk Assessment (FRA) 12348-CRH-ZZ-00-RP-C-0002-FRA-F1, dated 18.03.20, by Campbell Reith Consulting Engineers
• Construction Environmental Management Plan 12348, dated February 2020, by Campbell Reith Consulting Engineers, to also include the Reptile Survey Reports and Method Statement (Appendix 7.4 of the Environmental Statement)

**Reason:** In order to clarify the terms of the Planning Permission and to ensure that the development is carried out as permitted.

3 No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) until detailed landscape design proposals in accordance with the design objectives in accordance with the Landscape Strategy Plans within the submitted Landscape and Ecology Management Plan (LEMP) have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

• Proposed finished levels or contours
• Means of enclosure
• Other vehicle and pedestrian access and circulation areas
• Hard surfacing materials
• Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting)
• Proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc).
• Soft landscape details shall include:
  • Planting plans
  • Written specifications (including cultivation and other operations associated with plant and grass establishment)
  • Schedules of plants, noting species, planting sizes and proposed numbers /densities where appropriate
  • Implementation timetables.

**Reason:** To ensure the provision of amenity afforded by appropriate landscape design.

4 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is
reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

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

5 Prior to the occupation of the development a detailed landscape maintenance specification in accordance with the Landscape Strategy Plans within the submitted Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the maintenance of all landscaped areas for a minimum period of 5 years and specify the maintenance responsibilities and arrangements for its implementation. The landscape maintenance scheme shall be carried out as approved.

**Reason:** To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

6 No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

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

The scheme shall include:

- A maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- A site plan including access points, maintenance access easements and outfalls.
- Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.
- Details of expected design life of all assets with a schedule of when replacement assets may be required

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

7 Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment ref 12348 rev Fl dated 18th March 2020 prepared by Campbell Reith, will be submitted to and approved in writing by the Local Planning Authority. The
scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include;

i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures.

ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.

iii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers’ hydraulic curves should be submitted for all hydrobrakes and other flow control devices.

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

8 Prior to public use a Verification Report for the installed surface water drainage system for the site based on the Flood Risk Assessment ref 12348 rev FI dated 18th March 2020 prepared by Campbell Reith, has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The details shall include:

a) Any departure from the agreed design is in keeping with the approved principles.

b) Any As-Built Drawings and accompanying photos.

c) Results of any Performance testing undertaken as a part of the application process (if required / necessary).

d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

e) CCTV Confirmation that the system is free from defects, damage and foreign objects.

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

9 No construction work (including deliveries to or from the site) 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 protect residential amenity and the ecology of the locality.
10 The Construction Environmental Management Plan, Project Number: 12348 dated February 2020, 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 residential amenity and environmental protection.

11 Prior to the commencement of the development, a scheme for the control of dust shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained for the duration of the construction works.

Reason: To limit the detrimental effect of demolition and construction works on adjoining residential occupiers.

12 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure if any previously unidentified contamination is encountered during development that it is dealt with appropriately.

13 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) Approval of a Written Scheme of Investigation;

(ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;

(iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To allow investigations to be made and sufficient mitigation to be secured in an area where archaeological remains are understood to exist in accordance with the requirements of the NPPF – Chapter 16 Conserving and enhancing the historic environment.

14 The new link road shall not be opened to pedestrian, cycle or vehicular traffic until full details of:

- Signage (on and off-site, including strategic signage further away from the site);
- Bus stop facilities;
- Lighting management – including any proposals for dimming of lights
outside of operational hours;
- Measures to prevent HGV parking and unauthorised encampments along the link road;
- Measures to prevent motorcycle access between the site and neighbouring PFS / hotel site;
- CCTV (to include coverage of the footpath link to the neighbouring PFS / hotel site); and
- HGV delivery management & routing (during and post construction)

have been submitted to and agreed in writing by the Local Planning Authority. The road may only open to vehicular traffic once these details have been agreed and, where relevant, fully implemented.

**Reason:** In the interests of crime prevention, ecology, highway safety and convenience.

15 The new link road shall not be opened to pedestrian, cycle or vehicular traffic until a crime impact strategy, to include management practises and which demonstrates how the new development ties in with existing measures and procedures at Rushden Lakes, has been submitted to and agreed in writing by the Local Planning Authority. The road may only open once these details have been agreed and implemented where relevant.

**Reason:** In the interests of crime prevention.

16 The new link road shall not be opened to pedestrian, cycle or vehicular traffic until the agreed highway improvements and lighting scheme listed in Condition 2, together with any lighting management arrangements agreed as part of Condition 13, have been fully implemented.

**Reason:** In the interests of crime prevention, highway safety and convenience.

17 Highway mitigation measures at A45 Ditchford Interchange as per Vectos Drawing VD18750 HE-VEC-HGN-RDBT-DR-CH-D100.1 Rev P01 (or as amended by Road Safety Audit and/or Detailed Design) must be delivered and open to traffic prior to the opening of the proposed Ditchford Lane Link Road, unless otherwise agreed with the Local Planning Authority in consultation with Highways England.

**Reason:** To ensure that the A45 continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 in the interests of road safety.

18 Prior to the construction of the proposed link road and improvement scheme at Ditchford Interchange a Construction Environmental Management Plan (CEMP) incorporating a Construction Traffic Management Plan (CTMP) for the construction shall be submitted to and approved by the Local Planning Authority, in conjunction with Highways England, prior to the commencement of any works. The approved plan shall be adhered to throughout the construction period.

**Reason:** To ensure that the construction works do not impact the operation of A45 and thereby continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act.
1980 in the interests of road safety.

12 Reasons for Approval

In reaching this decision this Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraph 38. Regard has been had to the core planning principles in the NPPF and the more specific policies. In addition, the Environmental Statement (ES) submitted with the application, together with the Development Plan and other material considerations have all been taken into account as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004.

13 Informatives

1 From Highways England

The highway mitigation works associated with this development involves works within the public highway, which is land over which you have no control. Highways England therefore requires you to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works. Contact should be made with the Highways England Section 278 Service Delivery Manager David Steventon to discuss these matters on david.steventon@highwaysengland.co.uk.

The applicant should also be made aware that any works undertaken to Highways England network are carried out under the Network Occupancy Management policy, in accordance with Highways England procedures, which currently requires notification/booking 3 months prior to the proposed start date. Exemptions to these bookings can be made, but only if valid reasons can be given to prove they will not affect journey time reliability and safety. The contact email for these matters is Area7networkoccupancy@highwaysengland.co.uk

2 From Cadent Gas

No development or work may take place until Cadent have been consulted and liaised with as there may be plant protection measures that are necessary to protect the integrity of the HP gas pipeline
Appendix 1: Habitat Regulations Appropriate Assessment

Habitat Regulation Assessment (HRA)
Screening Matrix and Appropriate Assessment Statement

PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations, however, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

<table>
<thead>
<tr>
<th>Application reference:</th>
<th>20/00534/FUL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application address:</td>
<td>Land West Of Rushden Lakes</td>
</tr>
<tr>
<td></td>
<td>Ditchford Lane</td>
</tr>
<tr>
<td></td>
<td>Rushden</td>
</tr>
<tr>
<td></td>
<td>Northamptonshire</td>
</tr>
<tr>
<td>Application description:</td>
<td>Revised scheme to construct a new link road between Ditchford Lane and Rushden Lakes (with associated Site clearance and earthworks) alongside junction works, car parking, footpaths, cycleways, lighting, drainage works, hard and soft landscaping and associated works. Reconfiguration of existing car parking and Service Yard areas and the temporary storage of excavated material for a period of up to five years</td>
</tr>
<tr>
<td>Status of Application:</td>
<td>Pending consideration</td>
</tr>
<tr>
<td>Proximity to SPA:</td>
<td>Within 2km</td>
</tr>
</tbody>
</table>

Lead Planning Officer: Dean Wishart

Stage 1 - details of the plan or project

| European site potentially impacted by planning application, plan or project: | YES |
| Is the planning application, project or plan directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)? | NO |
| Are there any other projects or plans that together with the planning application being | YES, The HRA for the North Northamptonshire Joint Core Strategy |
assessed could affect the site (Applicant to provide details to allow an ‘in combination’ effect to be assessed)?

assessed the in-combination effect of residential development within a 3km catchment of the SPA and concluded that such development would have an adverse effect on the integrity of the SPA unless avoidance and mitigation measures are in place.

There are two fallback positions in respect of this application which are:
18/00004/FUL (Original Link Road); and
19/01092/FUL (Rushden Living)

<table>
<thead>
<tr>
<th>Stage 2 - HRA screening assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Test 1: the significance test – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA.</td>
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</tbody>
</table>

Conclusion on the need for a full Habitats Regulations Assessment (Appropriate Assessment) (has evidence shown there is a need for a full HRA?) Yes

The application is for development within close proximity of the SPA. Whilst no dwellings are proposed, the development includes a number of foot and cycleways which will encourage more recreational use of the SPA.

The ruling by the Court of Justice of the European Union on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs CoIlte Teoranta (ref: C 323/17) requires development relying on mitigation to no longer be considered at the screening stage but taken forward and considered at the appropriate assessment stage. Therefore as the application requires mitigation it will need to be considered at the appropriate assessment stage.

(If yes, continue to Stage 3; if no, continue to Stage 4).

<table>
<thead>
<tr>
<th>Stage 3 - HRA – Appropriate Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Test 2: the integrity test – If there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long term management, maintenance and funding of any solution.</td>
</tr>
</tbody>
</table>

A mitigation strategy is set out in the SPA SPD to avoid and mitigate likely significant effect on the Upper Nene Valley Gravel Pits SPA by securing financial contributions towards Strategic Access Management and Monitoring (SAMM) and/or other suitable infrastructure. This would reduce the adverse impact of people visiting the SPA through specific measures and monitoring.
In this case the applicant has not provided a project level HRA (Habitats Regulation Assessment). Natural England has assessed the information contained within the Environmental Statement (ES) and are dissatisfied. They have objected to the application for the reasons given in the report (NE response also shown below).

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

Conclusion:
Development in the area surrounding the Upper Nene Valley Gravel Pits SPA could lead to increased public access for recreation, e.g. from dog walking, which in turn can lead to disturbance of the notified bird populations and impacts to the ability of birds to use the site for feeding and roosting.

Based on the information submitted, Natural England is unconvinced that the proposed development will not have likely significant effects on the Upper Nene Valley Gravel Pits Special Protection Area and its qualifying features. Their objection to the proposed development is shown below.

Natural England Officer:

Natural England objects to the revised Ditchford road scheme application (consultations 20/00534/FUL & WP/20/00291/EXT) because in our view it is not compliant with the Habitats Regulations.

- The HRA (and ES) does not identify or explore what we consider to be the key environmental constraints associated with developing this site.
- An Appropriate Assessment is required to explore whether there is an adverse effect of the integrity of the Upper Nene Valley Gravel Pits Special Protection Area (SPA) and Ramsar, via numerous impact pathways, however it is not supplied.
- The in-combination effects of development west of Rushden Lakes will need to be a key consideration of the HRA
- The assessment for Functionally Linked Land is not adequate or complete.
- The in-combination assessment is vague and inadequate.
- The additional wintering bird survey effort (in addition to the previous surveys for previous road applications) is poor.
- There is no information about how the enhanced pedestrian and cycle access routes will feed into existing Public Rights of Way, or impact the SPA via recreational pressure which is an existing key problem within the adjacent SPA.
- We require information on how discharging surface water to the wet flush located within Ditchford Lakes and Meadows Local Wildlife Site (and feeding into the SPA) is appropriate.

It is unclear how the schemes' lighting proposals, which have been identified as a Likely Significant Effect, will be addressed in terms of the Habitats Regulations.
Applicant  Clark and Cast
Agent     Avenue Architectural Design Ltd – Mrs Allen
Location  Rectory Farm, Main Street, Achurch, Northamptonshire
Proposal  Single-storey side extension to incorporate double garage with storage room above; conversion of barn one into living accommodation, which will be linked to the main dwelling by the new single-storey side link extension; partial conversion of barn two into gym and garden store

This application is reported to the Planning Management Committee (PMC) in accordance with Part A, 1a (f) of East Northamptonshire Council’s Scheme of Delegation (2019), as the application has been submitted by an employee of the Council.

This application was brought to PMC on the 18th November 2020, with an Officer recommendation of deferral to allow for consideration of late submissions (comments from objectors and a revised site plan). The Committee resolved to defer the application so that re-consultation on a revised plan could take place, and for a physical site visit to be arranged.

The update sheet and the original Officer report, circulated to Members of the PMC, are attached at Appendix 1 and Appendix 2.

1 Summary of Recommendation
1.1 That planning permission is GRANTED subject to conditions.

2 The Proposal
2.1 This application seeks planning permission for:
   - A single-storey side extension (extension 1) to incorporate a double garage with a storage room above;
   - Conversion of a barn (barn 1) into additional living accommodation together with a single storey extension (extension 2) to link it to the main dwelling. New accommodation includes a bedroom with ensuite and dressing area, and kitchen / dining area;
   - Conversion of another barn (barn 2) into a home gym and garden store; and
   - A further single storey side extension (extension 3) to provide for a boot room.

2.2 Extension 1 would extend beyond the side wall of the existing house by 7.2 metres and would have a depth of 5.6 metres with a height of 6.7 metres. It would have a gable roof and a first-floor door on the gable elevation with stairs. The side link extension (extension 2) would form an ‘L’ – shape extension with a gable roof and flat roof. The gable roof part of the proposed extension would measure 4.1 metres from the side wall of the house and
would have a depth of 3.4 metres with a height of 3.6 metres. The flat roof part of the extension would measure 2 metres wide with a depth of 4.6 metres and a height of 2.4 metres.

2.3 Extension 3 would extend beyond the side elevation of the dwelling by 2.1 metres with a width of 2.7 metres and height of 4 metres.

2.4 The proposed development would be constructed from materials to match the existing dwelling with the exception of the flat roof.

3 **Updates Since the Previous PMC Report (18.11.20) was Published**

3.1 The Applicant had submitted two revised plans as part of a late submission, which were:

- a site plan (020-071-007-Rev A); and
- an existing and proposed floor plan (A20-071-002 Rev J).

The site plan depicted the proposed extensions (1, 2 and 3) — which are planning considerations of this application — but also included a further side extension being constructed under permitted development rights — which is not a consideration under this application. The proposed floor plan depicted the single-storey linked extension being reduced in length by 150 millimetres from the boundary wall.

3.2 Two late objections were received, expressing the following concerns:

- Inaccurate site plan denoting physical and interior extent and names of property;
- Distances from the host property to the neighbouring properties are overstated;
- The site plan shows an alleged permitted development side extension which would be contrary to the condition recommended in the Officer report and may also not comply with the applicable Order without further details or an application for a certificate of lawfulness;
- Re-consultation of the revised plans has not been undertaken.

3.3 The concerns raised are addressed at 3.7 to 3.13 below. Although, it should be noted that the Applicant has now omitted the site plan (020-071-007-Rev A) from the submission and therefore it does not form a material consideration.

3.4 For the avoidance of doubt, the Applicant has confirmed that the following plans and documents are submitted for approval:

- **Location and Site Plan - A20-071-001 Rev C**
- **Existing and Proposed Plans – A20-071-002 Rev J**
- **Elevation Plan – A20 – 0071-004 Rev H**
- **Preliminary Roost Assessment – Prepared by Elite Ecology, Dated July 2020.**

3.5 As mentioned above, the ‘Existing and Proposed Plans – A20-071-002 Rev J’ (highlighted bold above) is the revised plan submitted by the Applicant. The plan shows the proposed single-storey link extension (extension 2) reduced in length by 150 millimetres so it is away from the boundary wall. The relevant neighbours were re-consulted on the revised plan on the 4th December 2020 and a site visit was undertaken by some Members of the PMC on the 16th December 2020, which also included visiting three neighbouring properties (The Dairy, The Stable and The Hayloft). Additional photographs were taken at the site visit and Members that were unable to attend will have further opportunity to
view these and to seek clarification from Officers at a briefing session before the meeting. This is in addition to the briefing session that took place before the 18th November PMC.

3.6 Following re-consultation of the revised plan, two further objections have been received from neighbouring residents (ones who had also written in previously), expressing the following concerns:

- The lack of a structural survey for barn 1;
- The roof lights in barn 1 are likely to result in physical overlooking, sense of overlooking, odour nuisance and light pollution;
- The development would be overbearing; and
- Poor outlook for future occupants of barn 1 would likely result in poor amenity.

Inaccurate Site Plan

3.7 As mentioned above, the Applicant has omitted the site plan (020-071-007-Rev A) from the submission and this therefore does not form a material consideration. Notwithstanding this, the Case Officer has denoted approximate measurements taken from Google Maps of the distances from the neighbouring properties within the ‘residential amenity’ section of the Officer’s report (Appendix 2). Taking into consideration distances, as well as position of the existing and proposed built form, it is considered that the proposed development would not cause adverse harm to the neighbouring and future occupants of the residential dwellings.

Permitted Development Side Extension

3.8 A further single storey side extension is currently being constructed at the property. For the avoidance of doubt, this is being constructed under permitted development and does not form part of this application. With or without the permitted development extension, the recommendation to approve this application remains the same. There is no requirement for a lawful development certificate application in respect of a permitted development extension.

Breach of Suggested Condition 4 (removal of permitted development rights)

3.9 The suggested condition 4 would only apply to future development. Therefore, imposing the condition would not automatically result in a breach of condition for the permitted development extension referred to in paragraph 3.8, providing that it started lawfully before the condition is imposed.

Status of Barns 1 and 2 / Structural Survey

3.10 Barns 1 and 2 were previously part of an agricultural holding but following the residential barn conversions (14/00360/FUL) to the west of the application site, the barns became part of the residential holding of the host property and have no connection to agriculture. At the time of the site visit, Barn 1 was being used for domestic purposes as a home office. Thus, the barns are currently being used for domestic purposes rather than agricultural purposes.

3.11 The Council has discretion over the level of information required for the validation / determination of an application. Given the nature of this application (householder development) and the use of the barns, their condition in a reasonable state, and that the buildings are not listed and are not in a conservation area, it was not considered necessary to request a structural survey in this case. Relevant stakeholders (Senior
Conservation Officer in particular, but also the County Ecologist) raised no concerns on this matter. Works undertaken at the barns will need to comply with the necessary Building Regulations applicable to habitable accommodation.

**Roof Lights on Barn 1**

3.12 Paragraph 7.17 of the original Officer Report (Appendix 2) concludes that the proposed roof lights would be at a high level and at an oblique angle and therefore it is not considered to cause harm in respect to overlooking. This was proven at the site visit where it was obvious that the rooflights are high enough not to be seen out of. Also, it is noted that concerns have been raised in respect to odour and light pollution; however, it is not considered to be significantly different to that what could reasonably be expected from any dwellinghouse. As such, it is still considered that the proposed roof lights would not cause significant harm to the residential amenity of neighbouring properties.

**Poor Outlook for Future Occupants of Barn 1**

3.13 The conversion of barn 1 into an annexe is for ancillary purposes. The annexe has a sufficient amount of openings to allow light and, whilst it is noted that three of the windows in the bedroom would be obscure glazed, two rooflights are proposed which would give a clear view of the sky. Also, there is more than sufficient amenity space within the application site for residents to enjoy. As such, it is considered that the proposed development would not result in a significantly poor outlook or private amenity space.

4 **Recommendation**

4.1 That planning permission be GRANTED subject to the following conditions:

5 **Conditions**

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

   **Reason:** To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out using external materials matching those of the existing dwelling.

   **Reason:** To achieve a satisfactory elevational appearance for the development and safeguard the architectural merits of the non-designated heritage asset in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy 2016.

3. The annexe hereby permitted shall only be used ancillary to the main dwelling at Rectory Farm, Main Street, Achurch and shall not be rented for use as or used as a separate dwelling at any time.

   **Reason:** In granting this permission the Council considers that unrestricted use would require further consideration given the site’s heritage merits, location, highway safety and other potential material impacts.

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be
required for the following developments or alterations:

i. the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);

ii. the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);

iii. alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B);

iv. alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);

v. the installation of satellite dishes (as detailed in Schedule 2, Part 1, Class H);

vi. the erection of any walls, fences or other means of enclosure to all boundaries of the site (as detailed in Schedule 2, Part 2, Class A).

**Reason:** In the interest of safeguarding the architectural and historical merits of the non-designated heritage asset in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy 2016.

5. The development hereby permitted shall be carried out in accordance with the approved plans and documents as follows:

- *Location and Site Plan - A20-071-001 Rev C*
- *Existing and Proposed Floor Plan – A20-071-002 Rev J*
- *Elevation Plan – A20 – 0071-004 Rev H*

**Reason:** In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.
Appendix 1 – Update Sheet

PMC DATE: 18.11.2020

APPLICATION NO: 20/00594/FUL

DESCRIPTION: Single-storey side extension to incorporate double garage with room above; conversion of barn one into living accommodation, which will be linked to the main dwelling by the new single-storey side extension; partial conversion of barn two into gym and garden store.

SITE LOCATION: Rectory Farm, Main Street, Achurch, Northamptonshire

UPDATES

Further Comments Received

1. Two further comments have been received from objectors, expressing the following concerns:

- No structural survey being submitted for the barn conversion.
- Paragraphs 7.4, 7.5 and 7.6 of the Officer’s report suggesting that Barn 1 could be converted under permitted development.
- Confusion with the wording ‘special circumstances’ within the suggested condition 3.
- No Party Wall agreement allowing for the proposed single-storey linked extension to be erected on the boundary wall.

Structural Survey – Barn 1 is currently being used for domestic rather than agricultural purposes. The Council has discretion over the level of information required for the validation / determination of an application. Given the nature of this application (householder development), it was not considered necessary to request a structural survey in this case.

Conversion under Permitted Development? – To clarify, it is not suggested that Barn 1 can be converted under permitted development but that internal works do not require planning permission. Given that the building has no connection to agriculture, is already used for domestic purposes and is within the curtilage of the host dwelling, the principle of conversion is considered to be acceptable and in line with Policy 8 of the North Northamptonshire Joint Core Strategy.

Condition 3 – The reason wording for the condition has been slightly amended to avoid confusion, as follows:

The annexe hereby permitted shall only be used ancillary to the main dwelling at Rectory Farm, Main Street, Achurch, and shall not be rented
for use as or used as a separate dwelling at anytime.

**Reason:** In granting this permission the Council has had regard to the special circumstances of this case and considers that unrestricted use would require further consideration given the site’s heritage merits, location, highway safety and other potential material impacts.

**Party Wall** – This is a legal matter outside the remits of planning and therefore **does not** form a material consideration. Notwithstanding this, the applicant has submitted revised plans which depict the proposed single-storey linked extension being moved away from the boundary wall.

**Revised Plans**

2. The Applicant has submitted revised plans which depict the proposed single-storey linked extension being moved away from the boundary wall. Condition 5 is therefore updated as follows (changes shown in **bold**):

   The development hereby permitted shall be carried out in accordance with the approved plans and documents as follows:
   - **Location Plan - A20-071-001 Rev C**
   - **Site Plan – 020-071 007 Rev A**
   - **Existing and Proposed Floor Plan – A20-071-002 Rev J**
   - **Elevation Plan – A20 – 0071-004 Rev H**
   - **Preliminary Roost Assessment – Prepared by Elite Ecology, Dated July 2020.**

   **Reason:** In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

**Further Comment and Revised Plan**

3. The Council has received comments from a concerned occupier of a neighbouring property and the Agent has submitted a revised site plan. It is considered appropriate to defer this application to ascertain the validity of the comments and to allow for consideration of the revised plan as well as re-consultation to relevant parties for 14-days. As such, the recommendation is now one of deferral.

**RECOMMENDATION:** DEFER Application to allow for consideration of late submission
Appendix 2 – Officer Report to 18.11.20 PMC

Case Officer  Sunny Bains  20/00594/FUL

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Applicant  Clark and Cast
Agent  Avenue Architectural Design Ltd – Mrs Allen
Location  Rectory Farm, Main Street, Achurch, Northamptonshire
Proposal  Single-storey side extension to incorporate double garage with storage room above; conversion of barn one into living accommodation, which will be linked to the main dwelling by the new single-storey side link extension; partial conversion of barn two into gym and garden store

This application is reported to the Planning Management Committee in accordance with Part A, 1a (f) of East Northamptonshire Council’s Scheme of Delegation (2019), as the application has been submitted by an employee of the Council.

1  Summary of Recommendation

1.1  That planning permission is GRANTED subject to conditions.

2  The Proposal

2.1  This application seeks planning permission for the erection of a single-storey side extension to incorporate a double garage with a storage room above it. The proposal also seeks permission for the conversion of a barn (hereafter barn 1) into a separate living accommodation consisting of a bedroom with ensuite and dressing area as well as a kitchen, which would be linked to the main dwelling by the proposed single-storey side extension. In addition, another barn (hereafter barn 2) would also be converted as part of the proposal into a gym and garden store.

2.2  The proposed single-storey side extension would extend beyond the side wall of the existing house by 7.2 metres and would have a depth of 5.6 metres with a height of 6.7 metres. It would have a gable roof and a first-floor door on the gable elevation with stairs. The proposed side link extension would measure 4.1 metres from the side wall of the house and would have a depth of 3.4 metres with a height of 3.6 metres. It would also have a gable roof.

2.3  The proposed development would be constructed from materials to match the existing dwelling.

3  The Site and Surroundings

3.1  The application site is situated within the settlement of Achurch and is located to the west of Main Street. A two-storey detached dwelling is located on the site within a sizeable
plot. The host dwelling is recognised as a non-designated heritage asset. The application site also comprises of two barns sited either side of the host dwelling.

3.2 Residential barn conversions are sited to the south-west, west and north-west of the application site. A two-storey residential dwelling is located to the north of the application site and the eastern boundary of the site faces Main Street. Beyond this lies agricultural land. The site also lies within Flood Zone 1 (low risk) and a Nature Improvement Area.

4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 2 - Historic Environment
Policy 4 - Biodiversity and Geodiversity
Policy 6 - Development on Brownfield Land and Land Affected by Contamination
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 30 - Housing Mix and Tenure

4.3 Rural North, Oundle and Thrapston Plan (RNOTP) (2011)
Policy 10 – Protection of Local Sites of Conservation Interest and Designation of Local Nature Reservation

4.4 Other Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)
East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)
East Northamptonshire Council – Householder Extensions Supplementary Planning Document (2020)

5 Relevant Planning History

5.1 No planning history since 1974.

6 Consultations and Representations

6.1 Neighbours and Interested Parties

5 objection letters have been received, expressing the following concerns:

- The proposed development would be out of character to the local area.
- The proposed development would cause adverse harm to the significance of the historic and architectural merits of the non-designated heritage asset.
- Adverse harm to neighbouring residential amenity.
- Adverse harm to wildlife.
1 support letter received, expressing the following:

- The proposed development would be in keeping with the host dwelling and surrounding character.

6.2 Liford cum Wigsthorpe, Thorpe Achurch Parish Council

Initial comments received 23.06.20

Listening to representation from both those for, and those against this application (Agenda item 206.741), and having examined the planning documents in advance of the meeting Councillors wished the following points to be submitted to ENC:

Councillors are pleased to see this building being invested in and given a new lease of life, Councillors are also pleased to see the sympathetic use of materials being proposed, that will reflect those used in the original construction.

However, Councillors, while not objecting to the development in principle are sensitive to the loss of privacy of neighbouring properties and feel that roof lights and obscured glazing only partially addresses the problem as even with the proposed height of the windows being 1.7m many people would still be able to see out of them, and obscured glazing could be replaced with clear at some point in the future if the occupant so wished. Cllrs therefore feel the only solution to this problem is for windows and roof lights to be installed on the other side of the proposed extensions away from neighbouring properties. Cllrs also felt the size of the proposed extensions was problematic as even allowing for the lower rooflines the building profile would be changed considerable and may encroach/overshadow neighbouring properties giving them a closed in feeling.

A number of Councillors are further concerned that something of the character of the existing building could be lost especially with regard to the style of the front elevation of the property. Rectory Farm is the first building one sees when entering Achurch and although it does not appear to be registered as such, is considered by Councillors and some residents to be something of a heritage asset and a number of Councillors would prefer to see more of a balance to its heritage being maintained so as to reflect the distinctive ‘estate’ style of its architecture.

Therefore while not objecting outright Councillors feel they are unable to actively support this application at this stage and request that further though be given to the points made before a decision as to grant planning permission or not is made.

Revised comments received 09.09.20

Having examined the revised plans Councillors feel that the changes made address most of the issues raised previously and therefore have no objections to this application.

6.3 Natural England

No comments received.

6.4 Northamptonshire County Council – Principal Ecology Officer

Initial comments received 02.07.20

Due to the buildings' age and construction they should have an inspection ('preliminary roost assessment') for bats. This can be done at any time, and if no bats or potential roost
features are found then nothing further should be required. I note however that a roost was found in one of the buildings in the surveys for a previous application 14/00360. While that survey is now out of date it suggests that activity surveys may be needed for the current application. Activity surveys can only be done between May and September when bats are active. All surveys must be done pre-determination so that if any mitigation is needed it can be secured by condition.

Please note the presence of bats would not preclude the works being done but could affect construction schedules.

Revised comments received 13.08.20

I am writing in response to your consultation on additional information received for the above application at Main Street Achurch. Having reviewed the preliminary roost assessment report provided I am satisfied that neither a licence nor mitigation is required in this case.

6.5 Northamptonshire County Council – Local Highway Authority (LHA)

Comments received 09.06.20

The LHA has no objection to this application as this dwelling already contains 4 bedrooms and has sufficient area for parking. The proposed additional living area is going to be incorporated in to the main dwelling and is not seen as an additional dwelling and will not require the applicant to comply with a shared access standard.

6.6 East Northamptonshire Council – Senior Conservation Officer

Initial comments received 28.07.20

I consider the application building to be a non-designated heritage asset on account of its historic and architectural interest.

Having reviewed the application I can confirm that I have concerns with the design of the scheme proposed. In my opinion the extension proposed on the left-hand-side of the principal elevation would serve to unbalance the building’s overall asymmetric form, which I consider a key aspect of its architectural design. In addition I consider that the extension proposed on the right-hand-side would be out of character with the host building, owing to the roof lights and the arched garage door openings proposed. In my view the design of the garage extension was better in an earlier iteration of the scheme (rev D).

I consider that the development proposed would cause harm to the building’s significance as a non-designated heritage asset. Accordingly, paragraph 197 of the NPPF is engaged, which states that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Revised comments received 04.09.20

I recognise that the revised scheme is an improvement on the previous submission. However, I still have concerns regarding the proposed extension on the building’s south elevation, for the reasons set out in my previous response. I consider that this would
cause some harm to the building’s architectural interest as a non-designated heritage asset.

*Final comments received 16.10.2020*

I can confirm that the amended plans received on 1 October overcome the concerns I raised with this application, subject to the removal of the dormer window over the garage. I therefore have no objections.

### 7 Evaluation

#### 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following considerations are relevant to the determination of this application:

#### 7.2 The following key considerations are relevant to the determination of this application:

- Principle of Development
- Design, Layout and Historic Environment
- Neighbouring and Private Amenity
- Highway Safety and Parking
- Natural Environment

**Principle of Development**

#### 7.3 The application site is situated within the built form of Achurch and comprises of an unrestricted residential use. The principle of the proposed extensions would be supported by Policy 2 and Policy 8 of the JCS on the provision that the proposed extensions do not cause adverse harm to the character of the local area and to heritage assets. In addition, Policy 8 of the JCS also seeks for new developments to not cause adverse harm to the residential amenity of neighbouring properties and that of the existing / future occupants as well as to not cause adverse harm to the general environment. The principle of development in terms of the extensions is therefore considered to be acceptable subject to the policy consideration set out below.

#### 7.4 At the time of the site visit the Applicant informed the Case Officer that the proposed conversion of barn 1 into living accommodation (annexe) is required to be able to take care of thir elderly parents. The proposed living accommodation would be linked to the main dwelling via the shared kitchen / dinning area. Therefore, the proposed annexe has a physical and functional connection to the main dwelling. Although, it is noted that the internal openings which link the main dwelling and proposed annexe could be closed up without requiring planning permission as well as the plot being subdivided, this could result in the proposed annexe being used as a separate dwelling.

#### 7.5 Notwithstanding the above and taking into consideration that internal alteration could take place to convert Barn 1 into an annexe without requiring planning permission, a condition can be imposed to ensure that the proposed annexe remains ancillary to the main dwelling with permitted development rights also removed.

#### 7.6 Given that the proposed annexe is considered to be ancillary to the main dwelling, the aforementioned policies above would also support the principle of development subject to stated conditions.
Design, Layout and Historic Environment

7.7 Achurch is predominantly rural in character with a cluster of linear form of development along the north side of Main Road, with the exception of the sporadic development along the south of Main Road. The rustic and historic character of the area can be seen from the architectural presence of the host dwelling with its prominent apex façade. The comments of the Senior Conservation Officer are noted in respect to stating that the host dwelling is considered to be a non-designated heritage asset based on its historic and architectural interest.

7.8 Concerns were expressed by the Senior Conservation Officer with the initially proposed development (A20-071-004C) that included all the aspects of the development denoted in the 'proposal' section of this report plus the addition of a two-storey side extension on the southern elevation, closest to the principal elevation and an additional dormer on the proposed garage roof. The Senior Conservation Officer stated that this two-storey side extension would visually unbalance the asymmetric appearance of the front façade of the non-designated heritage asset which is considered to be the key aspect of its architectural design. In addition to this the Senior Conservation Officer had concerns with the roof lights and arched garage door opening on the then proposed garage detracting from the architectural merits of the dwelling.

7.9 In light of this, the applicant submitted revised plans (A20-071-004F) with the dormers omitted from the proposed garage roof as well as the arched garage doors and reduction in height of the proposed southern two-storey side extension. Whilst, the Senior Conservation Officer welcomed the removal of the roof lights and arched garage doors, it was still considered that the proposed southern two-storey side extension would severely detract from the architectural merits of the non-designated heritage asset.

7.10 Further revised plans (A20-071-004H) were submitted by the applicant which form the current proposal and removes the two-storey southern side extension. The Senior Conservation Officer considers the proposed development to be acceptable and to not severely detract from the historic and architectural merits of the building.

7.11 Overall and in its latest amended form, with the two storey side extension removed, the proposed extensions together with the conversion of the barns are considered to be subservient to the host dwelling and to not demonstrably affect the historic or architectural merits of the non-designated heritage asset. As such, the proposed development complies with Policies 2 and 8(d) of the JCS and Paragraphs 127 and 197 of the NPPF.

Neighbouring and Private Amenity

7.12 Policy 8(e) of the JCS seeks for proposals to not cause adverse harm to amenity of nearby properties as well as that of the future occupants, which is also reflected in Paragraph 127 of the NPPF.

The Hayloft, Main Street (The Hayloft)

7.13 The Hayloft is sited to the north-west of the host dwelling and is an ‘L’ shaped single-storey residential barn conversion. Windows are located on the rear elevations of the property along the southern and eastern elevations. The windows along the southern elevation face the side wall of the property and are at an oblique angle to the host dwelling. The window along the eastern elevation faces the adjoining wall between the host property and is circa 24 metres away. This distance as well as with the host dwelling together with the proposed development being at an oblique angle and being of a
subservient size, is considered sufficient to prevent any significant impact on residential amenity.

The Stables, Main Street (The Stables)

7.14 The Stables is sited to the west of the host dwelling and is a 'T' shape single-storey residential barn conversion with rear curtilages either side of the property. The narrow rear curtilage is sited closest to the host dwelling and shares the rear boundary wall. Windows are located along the northern and eastern elevation of the property with the windows along the northern elevation facing the side boundary wall and the eastern windows facing the rear boundary wall that adjoin the host property. The host property would be circa 28 metres away from the eastern windows and at an oblique angle to the northern windows.

7.15 Given the distance as well as with the host dwelling together with the proposed development being at an oblique angle and being of a subservient size, it is considered sufficient to prevent any significant impact on residential amenity.

The Dairy, Main Street (The Dairy)

8.16 The Dairy is located to the south-west of the application site and is a narrow rectangular shape residential barn conversion with an elongated side garden. Barn 1 is sited towards the rear of the garden with its side elevation forming the boundary wall. The host dwelling can be partially seen beyond the structure of barn 1. Windows are located on the eastern elevation of the Dairy which faces onto the side boundary wall. The host dwelling is sited at an oblique angle.

7.17 The proposed side single-storey link extension would be screened by the existing barn 1 structure and therefore would not be visible. The window on the side elevation which faces into the rear garden of The Dairy is obscured and an existing arrangement. The new roof lights on the slope facing The Dairy would be at high level and at an oblique angle and therefore would not cause harm in terms of overlooking. However, concerns have been expressed with overlooking when the windows are open which could possibly enable overlooking. A condition can be imposed to alleviate this harm. All other aspects of residential amenity is not considered to be significantly harm due to the orientation of the built form together with the sizable garden and other aspects of the proposed development being positioned away from The Dairy.

15 Main Street (No.15)

7.18 No.15 is sited to the north of the host dwelling and is a two-storey detached dwelling on a sizeable plot. It is considerably set back from the host dwelling with part of barn 2 projecting forward of the principal elevation of No.15. Barn 2 and the high hedgerow would screen majority of the proposed development and therefore it is considered that the screening plus sizable plot size and orientation of the built form would be sufficient to prevent any significant impact on residential amenity.

Rectory Farm, Main Street (Host Property)

7.19 The host property would retain sufficient private amenity space with the introduction of the proposed development.

Subsection Conclusion

7.20 Overall, it is considered that the proposed development would not cause adverse harm to
the residential amenity of the neighbouring properties or that of the existing and future occupants. Therefore, the proposed development complies with the aforementioned policies.

Highway Safety and Parking

7.21 Policy 8(b) seeks for new developments to not cause adverse harm to the highway network and users as well as provide safe and adequate access and parking arrangements. The parking arrangement remains as existing and the Local Highway Authority has no objection to the proposed development. As such, the proposed development complies with the aforementioned policy. They are also satisfied that the proposed development would not result in a separate dwelling and therefore there would be no intensification of use of the existing access.

Natural Environment

7.22 An ecology report has been submitted with this application which concludes that the ecological value for birds and bats onsite is negligible. The Ecological Advisor is satisfied with the findings and states that neither a licence nor mitigation is required in this case. As such, the proposed development complied with Policy 4 of the JCS.

8 Other Matters

8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

8.2 Other Matters Raised: Matters raised by objectors and a supporter have been taken into consideration and addressed within the above sections. Overall, it is considered that the proposed development would not cause adverse harm in terms of the material considerations raised.

9 Conclusion / Planning Balance

9.1 The principle of development is considered to be acceptable as it is considered that the proposed development would not cause adverse harm in terms of character of the local area, historic environment, residential and private amenity, highways and parking and the natural environment. In addition, the proposal is not considered to result in a development which is tantamount to a new dwelling, for the reasons set out in this report.

9.2 Subsequently, the proposed development complies with local and national policies and therefore it is recommended that planning permission is granted.

10 Recommendation

10.1 That planning permission be GRANTED subject to the following conditions:

11 Conditions

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

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out using external materials matching those of the existing dwelling.

**Reason:** To achieve a satisfactory elevational appearance for the development and safeguard the architectural merits of the non-designated heritage asset in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy 2016.

3. The annexe hereby permitted shall only be used ancillary to the main dwelling at Rectory Farm, Main Street, Achurch and shall not be rented for use as or used as a separate dwelling at any time.

**Reason:** In granting this permission the Council has had regard to the special circumstances of this case and considers that unrestricted use would require further consideration given the site’s heritage merits, location, highway safety and other potential material impacts.

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following developments or alterations:

   vii. the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);
   viii. the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);
   ix. alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B);
   x. alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);
   xi. the installation of satellite dishes (as detailed in Schedule 2, Part 1, Class H);
   xii. the erection of any walls, fences or other means of enclosure to all boundaries of the site (as detailed in Schedule 2, Part 2, Class A).

**Reason:** In the interest of safeguarding the architectural and historical merits of the non-designated heritage asset in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy 2016.

5. The development hereby permitted shall be carried out in accordance with the approved plans and documents as follows:

   - Location Plan – A20-071-001 Rev C
   - Floor Plan – A20-071-002 Rev H
   - Elevation Plan – A20-0071-004 Rev H
   - Preliminary Roost Assessment – Prepared by Elite Ecology, Dated July 2020

**Reason:** In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.
The application is brought before the Planning Management Committee because of an objection by Raunds Town Council meaning that the application falls outside of the Scheme of Delegation in Part 3.2 1(b) of the Council's Constitution (2019).

1 Update to Committee

1.1 This application was deferred by Members at Planning Management Committee on 9th December due to confusion over the adoption status of Brooks Road.

1.2 Members will need to refer to the committee report and the information contained on the update sheet (for 9th December) when considering the proposal; although some of that detail will be clarified below. The previous committee report and update sheet is appended to this report at Appendices 1 and 2.

2 Adoption Status / Local Highway Authority Position

2.1 The Case Officer has consulted with the Local Highway Authority (LHA) to determine whether Brooks Road is an adopted highway after some confusion at the last committee meeting. The LHA has provided Officers with evidence to demonstrate that Brooks Road is adopted. As such, the road is maintained at public expense and any improvements or alterations carried out in the highway would be the subject of a Section 278 agreement.

2.2 As a reminder, the applicant proposes to improve four of the nine existing informal passing places. This improvement would involve the installation of a hard-bound surface, ensuring that each passing place is 2 meters wide with 2 metre-long tapers.

2.3 The LHA has confirmed that its position has not changed. It does not have an objection to the proposal on the basis that the proposed improvements to the highway would negate any impact generated by a small increase in traffic movements to the site. The proposal is considered as a nil-detriment scheme.

2.4 Further, the LHA confirms that all costs associated with the improved passing places would be covered by the applicant (which would be secured by condition) and future maintenance of the passing places would be the responsibility of the LHA.

2.5 The LHA requires that a condition is used to ensure that the passing places are implemented and secured by way of a Section 278 agreement, prior to the first occupation of the development. Given the clarification around the adopted status of
Brooks Road, the recommended condition (condition 14) has been re-worded and now reads as follows:

*No development shall commence until the applicant has entered into a Section 278 agreement with the Local Highway Authority (detailing, but not limited to, design, cost responsibilities, work programme, certification and future maintenance) to secure the necessary passing places shown on plan ref: 100225_03_0100_04 Rev P01. The passing places as approved by the Local Highway Authority must then be implemented in full prior to the first occupation of the development hereby permitted. The works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contractor; who has the required and necessary public liability insurance in place.*

*Reason:* To ensure that the proposed passing places are secured and implemented in the correct manner.

3. **Other Comments**

3.1 **Condition 17 – Permitted Use**

Following concerns raised by Members at the committee meeting on 9th December, condition 17 has been re-worded to include restrictions on the proposed storage unit. The recommended condition now reads as follows:

*The development hereby permitted shall be used as office accommodation only (save for the approved storage unit) and shall be used for no other use within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended). The approved storage unit shall only be used for the purposes of storage in conjunction with the use of the offices hereby approved and not as a separate storage facility.*

*Reason:* To clarify the terms of this permission.

3.2 **Proposed Parking Spaces**

Following concerns raised by Cllr Lance Jones, it is confirmed that (as stated at 7.31 of the original committee report) there are 32 existing spaces and the applicant proposes to add 37 new spaces. There would be 69 spaces in total to serve the existing and proposed development. This provision would be in excess of the minimum number of spaces required which would be 22 spaces. All 69 spaces would be shared by new and existing users. The Local Highway Authority is satisfied with this proposed provision.

3.3 **Proposed Storage Unit:**

Cllr Lance Jones has asked for the size and use of the proposed B8 storage area to be clarified. The storage unit would measure 360 sqm and is required to accommodate a prospective occupier for one of the proposed office units (a rural landscaping company).

3.4 **Highway Queries:**

In an email dated 10.12.2020, Cllr Lance Jones asked the following:

1. What are the criteria that the LHA uses when considering a single width road to dual width?
2. When was the last time the LHA made such an upgrade and why?
3.5 The LHA responded as follows:

The criteria is dependent on the quantum of traffic movements and traffic modelling would test proposed ‘fixes’ that may be required, including an increased carriageway width, when additional trips are loaded onto base survey data contained within the model. However, in this particular case the levels of increased traffic associated with the proposals could not be considered a severe impact (the test required in relation to National Planning policy) and therefore no Transport modelling has been requested. The level of work required to bring this carriageway up to current standards (minimum 6m wide carriageway) would not be proportionate to the traffic impact or quantum of development.

Carriageway widening schemes are carried out when nil detriment mitigation requires developments to provide such measures. There are examples throughout the County where we have required these improvements.

4 Previous Update Sheet (for 9th December committee)

4.1 For clarity, the following comments as noted on the update sheet for Planning Management Committee on December 9th still stand without amendment:

4.2 Condition 14 – Passing Places
The trigger point in the condition for the four passing places to be implemented is prior to the first use of the building as approved. Members have suggested that this trigger point is changed to prior to commencement and may decide to include this as part of any approval.

4.3 Passing Places - Culvert
The Local Highway Authority is content with the location of the proposed upgraded passing places and no concerns are raised in relation to the space available to provide the upgrades, with reference to the adjacent culvert. Officers note that the verge on the opposite side of Brooks Road to the application site is wider than the verge on the application site side.

4.4 Construction Management Plan
A condition requiring the submission of a Construction Management Plan is recommended at the request of Members, which also includes the need for a routing agreement for HGVs:

Notwithstanding the details submitted and prior to the commencement of development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include and specify the provision to be made for site procedures to be adopted during construction, including:

- measures to control the emission of dust and dirt;
- control of noise emanating from the site;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- storage of plant and materials used in construction;
- a routing agreement to discourage HGV’s from travelling to and from the site via Denford Ash

Reason: In the interests of highway safety and residential amenity.
4.5 Site History:
The following historic applications relating to the application site were refused the reasons given thereafter:

02/00665/OUT – Refused due to scale (being larger than the current proposal), insufficient information to ascertain impact on highway and as the site is not within the settlement boundary as defined by the East Northamptonshire District Council Local Plan (1996).

04/01158/OUT – Refused due to two storey height and overall scale and as the site is not within the settlement boundary as defined by the East Northamptonshire District Council Local Plan (1996).

5 Summary of Recommendation

5.1 That Planning Permission be GRANTED subject to the conditions listed as part of the original committee report (Appendix 1 - 9th December), the associated updated sheet (Appendix 2 - 9th December) and as set out above.
### Case Officer: Amie Baxter

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<td>18.12.2020</td>
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**Applicant:** Roger and Amanda Denton Ltd - Mr R Denton  
**Agent:** Nineteen47 - Mr T Collins  
**Location:** Blotts Barn, Brooks Road, Raunds, Northamptonshire, NN9 6NS  
**Proposal:** Proposed Commercial Development for a B1 Office Unit and Ancillary Storage Barn at Blotts Barn

The application is brought before the Planning Management Committee because of an objection by Raunds Town Council meaning that the application falls outside of the Scheme of Delegation in Part 3.2 1(b) of the Council’s Constitution (2019).

1. **Summary of Recommendation**

1.1 That Planning Permission be GRANTED subject to conditions.

2. **The Proposal**

2.1 This application seeks full planning permission for the expansion of an existing B1 (now class E under the new Use Classes Order) office complex known as Blotts Barn Business Centre. Associated parking and landscaping is proposed, alongside the addition of a detached storage unit (B8) to support one of the prospective occupiers. The existing access point would remain as is but it is proposed to install passing bays along Brooks Road at the request of the Local Highway Authority (LHA).

2.2 The proposed additional office space would be in the form of a detached building positioned to the north of the existing business centre. The proposed building would be single storey but with a partial first floor (similar to the existing office building) and designed in a barn like style to create three offices with independent toilet and kitchen facilities. Small courtyards would be created close to the building for landscaping and staff amenity space and 32 parking spaces would be created to serve the new offices.

2.3 The offices proposed will be self-contained, with each having its own front door, toilets and kitchen, as well as dedicated parking, and differing from the serviced/start-up accommodation available elsewhere, such as in the Enterprise Centre.

2.4 The applicant has stated that as all the existing small business units are currently occupied, they seek expansion to allow for the growth of new business, given the continued number of enquiries for further occupation. The applicant has submitted justification for the need for such office space and this is attached at Appendix 1.

2.5 The application is supported by the following documents:

- Design and Access Statement
- Sustainability Energy Statement;
- Ecological Impact Assessment;
3 The Site and Surroundings

3.1 The application site is positioned in a peripheral location approximately 1.3km to the north east of Raunds. September Hall farm, a large detached dwelling, lies to the south, Pecks Lodge and Brookfield Farm lie to the east and there is open land to the north with sporadic residential development. Further to the south is residential development making up the north eastern edge of Raunds.

3.2 The existing buildings at Blotts Barn Business Centre are arranged in a farm courtyard and consist of a series of linear form stone barns under red pantile roofs. The western side of the site is used for the storage of shipping containers (formal use is the subject of a recent appeal) and the eastern side of the site is occupied by the Blotts Barn business centre buildings. There is a hedgerow around the entire site and the land slopes gently from east to west by approximately 5 metres from the western boundary towards the access into the site.

3.3 Access to the site would be gained via Brooks Road which links Denford to Raunds. Brooks Road is hard surfaced and single width for most of its length with grassed verges. There is a public right of way which runs to the west of the site and the nearest bus stop is approximately 1 mile away (15 - 20 minutes walking distance) on Brick Kiln Road.

3.4 The site is within Flood Zone 1 and falls within 3km of Upper Nene Gravel Pits Special Protection Area.

4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 6 - Development on Brownfield Land and Land Affected by Contamination
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings and Allowable Solutions
Policy 10 - Provision of Infrastructure
Policy 11 - The Network of Urban and Rural Areas
Policy 12 - Town Centres and Town Centre Uses
Policy 15 - Well Connected Towns, Villages and Neighbourhoods
Policy 19 - The Delivery of Green Infrastructure
Policy 22 - Delivering Economic Prosperity
Policy 23 - Distribution of New Jobs
Policy 25 - Rural Economic Development and Diversification
Policy 26 - Renewable Energy
4.3 **Raunds Neighbourhood Plan (Made November 2017)**
Policy R2 – Promoting Good Design
Policy R10 – Traffic and Transport in Raunds
Policy R14 – Supporting New Employment Development
Policy R16 – Built and Natural Environment
Policy R17 – Greening the Town
Policy R19 – Upper Nene Valley Gravel Pits SPA/SSSI

4.4 **Other Documents**
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)
East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

5 **Relevant Planning History**

5.1 95/045/FUL – Change of use of buildings to industrial use (B1/B2) – Allowed at appeal (03.04.1995)

The inspector noted that Brooks Road, although single width, would adequately cater for the proposed use without seriously prejudicing highway safety and that the grass verges would provide refuge for the very few pedestrians using the road.

5.2 02/00665/OUT - Extension of existing studio / office – REFUSED (10.06.2003)

5.3 04/01158/OUT - Extension of existing studio / offices – REFUSED (01.09.2004)

5.4 18/01387/LDE - Use of the site as a builder’s yard for more than 10 years including the siting of 3 storage containers and external storage of building materials- REFUSED (10.09.2018)

The applicant appealed the refusal but the appeal was dismissed on the grounds that the applicant could not demonstrate that the site had been used for the storage of building materials for the preceding ten years. (partial costs awarded to the appellant).

**Other Relevant Applications Close to the Site**

5.5 19/01630/OUT - Outline: Erection of five dwellings (All matters reserved) – REFUSED (by Planning Management Committee) (11.06.2020) for the following reason:

The proposed development of five dwellings would be served by Brooks Road, which would not provide a safe means of pedestrian access for walkers between the dwellings, the local neighbourhood and the town centre. The increase in vehicular use of Brooks Road would also be to the detriment of the safety of users of the highway, including motorists, cyclists and pedestrians due to its narrow width and condition. The width of the road at the point of access into the site may be limited by cars parked on the opposite side of Brooks Road, making manoeuvring into and out of the site potentially difficult. Due to the unacceptable accessibility of the site, the proposal is considered to conflict with Policy 8, a (iv) and b (i) and (ii) of the North Northamptonshire Joint Core Strategy (2016). The proposal is considered to cause an unacceptable impact on highway safety, and therefore does not meet the requirements of paragraph 109 of the National Planning Policy Framework. The social, economic and environmental benefits associated with the development are considered to be outweighed by the harm
identified.

5.6 19/01633/OUT - Outline: Erection of two dwellings (All matters reserved) – REFUSED (By Planning Management Committee) (11.06.2020) for the following reason:

The proposed development of two dwellings would be served by Brooks Road, which would not provide a safe means of pedestrian access for walkers between the dwellings, the local neighbourhood and the town centre. Due to the unacceptable pedestrian accessibility of the site, the proposal is considered to conflict with Policy 8, a (iv) and b (i) and (ii) of the North Northamptonshire Joint Core Strategy (2016). The proposal is considered to cause an unacceptable impact on pedestrian safety, and therefore does not meet the requirements of paragraph 109 of the National Planning Policy Framework. The social, economic and environmental benefits associated with the development are considered to be outweighed by the harm identified.

6 Consultations and Representations

6.1 Neighbours

3 objections received, raising the following concerns:

- Increase in traffic.
- Brooks Road is not well maintained, sometimes floods and is not lit. It is used by cyclists, horse riders and pedestrians and there is no footpath.
- The proposed building would be 1 metre taller than the existing building.
- There are other sites that would be more suitable.

6.2 Raunds Town Council

Comments received 29.05.20: Object for the following reasons:

- The area is not designated as an employment site within the Raunds Neighbourhood Plan policy R13.
- The development contravenes policy R14 a-e.
- This is an overdevelopment of the site.
- The access road, Brooks Road, is liable to flooding
- The increased traffic imposes a significant risk due to lack of pathways for pedestrians, the road is already busy with tractors cyclists and horse riders and there is a riding stable in close the proximity. There is a lack of passing points on the road, which is already busy with tractors, cyclists and horse riders. This is a single track road and entirely unsuitable for the proposed traffic volumes.
- The Town Council understand that the Local Highway Authority will not adopt the road as it no longer conforms to acceptable standards.

6.3 Natural England

Comments received 13.05.20: No comments to make.

6.4 Environment Agency

Comments received 28.05.20: No comments to make. Add advisory informative regarding environmental permits.
6.5 Northamptonshire Fire and Rescue

Comments received 11.05.2020: No objection. Please ensure the access road is at least 3.7m wide to within 45m of the furthest point of the proposed new building.

6.6 Northamptonshire County Council - Lead Local Flood Authority (LLFA)

Comments Received on 03.09.2020: No objection subject to the following conditions being used:

No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Strategy ref 100225/WRJune-20/01 rev B dated June 2020 prepared by Dice Consulting Engineers Ltd have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations
iii) Cross sections of the control chamber (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for the hydrobrake.
iv) A qualitative examination of what would happen if any part of the system fails. It should be demonstrated that flood water will have flow routes through the site without endangering property and where possible maintaining emergency access/egress routes.

Reason
To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

No above ground work shall take place until full details of the management and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted.

A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

Reason
To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

No Occupation shall take place until a Verification Report for the installed surface water...
drainage system for the site based on Flood Risk Assessment and Drainage Strategy ref 100225/WO/June-20/01 rev B dated June 2020 prepared by Dice Consulting Engineers Ltd has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The details shall include:

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

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

6.7 Northamptonshire County Council – Ecological Advisor

Comments received on 04.06.2020: No objection. As the proposal could affect the great crested newts on site a licence will be required and I would therefore recommend the following condition from BS42020:

- The development hereby permitted shall not in any circumstances commence unless the local planning authority has been provided with either:
  a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
  b) Written confirmation from Natural England that the application site has been registered with the Great Crested Newt Low Impact Class Licence scheme; or
  c) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

A scheme for soft landscaping should also be conditioned; this should incorporate the mitigation and enhancement recommendations in the Ecological Impact Assessment report (RammSanderson ref RSE_2046_01_V1 dated October 2019). A Landscape Ecological Management Plan (LEMP) should also be conditioned to ensure the measures are appropriately managed.

6.8 Northamptonshire County Council - Local Highway Authority (LHA)

Initial comments received 15.05.19: Objection, for the following reasons:

The LHA has concerns with the increased number of traffic movements on a sub-standard road in terms the width and condition of Brooks Road, there is also no footpath or public transport links making this an unsustainable location for office staff.

The LHA requires the identifying of all available passing places and clarifying if these are formal arrangements or merely vehicles running over the highway verge (clarify highway extents with the Northamptonshire definitive map team).

The LHA requires that the applicant demonstrates a suitable measure to ensure surface water does not flow in to the public highway and vice-versa, the LHA does note that a drainage ditch is present in the verge passing under the proposed access and if this is to be used for the reason above then the applicant will require approval from the Bedford...
drainage board.

Following the comments above, the applicant discussed the proposal with the LHA, pointing out the content of the submitted Transport Assessment, and submitted additional details to show that passing bays would be installed in nine locations along Brooks Road.

Further comments received from the LHA on 13.10.20:

We are content regarding the proposed passing places – they will require securing via a suitably worded planning condition with the indicative drawing referenced. The works will be carried out by the applicant via a Section 278 Agreement.

A condition is required to ensure that the applicant enters into a Section 278 agreement with the LHA.

Final comments received from the LHA on 23.10.2020:

I will address each point in turn relating to our previous objection and explain the position we have now reached:

In relation to the sub – standard road named Brooks Road we are now satisfied that a nil-detriment scheme is being provided in the order of improved formal passing provisions that will be secured via a S278 Agreement at the cost of the applicant.

I note that this mitigation does not satisfy our previous concerns relating to sustainable modes of transport to the site however any improvements that could achieve this would be significantly disproportionate to the quantum of development being proposed here therefore we do not feel we could sustain an objection on this basis.

With regards to detail relating to surface water drainage of the access and how this will be diverted from outfalling onto the highway we are yet to see the required detail (note: this can be required by condition).

6.9 Northamptonshire Country Council – Archaeological Advisor

Comments received 26.05.2020: No objection subject to an archaeological programme of works.

6.10 East Northamptonshire Council - Environmental Protection Officer

Comments received 14.04.19: No objection.

6.11 East Northamptonshire Council – Planning Policy

Comments received on 08.10.2020: No objection - comment as follows:

Based on the information provided and the considerations discussed above:

- The principle of development is supported.
- The Raunds Neighbourhood Development Plan supports future regeneration, diversification and expansion of employment opportunities.
- Whilst the site lies beyond the settlement boundary, it would be an extension of an existing development/ use and has been designed to be in keeping with its rural character.
- The applicant has provided evidence to support the proposal; justification that the
benefits of the scheme would outweigh the harm and that the proposal should be supported in policy terms

7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan relevant to the consideration of this application comprises:

- North Northamptonshire Joint Core Strategy (2016)
- Raunds Neighbourhood Plan (2017)

The following considerations are relevant to the determination of this application:

Principle of Development

7.2 In addition to the policy contained within the Development Plan, regard must be given to the policy contained within the National Planning Policy Framework (NPPF), alongside the National Planning Practice Guidance (NPPG).

7.3 Paragraph 7 of the NPPF outlines the purpose of the planning system, which is to contribute to the achievement of sustainable development. Paragraph 8 sets out the three overarching objectives: an economic objective; a social objective; and an environmental objective.

7.4 The economic objective is to help build a strong, responsive and competitive economy by ensuring that sufficient land is available at the right time and place to support growth, innovation and improved productivity. The social objective is to support strong, vibrant and healthy communities by fostering a well designed built environment. The environmental objective states that decisions must contribute to protecting and enhancing our natural, built and historic environment: including making effective use of land as well as improving biodiversity, minimising waste and pollution, and adapting to climate change. This proposal would broadly support the economic objective to help build a strong, responsive and competitive economy.

7.5 Paragraph 11 of the NPPF sets out a presumption in favour of development.

7.6 Paragraph 83 of the NPPF states that planning policies and decisions should enable “the sustainable growth and expansion of all types of business in rural areas, through both conversion of existing buildings and well-designed new buildings”. The proposal would fit this criterion, as it would be expanding a business in a rural area and the design of the units would emulate the existing farmyard conversion on the site, with an additional storage barn designed to give the appearance of an agricultural building.

7.7 Paragraph 84 of the NPPF is clear that planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that the development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. Paragraph 84 also adds that the use of previously developed land, and sites that are well related to existing settlements should be encouraged where suitable opportunities exist.
7.8 Paragraph 84 is crucial in the determination of this application as it directly addresses the location of the proposed development and guides the decision maker when assessing applications for business related developments in peripheral locations. Paragraph 84 is very clear and notes that an application should not be refused simply because it is positioned outside of a settlement and / or because a site is not served by public transport. Instead, the decision maker should consider the impact on the surrounding area, including roads, and exploit any opportunities to ensure that a development is the catalyst for securing improvements to make a location more sustainable.

7.9 In this particular case, whilst being relatively small scale, the proposed development would result in the improvement of Brooks Road with the addition of passing bays in a manner that makes the development itself acceptable and in a way that all users - not just those at the application site - could benefit from.

7.10 Moving to the North Northamptonshire Joint Core Strategy (JCS), Policy 1 reiterates the presumption in favour of development set out in the NPPF. In the context of the JCS, development should contribute to delivering the plan, visions and outcomes through compliance with its relevant policies. Development that conflicts with the policies of the Local Plan will be refused unless material considerations indicate otherwise.

7.11 Policy 8: *North Northamptonshire Place Shaping Principles* criteria (d) ensures that proposals create a distinctive local character by responding to the site’s immediate and wider context. The proposed extension of the rural business centre, designed to replicate the form and scale of existing conversions, would be compliant with criteria (d) of this policy.

7.12 JCS Policy 8 criteria (e) encourages development which supports a good quality of life and safer and healthier communities, and it seeks to ensure that the development is of an acceptable design with no significant impact on neighbouring amenity or highway safety. The physical separation between the application site and existing dwellings and the proposed landscaping scheme would partially meet this criterion, however at some 1.3km north of the town, there would be some dependence on car ownership. As noted above, the NPPF makes it clear that development outside of settlements and that which would not be served by public transport is not automatically considered unacceptable. There is an opportunity for the development to lead to a proportionate improvement to Brooks Road. Advice has been sought from the Local Highway Authority in this respect and will be discussed in more detail below.

7.13 Policy 25 of the JCS: *Rural Economic Development and Diversification* sets out that sustainable opportunities to develop and diversify the rural economy, that are of an appropriate scale for their location and respect the environmental quality and character of the rural area, will be supported. This proposal seeks to expand an established rural business therefore the principle of development is established. Given that the scale and form of the business units would reflect the existing; this policy would support the proposed scheme.

7.14 The Raunds Neighbourhood Plan (2017) (RNP) is relevant to the assessment of the proposal. Objective 2 of the RNP seeks to ensure that all new development is of good design, in-keeping with the area’s character. Objective 5 seeks to “protect existing employment provision and support future regeneration, diversification and expansion of employment opportunities”. The proposed development would provide long term accommodation for small businesses (as opposed to short term ‘starter’ accommodation) within a previously developed site close to Raunds.
7.15 Policy R10 of the RNP seeks to achieve a safer, more accessible environment for pedestrians, cyclists and other road users. It encourages development proposals to demonstrate how they contribute to the creation of safer roads and streets for pedestrians and cyclists.

7.16 Policy R14 supports proposals for new offices, business (B1) (now Class E under the new Use Classes Order), as well as general industrial (B2) and warehousing uses (B8). These proposals will be encouraged where they:

a) prioritise previously develop land;
b) re-use existing buildings;
c) do not adversely impact on the amenity of existing and future residents;
d) they do not lead to loss of protected open space;
e) they do not lead to significant traffic or highway safety issues; and
f) they do not adversely impact on primary or secondary retail areas.

7.17 It is important to recognise that a development does not have to comply with all of the criteria of Policy R14 to comply with it. The wording states that proposals will be 'encouraged' where the criteria is met, not refused if the development does not meet some or all of the criteria.

7.18 The proposed scheme is for new offices (B1) with ancillary storage (B8) (now Class E of the Town and Country Planning (Use Classes) Order (as amended)), which is supported in principle by Policy R14, and the proposal would make use of previously developed land, as well as not leading to a loss of protected open space or adversely affecting the primary or secondary retail area. The proposed development is therefore, on balance, considered acceptable in principle. The impact on highway safety will be explored in detail below.

7.19 It is acknowledged by Officers that some elements of the proposed scheme may not match the aspirations of Members for development in the Brooks Road area with regard to access and location aspects. However, when the benefits of the proposed scheme are weighed against the less favourable elements, the planning balance tilts in favour of the development.

Design, Layout and Impact on the Character and Appearance of the Area

7.20 The proposed development has been designed with the scale, layout and appearance of the adjacent Blotts Barn buildings in mind. The proposed office building would be constructed in stone with a pantile roof to complement the character of the site and would appear as though it is part of an original barn complex, together with the existing buildings on the site. A condition is recommended to ensure that the proposed materials are submitted for written approval.

7.21 The proposed office building would be a similar height to the existing buildings on site (less than 1 m) but this would not be a discernible difference; particularly as the proposed office building would be positioned towards the rear of the site.

7.22 The proposed storage building, with a ridge height of 6.5 metres, would be positioned adjacent to the rear boundary of the site and would be designed in an ancillary agricultural style to fit with the character of the site. No visual harm would result from this element of the proposal, subject to suitable materials being agreed.

7.23 Overall, the visual impact of the proposed development would be acceptable.

7.24 The proposed development would result in an intensification of the site, and the access point off Brooks Road. Following feedback from the LHA, the applicant proposes to widen the existing access point from 6.2 metres to 7.3 metres, as shown on drawing ref: 100225_01_000_02. The LHA support this element of the proposal. Locked cycle and motorbike storage is also proposed.

7.25 The submitted Transport Assessment (TA) concludes that the proposed office units have the ability to generate up to 19 peak hour vehicular movements during a standard weekday, with a worst case ‘tidal flow’ of 17 vehicles in one direction, opposed by 2 in the opposite direction.

7.26 When adding the proposed generation to the existing movements, the gross trip movement increases to 40 movements, with a worst case tidal flow of 36 in one direction opposed by 4 in the opposite direction in peak flow.

7.27 Although this is not a high number of trips in general terms, on a single width road, this would increase the likelihood of vehicles needing to pass each other on Brooks Road.

7.28 The applicant notes that there are 8 existing informal passing places along a 780m single width stretch of Brooks Road. Vehicles are able to see each other from each passing place.

7.29 In order to improve passage and safety, the applicant, in agreement with the LHA, proposes to create 9 formal passing places along Brooks Road, making each passing place easier to negotiate and improving the overall safety of the road; even with the proposed increase in use. A condition is required to ensure that the applicant enters into a Section 278 agreement with the LHA to secure the passing places.

7.30 In recognition of the sites peripheral location and the increased need to travel to the site by car, the applicant is proposing the required number of parking spaces (22 spaces) as set out by the LHA Local Highway Authority Parking Standards (2016) plus an additional 10 spaces.

7.31 It is proposed to turn some of the least convenient of the 32 existing car parking spaces into landscaping but these spaces would be recreated closer to the office area, resulting in a net gain of 37 spaces across the site. Therefore, the overall parking provision proposed as part of the development far exceeds the number required by the LHA.

7.32 Going back to the policy assessment section above, it is a requirement of the NPPF (paragraph 84), JCS Policy 8 and Policies R10 and R14 of the Raunds Neighbourhood Plan that developments do not lead to significant traffic or highway safety issues. It is reiterated that sustainable development is not defined simply by its location but also by the possibility for improvements to local facilities- including the local roads- and opportunities to secure improvements to the highway network as a result of development should be secured. However, it must be remembered that improvements so secured must also be reasonable, related to the development and proportionate to the development.

7.33 The applicant has proposed to upgrade the existing access point, provide in excess of the required parking provision and make physical improvements to the passing provision along Brooks Road. Further, the applicant has demonstrated that, whilst the proposal would result in an increase in trips to and from the site, the proposed installation of passing bays would accommodate that increase safely and improve the use of Brooks Road for others.
7.34 A neighbour has raised concerns over the lack of a pavement between the application site and the built up part of Brooks Road, to give access into the Town. The Applicant has been asked to consider this suggestion and states that:

"the general cost of a standard tarmac footpath with concrete edges is £65/sqm, which results in a cost of circa £169,000 for a footpath extending along Brooks Road from the site to Midland Road. Clearly, such cost is not commensurate to the scale of development proposed in this instance or to the likely numbers of people using such a path to travel to and from the site on foot and will result in obvious viability issues for the scheme. Furthermore, this cost is related to the development of a footpath in isolation to all other necessary considerations, including land ownerships; surveys; ground conditions/contamination; site clearance/tree removal; and service diversions/protection".

7.35 The Local Highway Authority does not support the proposal for the installation of a footpath (with the necessary kerbing and surfacing works) as this would cost more than could be considered reasonable for a development of this scale and would likely render the scheme unviable. The LHA considers the proposed passing bays to be a considerable improvement in the safety of the road for all which should be accepted as proportionate.

7.36 The Local Highway Authority has now withdrawn its objection and is satisfied that the proposal would not have a significant adverse impact upon the safety of Brooks Road. As such, the proposal is considered acceptable in terms of its impact on highway safety and parking.

**Impact on Residential Amenity**

7.37 The application site is positioned close to a number of residential sites (76 m to the closest dwelling at September Hall Farm and 111 m to the next closest dwelling at Brookfield Farm) but not so close that the proposed increase in activity at the site would have a negative impact upon the residential amenity of occupiers. The owner of the nearest dwelling, September Hall, is associated with the application site and would have some control over operations within the site. Furthermore, it is important to note that the site has been used in the very recent past for storage- attracting larger vehicles and non-domestic activities- alongside the existing office use. The proposed use would not have any more of an impact on neighbouring occupiers than that experienced at present.

7.38 Occupiers along Brooks Road may experience an increase in the number of vehicles using Brooks Road. However, the increase in number would not be significant from a nuisance point of view and none of the existing dwellings are positioned close enough to the road to experience a significant impact in terms of noise.

7.39 The proposed development would not be positioned close enough to any buildings outside the site to result in any overlooking, overshadowing or overbearing impact.

7.40 As noted above, a condition is recommended to ensure that the proposed storage building is used in conjunction with the office use (B1) and not as a separate B8 unit, or for any other purpose.

7.41 Overall, the proposed development is considered acceptable in terms of its impact on residential amenity.
Ecology

7.42 The application is supported by an Ecological Impact Assessment (EIA) and consideration has been given to the local wildlife present in and around the site. The existing pond within the site has been identified as supporting a population of Great Crested Newts and the proposed development could therefore have an impact upon their above ground habitat.

7.43 In order to mitigate against the potential impacts, the proposed scheme includes a number of ecological enhancements as summarised in Section 7 of the EIA.

7.44 The impact upon other protected species has been demonstrated as negligible, subject to mitigation measures and best practice standards being adhered to.

7.45 The Ecologist at Northamptonshire County Council has been consulted on the proposed development and associated mitigation measures. No objection is raised subject to conditions regarding mitigation and licence responsibilities, a management programme and further details of soft landscaping.

Landscaping

7.46 The existing site is a mix of grass, tarmac, gravel and there is an existing pond on site which offers visual interest and ecological gain.

7.47 The applicant has submitted landscaping details as part of the detailed site plan. These details show that other than the newly created parking spaces, the site would be mainly laid to grass. There is some scope for planting and as the applicant has not submitted a detailed planting schedule as part of the landscaping details, further information will be required by condition.

7.48 An Arboricultural Impact Assessment (AIA), Method Statement and Tree Protection Plan has been submitted. The AIA identifies 28 individual trees, 2 groups of trees and 4 hedgerows and points out that none of the trees detailed are subject to statutory protection.

7.49 The AIA notes that the proposed development would require the removal of two low quality horse chestnut trees which are of limited future value. The submitted Method Statement details how the remaining trees are to be protected throughout the construction process. A condition is recommended to ensure that the development is carried out in accordance with the methodology in the statement and the associated Tree Protection Plan.

Flood Risk and Drainage

7.50 The application site falls within Flood Zone 1 where risk of flooding is low. The Drainage Strategy submitted with the application details the provision of a swale to accommodate any additional surface water. The development would then attenuate the flow to cater for a 1 in 100 year storm event plus the required 40% for climate change.

7.51 The Lead Local Flood Authority (LLFA) is content with the proposed development and suggests a series of conditions which are recommended as part of this report. The LLFA has not raised any concerns regarding flooding on Brooks Road, as mentioned by a neighbour.
8 Other Matters

8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

8.2 Sustainable Construction: The Design and Access Statement demonstrates that the design of the scheme has taken into account the need to minimise the use of resources and creation of waste. A condition is recommended to ensure water use is limited to that specified by JCS Policy 9, as the site lies in an area of water stress.

8.3 Waste: The proposed development would be served by a private commercial waste contractor, rather than the Council’s domestic waste collection service.

8.4 Fire and Rescue: The proposed access would be at least 3.7m wide to a point within 45m of the proposed building, as requested by Northants Fire and Rescue.

8.5 Other Matters Raised: Neighbours concerns that cannot be addressed elsewhere in the report e.g. non-material considerations such as party wall act, loss of views etc.

8.6 Pre-commencement Conditions: The applicant has agreed to the proposed pre-commencement conditions.

8.7 Adoption: It is true that the Local Highway Authority has no intention to adopt Brooks Road at the present time. However, this is not necessarily due to its condition or location. In any case, this would not be a reason to refuse this planning application.

9 Conclusion / Planning Balance

9.1 The presumption in favour of sustainable development requires proposals to achieve economic, social and environmental gains; as such a balancing exercise has to be undertaken to weigh the benefits of the scheme against its disadvantages. When considered in the round, the proposal would contribute to the economic and social dimensions of sustainability. The scheme offers some environmental benefits but it is acknowledged that the site is positioned outside the settlement boundary of Raunds and that the access to the site is not ideal. Overall, the harm identified is not considered to outweigh the scheme's benefits when assessed against the policies in the NPPF taken as a whole. This is a significant material consideration which outweighs the conflict with the Development Plan. In this instance the proposal to extend an existing and well established office accommodation is not considered to cause harm to outweigh the economic, social and environmental benefits of the proposal. Therefore given the current policy position, the proposed development is considered to be compliant with relevant national and local planning policy as:

- The principle of the development of this site for office accommodation is acceptable
- The proposed development would provide long term accommodation for small businesses (as opposed to short term ‘starter’ accommodation) within a previously developed site close to Raunds. This complies with Objective 5 of the Raunds Neighbourhood Plan which seeks to “protect existing employment provision and support future regeneration, diversification and expansion of employment opportunities”.
- The proposal would not have a significant impact on the character and appearance of the area by virtue of its sympathetic character and design.
- The proposal would satisfactorily safeguard the amenities of neighbouring
dwellings.
- There are no unresolved highway issues and the proposal would result in a benefit to all users of the highway (passing places)
- There are no other material planning considerations which have a significant bearing on the determination of this application.

9.2 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is therefore recommended that planning permission should be granted.

10 Recommendation

10.1 That planning permission is GRANTED subject to conditions.

11 Conditions

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended.

2 Prior to the commencement of development above damp proof course level, details and samples of the external roofing and facing materials to be used in the development (office building and storage building) shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: To achieve a satisfactory appearance for the development.

3 The development hereby permitted shall not in any circumstances commence unless the local planning authority has been provided with either:

   a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
   b) Written confirmation from Natural England that the application site has been registered with the Great Crested Newt Low Impact Class Licence scheme; or
   c) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

Reason: In order to prevent a detrimental impact on ecology protected species.

4 A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

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

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan must be implemented in accordance with the approved details prior to the first use of the development hereby approved.

**Reason:** In the interests of biodiversity in accordance with the NPPF.

5 Prior to the first occupation of the buildings hereby permitted, a soft landscaping plan which incorporates the mitigation and enhancement recommendations in the Ecological Impact Assessment report (RammSanderson ref RSE_2046_01_V1 dated October 2019) shall have been submitted to and approved by the local planning authority. All soft landscaping identified in the agreed landscaping plan (listed above) shall be planted in the first available planting season following the completion or first use of the development (whichever comes first), and shall be maintained for a period of 5 years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

**Reason:** In the interests of ecology and visual amenity.

6 The development hereby permitted shall be carried out in accordance with the mitigation measures set out in the submitted Environmental Impact Assessment carried out by RammSanderson dated October 2019 prior to the first occupation of the development hereby approved.

**Reason:** To protect ecology and Great Crested Newts.

7 Full details of any external lighting to the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Works shall only take place in accordance with the approved details, which shall be retained and maintained in the agreed manner thereafter.

**Reason:** In the interests of visual amenity and to prevent unnecessary light pollution in the surrounding area.

8 No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

**Reason:** To ensure that features of archaeological interest are properly examined
and recorded, in accordance with NPPF Paragraph 199.

9  Prior to the first use of the buildings hereby permitted, the proposed staff and visitor parking spaces (including 5 disabled spaces), as stated in this application and shown on drawing number: 18-062-03B, shall have been completed and brought into use. The parking spaces shall thereafter be maintained and retained for parking purposes only.

**Reason:** In the interest of highway safety.

10  Prior to the first use of the development hereby permitted, the vehicular access point shall have been upgraded (and the upgrade completed) in accordance with the details shown on plan ref: 100225_01_000_02. The access shall thereafter be retained and maintained in the approved manner in perpetuity.

**Reason:** In the interests of highway safety.

11  No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Strategy ref: 100225/WO/June-20/01 rev B dated June 2020 prepared by Dice Consulting Engineers Ltd have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).

ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations

iii) Cross sections of the control chamber (including site specific levels mAOD and manufacturers' hydraulic curves should be submitted for the hydrobrake.

iv) A qualitative examination of what would happen if any part of the system fails. It should be demonstrated that flood water will have flow routes through the site without endangering property and where possible maintaining emergency access/egress routes.

**Reason:** To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site

12  No above ground work shall take place until full details of the management and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted.

A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated
from the site.

**Reason:** To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

13 No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on Flood Risk Assessment and Drainage Strategy ref 100225/WO/June-20/01 rev B dated June 2020 prepared by Dice Consulting Engineers Ltd has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The details shall include:

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

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

14 No development shall commence until the applicant has entered into a Section 278 agreement with the Local Highway Authority to secure the necessary passing places shown on plan ref: 100225_03_0100_04 Rev P01. The works necessary to be undertaken within publicly maintained high-way land must be undertaken only by a Northamptonshire Highways Approved Contractor; who has the required and necessary public liability insurance in place. The approved passing places shall be implemented in full and thereafter maintained in accordance with a maintenance scheme to be agreed in writing by the Local Planning Authority; both prior to the first use of the development hereby permitted, and shall thereafter be maintained and retained in perpetuity in accordance with the approved details.

**Reason:** To ensure that the proposed passing places are secured and implemented in the correct manner.

15 Prior to the first use of the development hereby permitted, the drainage strategy (including access drainage) shown on submitted plan ref: 100225_03_0500_01 Rev B shall have been installed in full. The agreed drainage strategy shall thereafter be maintained and retained in accordance with the agreed details in perpetuity.

**Reason:** In the interest of highway safety.

16 The proposed development must be carried out in accordance with the measures stated in the submitted Tree Survey: Arboricultural Statement, Method Statement and Tree Protection Plan carried out by RammSanderson Reference: RSE_2046_02_ dated September 2019. All long term measures shall be maintained and retained in accordance with the approved details.

**Reason:** In the interests of protecting valuable trees.
The development hereby permitted shall be used as office accommodation only (save for the approved storage unit) and shall be used for no other use within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended).

**Reason:** To clarify the terms of this permission.

The development hereby permitted shall be carried out in strict accordance with the following approved plans, received on 12.10.2020, 01.05.2020 and 20.04.2020:

- 100225_01_000_02
- 100225_03_0500_01
- 18-062-02 - Existing
- 18-062-03B
- 18-062-04-Elevations
- 18-062-05A-Barn and Elevations
- 18-062-06A
- 18-062-07A- 3D visuals
- 18-062-08 -3D
- 18-062-09-Fence and Gate
- 200
- 8-062-01A
- 100225_03_0500_01 Rev B
- 96 001 Rev B – Landscape Strategy Plan
- Vehicle Tracking-100225_01_000_01.1
- 18-062-04A Office Block
- 18-062-05B Storage Barn
- 18-162-03D
- 100225_01_0100_04 P01

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

### Informatives

1. In addition to planning permission you may also require an Environmental Permit from the Environment Agency. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

2. Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

3. A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul
soakaway and not less than 50 metres from the nearest potable water supply.

4 Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

5 Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at: Septic tanks and treatment plants: permits and general binding rules.
03 November 2020

Sterling Safetywear Ltd
Crown House
310 Wellingborough Road
Rushden
Northants
NN10 6PP

Dear [Name]

Re: Demand / Supply for business (office) space within the East Northants / North Northants Region

Following your call to me, I write to outline the currently evolving demand for business (office) space within this region (and wider afield).

Traditionally, occupier demand for office accommodation within the County has focused on Northampton and Kettering with lessor demand for Wellingborough, East Northants and Corby. The gradual deterioration of the built environment, facilities and demographic profile of Northampton town centre led to a shift in occupier demand to Milton Keynes. More recently, NBC has moved to address this situation and today, there is an improvement in occupier interest in the town but MK still commands a preference with mid to large format occupiers.

Occupier demand is a key factor in values and whilst East Northants provided desirable residential options, people traditionally used to migrate out of the District to work (travelling to Northampton, Kettering and Wellingborough). East Northants Council sought to address this issue over 15 years ago, with the appointment of a dedicated Economic Development Officer and a proactive approach to encouraging and delivering the development of significant employment opportunities, to the point where today, East Northants leads the County by example.

However, the one sector that proved unviable, was that of the office market. Rents and capital values for office accommodation outside of MK and Northampton have always lagged behind the two lead locations, to the point where it simply wasn’t viable to build office space. Typically, the residual value of a newly built office was lower than the cost of building them. For example, even today, rents for new offices in MK are circa £25.00 psf, yet the highest rent achieved for a ‘new’ office unit in East Northants is £11.00 psf (Sapphire House, Crown Park, Rushden – a building originally built by the developer (Deejak) for its own occupation – as such, at a heavily discounted / subsidised cost).

This scenario is only magnified when applied to small / starter office units, where build costs are significantly higher but rents are not.
However, we are now seeing some evidence of an evolution in light of the C19 epidemic.

Occupiers of large open plan floorplates are beginning to review their requirements, needing to accommodate fewer people through flexible working days. Cellularisation (partitioning) is now being seriously considered. Reconsideration is being given to occupation of multi-tenanted buildings where sharing lifts, toilets and kitchens is becoming less desirable. So too, are locations in Cities or major conurbations.

The apparent effect of this is a move to consider smaller office buildings in locations outside of large conurbations. The ability to combine working in an office, with working from home (2 or 3 days a week in each) and to drive to work (not using public transport) within a reasonably commutable distance.

The availability of good broadband capacity and parking (ideally with charging points) will also play an important role in a move out of more established locations.

It’s clear that the above scenario combined with a historical lack of office development is helping drive demand and will (as one would expect) increase values.

We see other evidence of migration from large conurbations. Conversations with volume house builders within the region confirm that they have seen a ‘noticeable increase’ in the number of enquiries from London, Birmingham and Cambridge.

In terms of existing stock, whilst we’re not able to cite every single office available within East Northants, we are familiar with the majority. Raunds Town Council has some individual rooms available from time to time within the Town Council offices (opposite the Co-op). However, these are effectively serviced office rooms. ENC of course, has the new Innovation Centre at Warth Park but again, these are serviced offices and aimed at starter business (so it does not offer a permanent ‘home’ for occupiers) furthermore, there are businesses that prefer not to be located in LA owned property. There is some serviced office space at Ringstead, but again, a collection of small individual rooms. At Irthlingborough, there is a converted chapel offering serviced office accommodation but we believe this is fully occupied and again only offers small rooms. We’re not aware of any small office accommodation available in Rushden.

Further afield, there is smaller office accommodation available in Wellingborough and Kettering, albeit that demand is reasonable and most of this accommodation is occupied.

So the provision of un-serviced small office accommodation (individual units with their own front door, dedicated parking toilets and kitchen) in less dense conurbations or rural locations seems to have weight to it, assuming it’s viable for the developer.
I trust this brief overview is useful but as always, should you require further advice, then please don't hesitate to contact me.

Kind regards

[Signature]

Director

prop-search.com
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<th>Case Ref. No. and Page No.</th>
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<td>GRANT</td>
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Updates

Correction to report:

As per the email sent to Members on Friday (04.12.20), there is a correction to the comments made in 6.8 (second paragraph on page 67) and in paragraph 7.29 of the report which currently state that nine of the informal passing places would be upgraded. This shall be corrected to inform that four of the passing places would be upgraded, rather than nine. The Local Highway Authority confirms that their comments relate to the concept of only four out of the nine being upgraded in any case, so their comments still stand, and the recommendation does not change as a result.

For information, and to demonstrate the proximity of the application site to the main built up area of Raunds, the library is a 22 minute walk away, the closest shop is a 24 minute walk and Raunds post office is a 27 minute walk: all of which are considered to be within a reasonable walking distance of the site. The main residential area of Raunds begins at a point which is 15 minutes' walk from the site (approximately).

Condition 14 – Passing Places:

Condition 14 is to be amended to include an additional reference to ‘and their successors in title’ so that it reads as follows:
No development shall commence until the applicant has entered into a Section 278 agreement with the Local Highway Authority to secure the necessary passing places shown on plan ref: 100225 03_0100_04 Rev P01. The approved passing places shall be implemented in full prior to the first occupation of the development hereby permitted and thereafter maintained (by the applicant or their successors in title) in accordance with a maintenance scheme to be agreed in writing by the Local Planning Authority, and shall thereafter be maintained and retained in perpetuity in accordance with the approved details. The works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contractor; who has the required and necessary public liability insurance in place.

Reason: To ensure that the proposed passing places are secured and implemented in the correct manner.

Condition 14 – Passing Places

The trigger point in the condition for the four passing places to be implemented is prior to the first use of the building as approved. Members have suggested that this trigger point is changed to prior to commencement. Members may decide to include this as part of any approval.

Passing Places - Culvert

The Local Highway Authority is content with the location of the proposed upgraded passing places and no concerns are raised in relation to the space available to provide the upgrades, with reference to the adjacent culvert. Officers note that the verge on the opposite side of Brooks Road to the application site is wider than the verge on the application site side.

A condition requiring the submission of a Construction Management Plan is recommended at the request of Members, which also includes the need for a routing agreement for HGVs:

Notwithstanding the details submitted and prior to the commencement of development a Construction...
Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include and specify the provision to be made for site procedures to be adopted during the course of construction, including:

- measures to control the emission of dust and dirt;
- control of noise emanating from the site;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- storage of plant and materials used in construction;
- a routing agreement to discourage HGV’s from travelling to and from the site via Denford Ash.

**Reason:** In the interests of highway safety and residential amenity.

**Site History:**

The following historic applications relating to the application site were refused the reasons given thereafter:

02/00665/OUT – Refused due to scale (being larger than the current proposal), insufficient information to ascertain impact on highway and as the site is not within the settlement boundary as defined by the East Northamptonshire District Council Local Plan (1996).

04/01158/OUT – Refused due to two storey height and overall scale and as the site is not within the settlement boundary as defined by the East Northamptonshire District Council Local Plan (1996).
Plot 1
3-bed 4-person dwellings
@103.8sqm/1118sqft

Plots 2-7, 9-10, 15-16 & 21
3-bed 4-person dwellings
@89.3sqm/961sqft

Plots 8 & 12
3-bed 5-person dwelling
@108.1sqm/1163sqft

Plot 11
4-bed 6-person dwellings
@129.4sqm/1393sqft

Plots 13-14, 17, 19-20
2-bed 4-person dwellings
@79.0sqm/851sqft

Plot 18
3-bed 5-person dwelling
@104.1sqm/1120sqft
1. Details of the highway boundary are subject to formal confirmation from the Highway Authority.
Case Officer  Peter Baish

Date received: 11 Mar 2020  Date valid: 13 Mar 2020  Overall Expiry: 22 Feb 2021  Ward: Raunds Saxon  Parish: Raunds

Applicant:  Mr Harvey Smith
Agent:  Mr Andrew Grey (Aitchison Raffety)
Location:  Hillside, Brick Kiln Road, Raunds, Northamptonshire, NN9 6HY
Proposal:  Residential development for up to 21 dwellings and access (with all matters reserved except Access)

1. Summary of Recommendation

1.1 Recommendation 1: That Planning Permission be GRANTED subject to there being no objection from the Local Highway Authority and the completion of a satisfactory Section 106 legal agreement by 22nd February 2021, (or other date to be agreed) which secures the obligations as set out in this report. Any Heads of Terms, which are not agreed at the time of the committee resolution, shall be delegated to the Head of Planning Services.

1.2 Recommendation 2: To delegate to the Head of Planning Services to REFUSE planning permission if there is a failure to complete a satisfactory Section 106 legal agreement by 22nd February 2021 (or other date to be agreed).

2. The Proposal

2.1 The application is for outline consent, with all matters reserved except access, for the erection of up to 21 new residential dwellings on Hillside, Brick Kiln Road, Raunds. The units have been indicatively arranged on the supporting layout plan, utilising a total of six different house-types which are all two storeys in height.

2.2 The existing dwelling (Hillside Cottage) fronting onto Brick Kiln Road will be retained, although its current vehicular access off the main road will be relocated to the west of Hillside Cottage as part of the proposal.

2.3 The application was discussed at the Planning Management Committee meeting on 9th September 2020. Members resolved to defer the application to a future meeting in order that further information is collected with regard to:

- The proposed access
- NHS healthcare requirements
- Housing requirements for Raunds
- The weight to be given to the Neighbourhood Plan.

2.4 The application was subsequently brought back to the Planning Management Committee meeting on 7th October 2020. Members again resolved to defer the application to a future meeting in order that further information is collected with regard to:
- Opinion on whether or not national level advice in Manual for Streets (MfS) is relevant to this proposal given that MfS is only applicable to roads with a speed of up to 37mph.

- An assessment with regard to the reduction in vehicle movements when comparing the potential number of vehicles using the existing access with the likely number of vehicles using the proposed access.

- Clarification as to whether the Local Highway Authority expects the junctions to be kept clear in order for their most recent ‘no objection’ response to be valid.

2.5 Since the last Planning Management Committee the applicant has moved the access further away from Kelmarsh Avenue to provide a 40 metre distance from the nearside channel to the nearside channel of the proposed access. The above points from both the September and October 2020 Planning Management Committees are clarified in the relevant sections of the report.

3 The Site and Surroundings

3.1 The application site lies to the north of Raunds, on Brick Kiln Road (B663). The site comprises one residential dwelling which fronts Brick Kiln Road, which is referred to as ‘Hillside Cottage’; beyond which are a series of sheds and buildings.

3.2 Hillside Cottage is a two-storey, 4-bedroom detached property which is formed in brick with a grey tiled roof. It has 4 large timber sheds with off-road parking for several vehicles. It is accessed off Brick Kiln Road near to the junction of Mallows Drive. The vehicular access point is shared between the existing dwelling and the remaining site to the rear.

3.3 The rear of the site comprises several sheds which vary in their overall proportions; with some equivalent to the height of a two-storey dwelling (the large sheds measure approximately 1366sqm gross floor area). There is a large area of hardstanding. The sheds have concrete footings and foundations; and are understood to have existed for between 15-50 years.

3.4 To the west is a housing estate, served off Kelmarsh Avenue, which has been recently constructed; having been approved in January 2015 (Reserved Matters Application 14/02000/REM) for the erection of 230 detached and semi-detached residential units, with a balancing pond. Beyond this development is agricultural land and Raunds Town Football Club with Brick Kiln Road leading towards the A45. Land in the surrounding area is relatively flat with a small number of trees and shrubs.

3.5 The site is approximately 2 acres / 0.8 hectares and is relatively sparse of vegetation other than hedgerow planting along the highway and field boundary. The site lies in flood zone 1 (low risk) and falls within the Raunds Neighbourhood Plan area. There are no Listed Buildings within the immediate area, and the site does not fall within a Conservation Area. The site is located within 3km of the Upper Nene Valley Gravel Pits Special Protection Area.
4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 6 - Development on Brownfield Land and Land Affected by Contamination
Policy 7 - Community Services and Facilities
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings
Policy 11 - The Network of Urban and Rural Areas
Policy 15 - Well Connected Towns Villages and Neighbourhoods
Policy 19 - The Delivery of Green Infrastructure
Policy 20 - Nene and Ise Valleys
Policy 28 - Housing Requirements
Policy 29 - Distribution of New Homes
Policy 30 - Housing Mix and Tenure

4.3 East Northamptonshire District Local Plan (DLP)
None applicable.

R1 - Ensuring an Appropriate Range of Sizes and Types of Houses
R2 - Promoting Good Design
R3 - Flexibility and Adaptability in New Housing Design
R4 - Car Parking in New Housing Development
R5 - Open Space Provision
R6 - Protected Open Spaces
R10 - Traffic and Transport in Raunds
R16 - Built and Natural Environment
R19 - Upper Nene Valley Gravel Pits Special Protection Area (SPA)/ Site of Special Scientific Interest (SSSI)
R20 - Movement and Connectivity

4.5 Other Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)
Joint Planning Unit – Design Supplementary Planning Document (March 2009)
East Northamptonshire Council - Domestic Waste Storage and Collection Supplementary Planning Document (July 2012)
Biodiversity Supplementary Planning Document (February 2016)
Upper Neve Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)
5 Relevant Planning History

5.1 None Relevant

6 Consultations and Representations

6.1 Neighbours

Four representations have been received stating the following:

- Extra traffic on Brick Kiln Road
- Entrances close to each other
- Safety of children crossing the road
- Noise generation and air pollution
- Doctors turning people away
- Schools close to capacity
- Landscape and environment concreted over for profits
- Flooding
- More than enough houses built in Raunds
- Units 9 and 10 too close to boundary with No.16 Kelmarsh Avenue
- Destruction of natural habitats

6.2 Raunds Town Council

Comments received on 27.03.2020:

Resolved that Raunds Town Council strongly object to the application due to:

a) The proposed increase in housing numbers contravenes the Neighbourhood Plan. Raunds has taken its share of housing and there is no requirement for additional dwellings to be allocated. Para 4.9 of the Neighbourhood Plan details this...4.9 There have been planning permissions for 1,058 dwellings approved within Raunds in recent years. The emerging North Northamptonshire Core Strategy identifies a housing requirement for Raunds of 1,060 dwellings over the period 2011-2031. On this basis there is no need for the Raunds Neighbourhood Development Plan to identify additional land for housing.

b) Over development of the site with very little visitor parking.

c) The site shows tandem parking throughout, this is not recommended in the Northamptonshire County Council Parking Standards 2016

"On plot tandem (in line) parking is inconvenient and is generally best avoided where possible as both spaces are rarely used. Tandem spaces should not be used in communal parking areas".

d) The development will significantly increase the volume of traffic and make the junction with Brick Kiln Road, which is noted to be very close to Kelmarsh Avenue, potentially dangerous.

e) Raunds Town Council would like to see Highways comments and receive confirmation that the turning circle within the estate is adequate for refuse collection.
Revised Comments Received 27.11.2020:

Raunds Town Council strongly reaffirm their previous objections. The Town Council would also add that a new traffic survey is required, as the recent survey will show artificially low traffic flows due to the pandemic, nor does it account for the unfinished development at Brick Klin Road/North Street.

6.3 Northamptonshire County Council – Local Highway Authority (LHA)

Comments received 07.04.2020:

The LHA has no in principle objections to the proposed subject to suitably worded conditions securing 2m wide connecting footway links along the site frontage and pedestrian crossing but would seek clarification on the following:

- Manual for streets methodology is only suitable for speeds up to 37mph therefore please review junction visibility using DMRB Standards given that the speed limit of Brick Klin Road is 40 mph.
- Please note that the LHA will not accept Crashmap accident data. Please contact the Northamptonshire Highways Road Safety Team to obtain the relevant five year data. The contact is Simon Mills: smills@kierwsp.co.uk
- Junction spacing requirements - Please confirm that the proposed access junction is located at least 40 metres (nearside channel to Nearside channel) from the existing junction of Kelmarsh Avenue and Brick Klin Road.
- With regards to the relocation of the existing bus stops and any improvements required, the applicant will need to liaise with our Northamptonshire Bus and Rail Team. Please contact John Ellerby Jellerby@kierwsp.co.uk
- Whilst the internal layout does not form part of the details required for this application the LHA cannot accept the proposed parking levels which are wholly inadequate.
- The LHA would accept 0.25 spaces per dwelling for visitors across the development (unallocated). Garages are only considered as parking spaces where there is a double garage and then 1 space is considered and taken into account.
- The 2m footway shall continue and wraparound the turning head – width requirements cannot change throughout a street.
- The visitor space shown at Plot 8 is too close to the junction – a minimum of 10 metres form the channel line is required.
- All private accesses shall meet the proposed highway @ 90 degrees.

Further comments received 23.07.2020:

- With regards to junction spacing we require the 40 metre distance to be from nearside channel to nearside channel, rather than centre line to centre line. This is to ensure that thevisibility splays do not intercept an existing access, as this would be a highways safety concern due to the obstruction of visibility that may be caused by a vehicle waiting to exit the existing access.

Further Comments received 19.08.2020:

Our standards dictate a spacing requirement of 40 metres nearside channel line to nearside channel line irrespective of DMRB requirements, however:

95
In this instance providing the visibility splay envelopes are not impeded by vehicles waiting at either junction (existing and proposed) then we would in this instance find the proposals acceptable subject to Technical Audit and Approval.

Further Comments received 29.10.2020:

With regards to the Manual for Street argument the County could only support this approach if it were backed up with some evidence of vehicle speeds demonstrating a lower than 37 mph average 85th percentile speed in line with our standards. Any locations accessing onto a carriageway with a speed limit greater than 30mph (or recorded speeds in excess of 37mph) would need to demonstrate junction visibility in accordance with DMRB Standards.

However the above is a moot point as our recommendation is based on the principle of there being a net reduction in traffic movements associated with the site and the access has been positioned in the optimum location taken into account stagger distances and junction spacing.

Further Comments received 17.12.2020:

Thank you for the revised layout plan in relation to the above application.

In light of the applicant demonstrating betterment in terms of junction separation over what was previously accepted I can confirm the LHA would have no objections to the revised junction layout.

6.4 Northamptonshire County Council – Lead Local Flood Authority

Comments received 22.06.2020:

Having reviewed the submitted surface water drainage information located within:


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

Condition

Before any above ground works commence full details of the surface water drainage scheme for the site, based on the Reports on Drainage Strategy rev B (7th May 2020 ) and Flood Risk Assessment rev A (01st March 2020) ref 62863 Prepared by PRP UK Ltd will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include;

i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection
chambers, outfalls/inlets and attenuation structures.
ii) Attenuation basins will accommodate 300mm residual uncertainty allowance from top water level for the 1 in 100 year plus 40% climate change storm event to top of bank.
iii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
iv) An impermeable area plan demonstrating 10% urban creep
v) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.

Condition

No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required

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

Condition

No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the Reports on Drainage Strategy rev B (7th May 2020 ) and Flood Risk Assessment rev A (01st March 2020) ref 62863 Prepared by PRP UK Ltd has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority The report shall include:

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

Reason
To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.
Further Comments received 11.11.2020:

Having reviewed the submitted surface water drainage information located within:
3) Drawing 04 rev B ref 6944 entitled Indicative Layout dated 17th June 2020 prepared by Sursham Tompkins

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

Condition
Before any above ground works commence full details of the surface water drainage scheme for the site, based on the Reports on Drainage Strategy rev B (7th May 2020 ) and Flood Risk Assessment rev A (01st March 2020) ref 62863 Prepared by PRP UK Ltd will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include;

i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures ii) Attenuation basins will accommodate 300mm residual uncertainty allowance from top water level for the 1 in 100 year plus 40% climate change storm event to top of bank .
iii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
iv) An impermeable area plan demonstrating 10% urban creep
v) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers’ hydraulic curves should be submitted for all hydrobrakes and other flow control devices.

Condition
No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required

Reason
To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.
Condition
No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the Reports on Drainage Strategy rev B (7th May 2020) and Flood Risk Assessment rev A (01st March 2020) ref 62863 Prepared by PRP UK Ltd has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority. The report shall include:

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

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

6.5 Anglian Water

Comments received 01.04.2020:

No objection subject to condition and informatives in relation to surface water disposal.

6.6 Northamptonshire County Council - Ecology

Comments received 14.04.2020:

Broadly speaking I have no issue with the proposal, however I am concerned about the ash tree on the western boundary (T1 in the ecology report). An arboricultural impact statement/survey has not been submitted and it is unclear from the indicative layout (dwg 04) whether tree T1 is to be retained. If it isn't, having been assessed as having low bat roost potential it would need to be soft-felled under a method statement which would need to be secured by condition. If the tree is to be retained then I would say the visitor parking for plot 2 appears to impinge quite a bit on the RPA. I would recommend the council's tree officer have a look at this one; the fate of both T1 and the ash on the opposite boundary also needs to be made clear.

As identified in the ecology report, method statements will be required for great crested newt during operations, and for the removal of the cotoneaster, a Schedule 9 species under the Wildlife and Countryside Act. These would best be incorporated into a CEMP along with the general mitigation measures outlined in section 5.3 of the report.

I would support the report's recommendations for a number of bat and bird nest boxes (I would suggest integral bricks which do not need maintenance), hedgehog holes in the garden fences (to be included in the boundary plan) and a great crested newt hibernaculum.

6.7 East Northamptonshire Council – Waste Management

Comments received 27.03.2020:

Can you advise where plot numbers 2, 3, 4, 5, 6, 10, 11, 15, 16, 17, 18, 19, 20 will present their
bins as they are down private driveways with no indication of hardstanding/presentation points.

Swept path analysis would also be required (I am unsure if this already has been provided?).

**Further Comments received 12.11.2020:**

With regards to the above application, the comments made by waste management on our comments dated 27 March still stand. No waste presentation points appear to have been provided for properties on shared driveways namely plots 2-7, 9-10 and 15-21 on the amended site plan dated 4/11/2020.

**Officer comment:**

The planning application is outline only with all matters reserved except access. The precise location of bins is not necessary at this point and would be secured at reserved matters stage.

6.8 Northamptonshire County Council - Key Services

**Comments received 09.04.2020:**

**Education**

Based on the proposed dwelling mix, it is expected that the proposed development will generate a pupil yield of approximately 7 Nursery / Pre-school pupils, 6 Primary School pupils and 4 Secondary and Sixth Form School pupils based our adopted pupil generation multipliers.

**Early years Services**

The County Council's 'sufficiency of capacity' evidence base for Early Years provision is currently being updated and it is therefore not possible to determine what the current capacity is and likely impact of this development on demand for places.

The county council will provide an update on this position once the sufficiency of capacity work has been completed, and further consultation with the county council is recommended on this point to ensure the most up to date information is included in any future s106 agreement.

**Primary Education**

A Primary Education contribution of £72,242 will be required, based on the proposed dwelling mix. This figure will be reassessed and a suitable project identified once the mix of dwellings proposed to be delivered on the site is confirmed through the planning process.

**Secondary Education**

A s106 contribution towards Secondary Education of £80,791 will be required, based on the proposed mix; this figure will be reassessed once the mix of dwellings to be delivered on the site is confirmed through the planning process.
The County Council requests that it be consulted by the LPA in advance of any s106 Agreement being signed in order to ensure that the most accurate and up-to-date information is included within the Agreement.

**Libraries**

A Libraries Contribution of £4,735 is therefore required, to contribute towards the improvement, enhancement or expansion of Library facilities to serve the development. This figure will be reviewed, with a specific project identified, at such time as the s106 for the development is entered into.

**Suggested Condition:**

'No development shall take place until a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.'

6.9 **Northamptonshire Police**

*Comments received 27.03.2020:*

In relation to designing out crime and anti-social behaviour Northamptonshire Police have no formal objection to this application in principle. We appreciate that this is an outline application and specific details are matters which should be considered at reserved matters stage.

At this stage we have no major concerns but recommend that the applicant consults Northamptonshire police prior to further submission reserved matters stage if this application progresses. This will ensure that the application meets local policy criteria at an early stage in design and will save time and additional works for all concerned.

*Further comments received 06.11.2020:*

Thank you for reconsulting me on this revised application, on behalf of Northamptonshire Police and as previously stated I have no objection to the application in principle. However, we strongly advise that refusal is considered if the application continues in its present form as shown on the indicative layout issued 4th Nov 20.

As indicated on this revised layout the parking area located to the west of the access road just off Brick Kiln Road is lacking sufficient surveillance opportunities, vehicles parked there will be vulnerable to crime particularly during the hours of darkness and its close proximity to the main road. I also have some concern over the revised garage and parking location for the existing 'Hillside' property and without house type details this could also lack the desired natural surveillance from the surrounding units.

Hopefully to resolve my concerns and ensure that designing out crime/Secure by Design principles have been followed the applicant will respond to my concerns and revisit this area. I would appreciate further consultation if the applicant makes any further amendments.
Officer Comment

The application is outline with the final details of layout to be secured via a future reserved matters application. It is envisaged that all crime issues could be addressed at the reserved matters stage.

6.10 East Northamptonshire Council - Environmental Protection

Comments received 23.03.2020:

Please ask the applicant to refer to the 'East Midlands Air Quality Network Air Quality and Emissions Mitigation, Guidance for Developers' document which I have attached a link to for their information. This document is in use across the East Midlands and will be incorporated into the East Northamptonshire Council local planning policy. We are requesting all appropriate agents for planning applications to have due regard to it.

Applicants should make reference to Table 2 'Potential Development Impacts' to determine their scheme type and thereby the information required to be submitted with any planning application.

As an authority we are now looking for all developments to support sustainable travel, air quality improvements / traffic reduction as required by the National Planning Policy Framework 2018 (NPPF). Some developers are providing information that the traffic / transport assessments do not show a significant increase in local traffic or air quality above existing levels, or levels that exceed the air quality objectives. We no longer accept this as a single approach to the impact on air quality. We are looking to minimise the impact on local air quality that ongoing development has, rather than looking entirely at significance. Our approach seeks to minimise or offset road transport emissions wherever practicable, by securing reasonable emission mitigation while also seeking to counter the cumulative impacts arising from all developments.

We would look for the applicant to propose what measures that can be taken to support sustainable travel, air quality improvements and traffic reduction at the application stage and for these measures to be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 110) "be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations ". Therefore, electric vehicle recharging provision is expected and all gas-fired boilers to meet a minimum standard of 40mgNOx/kWh or consideration of alternative heat sources as a minimum.

The options suggested are cheaper to design into a development at this stage.

6.11 East Northamptonshire Council - Housing Strategy

Comments received 20.04.2020:

From the application's proposed layout set out in the planning statement we can see that it is proposing:

5 x 2 bed houses
15 x 3 bed houses
1 x 4 bed houses
Para 5.2 of the Design and Access statement commits that 30% of the units will be affordable. This is in line with Policy 30 of the Joint Core Strategy on developments proposing more than 15 dwellings in Growth or Market Towns.

Main comments

- In regard to affordable housing, the principal need is for smaller size properties. There are currently 421 applicants on the housing register who are seeking a property in the Raunds area. Of these, 231 (55%) have a need for a 1 bed property, 122 (28%) require a 2 bed, 59 (14%) for a 3 bed and 9 (2%) for properties of 4 bed or larger. Based on this, we would require the affordable properties to be a mix of 1 - 3 beds.

- The scheme is not currently proposing to provide any 1 bed properties. There is a specific need for more 1 bed affordable properties to be developed in Raunds. Therefore, in order to meet housing need we would require that a small proportion of 1 bedroom properties be provided on this site (for example 4 x 1 beds). This we believe would work best as cluster house(s) with individual entrances are preferred to flats with communal areas. This is because the latter can give rise to higher services charges and can produce management issues.

- Based on the SHMA and other evidence, a sustainable tenure mix among the affordable dwellings would be 70% affordable housing for rent and 30% as low cost home ownership (LCHO), as defined by the NPPF.

- 50% of the low cost home ownership properties should be provided as Rent To Buy. These are more accessible to lower income families on the housing register and are therefore our preferred form of intermediate tenure.

Assuming a small cluster of 1 beds* could be provided, we would accept these as part of the affordable housing rent element within the overall affordable housing requirement of 30%.

Based on the submitted scheme proposal of 21 dwellings (and assuming 4 x 1 bed houses could be produced) we believe the affordable housing requirement should be delivered as follows

Affordable housing for rent
4 x 1 bed houses*

Rent to Buy
2 x 3 bed house

* Please note that the provision of 4 x 1 beds may result in a larger overall number of properties being produced, in which case the affordable housing requirement of 30% would need to be recalculated accordingly.

Other comments

- All Affordable Rented housing, where provided should be capped at the local housing allowance level (Northants Central) to ensure that these remain affordable for low income families and those in receipt of Universal Credit.
- The provision of window blinds at least on the front elevations of all the affordable housing would be very welcome. This would not only assist with the external appearance of the affordable units but also help low income families in a very practical way upon
move in. This is a feature which is now being provided increasingly on affordable housing within schemes.
- We would expect there to be adequate on-curtilage parking for the affordable housing units. Tandem parking is not favoured in East Northamptonshire. Private roads or designated parking areas are also not encouraged for the affordable housing as this can cause management issues and incurs service charges which can affect the affordability of units for tenants.
- Although East Northants Council does not operate a preferred list, we do have to approve the Registered Provider and we can provide contact details of Registered Providers who are either interested in or have experience of delivering affordable housing in this area. We would advise, if not done so already, that a Registered Provider be identified at an early stage.

6.12 East Northamptonshire Council - Planning Policy

Comments received 06.04.2020:

No Objection

This Planning Policy representation provides a response to an outline application for new residential development at Hillside, to the north of Brick Kiln Road, Raunds. It is considered that the release of this brownfield site for residential development would be appropriate, given the current function of the site and the predominantly built / residential character of the surrounding area.

Potential concerns about the proposals have been considered; around development density and whether the proposal would represent further expansion of the established Raunds urban area into its surrounding rural hinterland. However, this assessment concludes that neither of these issues represent a substantive reason for a Planning Policy objection to the principle of releasing the application site for residential development.

Further clarification received from Andrew Longley (Head of the North Northamptonshire Joint Planning and Delivery Unit) and Michael Burton (Principal Planning Policy Officer):

At paragraph 6.2 of the Committee report, Raunds Town Council has objected to the application proposals on a number of grounds, including an argument that as the Council’s Local Plan housing requirement (1,060 dwellings over the period 2011-2031) has been met there is no requirement for further housing to be permitted as Raunds has taken its share of housing land. In response, the following points should be noted.

1. JCS Policy 29/ Table 5 sets minimum housing Nos that must be provided for in line with the spatial strategy. This guides allocations in Part 2 Local Plans and Neighbourhood Plans but does not preclude higher Nos being accommodated at the Growth Towns and Market Towns if other development plan policies are complied with. This has been the case in other North Northamptonshire Market Towns such as Burton Latimer and Desborough where commitments significantly exceed JCS requirements;

2. The element of the Raunds Neighbourhood Plan (NP) that refers to housing requirements is a discussion of locally identified issues. This concludes that, given existing commitments, Raunds has taken its “share” of housing and there is no need for the NP to identify additional land for housing. It states that no brownfield sites would be allocated, and that future residential development should be restricted to infill sites or town centre redevelopment. Based on this, the NP does not allocate further housing sites
but the Plan does not preclude additional previously developed land within the existing built up area coming forward.

3. It would therefore be difficult to sustain a refusal of a relatively small development on (what is described in your report as) a mostly brownfield infill site in a Market Town, unless there are physical constraints/ infrastructure deficits or other site/ scheme specific planning grounds to justify this.

6.13 Northamptonshire County Council - Archaeological Advisor

Comments received 09.04.2020:

No objection subject to condition for an archaeological programme of works

6.14 Northamptonshire Fire and Rescue

Comments received 23.03.2020:

In response to the above application Northants Fire and Rescue Service would make the following comments:

The minimum width of the roads should be 3.7m.

Any turning circles between kerbs should be 15.7m

The road carrying capacity should be a minimum of 15 tonnes to accommodate a Northants Fire and Rescue Service pumping appliance.

Access to the furthest point of any building from the road should be no more than 45m.

6.15 Environment Agency

Comments received 14.04.2020:

We have reviewed the Ground Investigation Report (ref: STR4902) dated March 2020, with regard to the risk posed to controlled waters only. The previous use of the site presents the potential risk of contamination to be present at the site. However, based on the available information, the site is underlain by Till deposits comprising low permeability clay, further underlain by the Oxford Clay bedrock. As such, we consider the site to be in an area of low sensitivity for groundwater and we consider the site to pose a low risk to controlled waters.

Environment Agency position

We have no objection to the application.

Information for applicant:

Land contamination: risk management and good practice

We recommend that developers should:

1. Follow the risk management framework provided in 'Land contamination: risk management' when dealing with land affected by contamination.
2. Refer to our Guiding principles for land contamination for the type of information
that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health

3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed

4. Refer to the contaminated land pages on gov.uk for more information

6.16 Natural England

Comments received 24.03.2020:

SUMMARY OF NATURAL ENGLAND’S ADVICE
DESIGNATED SITES [EUROPEAN] - FURTHER INFORMATION REQUIRED

The proposal is within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), and therefore is expected to contribute to recreational disturbance impacts to the bird populations for which the SPA has been notified.

Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document.

Notwithstanding this, Natural England’s advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site’s conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Further Comments received 09.11.2020:

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 24 March 2020

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following considerations are relevant to the
determination of this application:

- Principle of development
- Design and visual impact in relation to the street scene
- Impact on neighbouring amenity
- The effect on highway safety and parking
- Flooding
- Ecology
- Other issues

Principle of Development

7.2 Raunds is classified as a ‘Market Town’ in the JCS. Policy 11 (1b) of the JCS sets out the spatial strategy for the area. It states that the ‘market towns will provide a strong service role for their local communities and surrounding rural areas with growth in homes and jobs to support regeneration and local services, at a scale appropriate to the character and infrastructure of the town’.

7.3 The proposal represents brownfield development on the periphery of the Raunds urban area. It is accepted that while the site does have a small element of ‘greenfield’ land, it should nevertheless be regarded as predominantly brownfield / previously developed land with a number of large buildings occupying the site. It is considered that the release of this brownfield site for residential development would be appropriate, given the current function of the site and the predominantly built / residential character of the surrounding area. The site is not isolated and directly adjoins and forms part of the built up area of the town by virtue of its previously developed nature.

7.4 There are concerns raised by the Town Council because Raunds has already exceeded the quota allocated to it for housing within the JCS. Related to this, it is noted that the Neighbourhood Plan (‘made’ in 2017) advises of 1,058 dwellings having been approved within Raunds in recent years. There have also been a number of other permissions since this. However, whilst there is an allocation of 1,060 dwellings over the time period covered by the JCS (2011 to 2031) that is referred to in paragraph 4.9 of the Raunds Neighbourhood Plan, this is a minimum requirement. Exceeding this allocation is not grounds for refusing housing development that is otherwise acceptable. In addition, regard still needs to be had for the need to provide and maintain a supply of housing across the District, with Raunds being one of the most sustainable locations for new housing.

7.5 In considering the position of the site, it is necessary to consider whether it is within or outside of the built-up area. The site is mainly a brownfield site with a number of buildings and structures and adjoins newly developed housing along the western boundary and the settlement of Raunds on the southern boundary (Kelmarsh Avenue). Under outline planning application reference 18/01744/OUT permission was also granted consent for ten houses on the basis that it represented small-scale infilling with development adjoining it on two sides; constituting a material planning consideration to this proposal. It is therefore considered that the site is located within the built up area of the town.

7.6 The application site is considered to make efficient use of developed land. Policy 6 of the Core Strategy supports the delivery of development through the re-use of suitable developed land and buildings within the urban areas. Redevelopment of the site would result in environmental benefits through the removal of the existing sheds which are visually detractive. Redevelopment of the site will thereby provide benefits to the residential amenity of the existing properties along Kelmarsh Road through the removal
of the large sheds and delivering 30% affordable housing alongside other contributions secured via a Section 106 agreement. The proposal is therefore considered to be acceptable in principle and in accordance with policies 6, 8, 11 and 30 of the North Northamptonshire Joint Core Strategy (2016) and policies R1 and R2 of the Raunds Neighbourhood Plan 2011 – 2031 (2017).

**Design and Visual Impact**

7.7 As the application is outline with all matters reserved, details of the proposal are not for determination. Nevertheless, the proposal would inevitably change the character of the site through the construction of up to 21 dwellings. It is therefore a material consideration as to whether the visual impact of the development would be acceptable.

7.8 The gross developable area of the site is specified in the application form as 0.94ha. The development of 21 dwellings on this site would equate to 22 dwellings per ha. 21 dwellings per ha is significantly lower than the JCS standard density; 35 dwellings per ha at 85% developable area. However, it is also noted that the net developable area of the site reduces 0.84ha, given that the scheme proposes the retention of the existing dwelling ('Hillside'), equating to a net density of 25 dwellings per ha. This compares to 28 dwellings capacity, if the JCS standard is applied. It is considered that the reduced density is appropriate for the peripheral built up location and gives opportunity for more spacing and landscaping on the edge of the settlement.

7.9 An indicative layout has been prepared to support the application. It shows that up to 21 homes can be appropriately accommodated on the site, whilst attaining a high level of residential amenity. The existing dwelling which faces Brick Kiln Road is to be retained in order to maintain the existing street scene. It is acknowledged that the layout is far from ideal with parking arrangements in particular being rather contrived, however it is considered that the detailed layout of the scheme can be addressed at the reserved matters stage.

7.10 Paragraph 127 of the NPPF and Policies 3 and 8 of the North Northamptonshire Joint Core Strategy expect developments to be designed sympathetically and in keeping with their surroundings, in terms of the detailed design, landscaping and the resultant curtilage size. In terms of appearance, the site is currently commercial in nature with a mixture of large untidy buildings that provide an unattractive edge to the settlement and a poor outlook for the properties on Kelmarsh Road. The redevelopment of the site to housing provides an opportunity to harmonise the site with the housing development to the west and create a more attractive built form upon the site. It is considered that the proposal would be an enhancement to the character and appearance of the area would be beneficial. The materials proposed at this stage are considered to be appropriate and accord to the surrounding development, nonetheless, to ensure a high quality development all material details and detailed appearance would be agreed at the reserved matters stage.

7.11 Considering the existing context of the site (large buildings and untidy site) and the potential for enhanced landscaping along much eastern and northern edges of the site, it is considered that 21 dwellings could be accommodated on the land without any visual detriment to the character of the area. An objection has been received by a neighbour stating that the proposal involves the loss of landscape and that properties Nos. 9 and 10 Kelmarsh Avenue will have houses up against their boundary fence, in response the vast majority of the site is industrial in nature and the proposal is considered to compliment the existing housing to the west. In terms of the placement of dwellings close to the boundary of neighbouring properties, the proposal is outline only and the location of the dwellings will be agreed at the reserved matters stage.
7.12 By virtue of the location of the site and the brownfield nature of the proposal, it is considered to have no significant adverse impact upon the existing character of development, upon the Brick Kiln Road development, or cause any harm to the wider area. It is considered that the changes to the appearance of the site would be an enhancement to the existing situation and provide an opportunity for more efficient use of a building within the confines of the built up area. The proposal is considered to result in a minimal loss of openness given the nearby buildings and the existing situation on site. Accordingly the proposal is considered to preserve the character and appearance of the area in accordance with the NPPF (paragraph 127) and Policies 3 and 8 of the North Northamptonshire Joint Core Strategy (2016).

Residential Amenity

7.13 The NPPF and policy 8 of the Joint Core Strategy (2016) seek to protect amenity of neighbouring users. The policy also seeks to ensure residential amenity is not harmed as a result of development; the NPPF within the core principles states that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".

7.14 The proposal would remove the industrial large buildings from the site and replace them with up to 21 dwellings of a sympathetic design, and form and would have an improved relationship with the neighbouring properties; therefore no significant additional impact is identified.

7.15 In terms of the relationship with neighbouring properties, the redevelopment of the site would result in environmental benefits through the removal of the existing sheds which are visually detractive. The proposal will thereby provide a substantial benefit to the residential amenity of the existing properties. This is considered to create a better place in which to live and help make development acceptable to communities in accordance with paragraph 124 of the NPPF. The proposal would remove the unneighbourly industrial site from the back of the properties on Kelmarsh Avenue and replace it with a housing that can be designed in a way to compliment the existing housing development. The submitted layout plan is indicative and would be secured at the reserved matters stage, however it is considered that there would be no significant impact upon the private residential amenity of any neighbouring dwellings. An objection was received stating that the scheme would generate noise and air pollution; it is however considered that other than during the construction phase, when there would likely be some limited disturbance, the use of the site for residential purposes would have less of an impact in terms of noise and air pollution than the existing industrial use.

7.16 A further representation was received stating that the local schools and doctors surgery are nearing or are at capacity. In this instance financial contributions would be secured via the Section 106 agreement to mitigate against the impact of development.

7.17 Policy 30 of the North Northamptonshire Joint Core Strategy requires that new developments provide a sustainable housing mix. The illustrative scheme provides a mix of housing types geared toward delivering properties suited to small to medium sized families. At this stage, it is important to recognise that the planning application is outline in nature, and the final housing mix can be agreed with the Council under a Reserved Matters application at a subsequent stage. 30% of the total housing delivery on the site will be affordable in accordance with Policy 30d of the Core Strategy. This would be secured through a Section 106 Agreement.
7.18 The indicative site layout has been prepared to demonstrate that development of the site is achievable and minimises any risk of overshadowing or overlooking of either existing or proposed dwellings. Each property achieves a good level of private amenity space with generous rear gardens provided. Therefore, the proposal complies with the requirements of Policy 8 of the Joint Core Strategy.

7.19 Overall the proposal is considered to have no significant detrimental impact upon neighbouring amenity and is therefore in accordance with the NPPF (Paragraph 127) and Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

Highway Safety and Parking

7.20 The proposed development seeks to provide a revised point of access onto Brick Kiln Road. This then branches off to the various properties' driveways. Appropriate visibility splays of 120 metres are being demonstrated in accordance with the 40mph speed limit and can be achieved in both directions. All road works will be completed to an adoptable standard.

7.21 The proposed parking spaces would be 2.5m x 5m in size. The proposed access road is 5.5m in width with a 2m wide footpath through the development. The relocation of the current vehicular access through the site, to the western side of the retained dwelling (Hillside Cottage), is considered to represent an improved highways relationship to the junction of Mallows Drive and accords with nationwide guidance contained within the manual for streets with a 40 metre junction spacing taken from the nearside channel of the access at Kelmarsh Avenue as per the LHA request. This spacing enables a more attractive entrance into the proposed site by providing a soft verge adjacent to the retained house.

7.22 A Highway Impact Statement supports this application and should be read in conjunction with the Planning Statement. The parking arrangements on the illustrative layout are indicative. Parking arrangements will be confirmed at Reserved Matters stages. However, comments regarding proposed tandem parking are noted and whilst Highways guidance does not necessarily support the use of tandem parking, this is not considered to be a reasonable justification to refuse planning permission.

7.23 A footpath would be provided to connect the site to pedestrian crossings over Brick Kiln Road. The footways and pedestrian crossings will be secured via condition to ensure that safe pedestrian access can be made from the site towards the town centre.

7.24 The Local Highway Authority has confirmed that they have no objection to the proposal, including the junction spacing as long as the visibility splay envelopes are not impeded by vehicles waiting at either junction. The planning application has been amended to ensure that a 40 metre distance is now provided between the nearside channel of Kelmarsh Avenue and the new access.

7.25 It is considered that the proposal results in a betterment to the highways safety on Brick Kiln Road given the existing use and the fact that commercial activities could commence unrestricted on the site. The proposed housing development would result in a net reduction of 102 fewer vehicle movements from the site. Furthermore the junction spacing is considered to be an improvement to the existing situation with the LHA confirming that the staggered spacing is a betterment to highways safety. In this regard the proposal is therefore considered acceptable as it improves the current highways situation and is far safer than the worst case scenario of the commercial / industrial site with its existing access position.
7.26 The specific details of the junction, including the footways, crossing and dimensions, will be subject to technical audit and approval under a 278 agreement. The proposal is therefore deemed to provide suitable and safe access (subject to confirmation from the Local Highway Authority in regards to the visibility spaay technical audit assessment) that would be similar in nature to the surrounding development (Kelmashor Avenue) and would also provide sufficient parking in accordance with the guidance contained within the Local Highway Authority Standing Advice for Local Planning Authorities.

Flooding

7.27 The application site is in Flood Zone 1, which means it has a low probability of flooding. A Flood Risk Assessment and Drainage Strategy have been undertaken to support the application and an appropriately sized attenuation pond is provided to form an attractive entrance feature to the site, whilst reducing the risk of flooding. The Lead Local Flood Authority has assessed the application and have no objection subject to conditions. The proposal is therefore considered acceptable and complies with Policy 5 of the North Northamptonshire Joint Core Strategy 2016.

Ecology

7.28 Policy 4 of the North Northamptonshire Joint Core Strategy 2016 requires all development to safeguard existing biodiversity. The site is located within 3km of the Upper Nene Valley Gravel Pits Special Protection Area and as such a mitigation fee is required to provide for mitigation against any harm caused as a result of the proposal. This SPA payment will be secured within the proposed Section 106 Agreement.

7.29 The submitted Ecological Assessment concluded that no further surveys were deemed appropriate / necessary to provide a fuller evaluation of the proposed development at this stage. The Assessment recommends that boundary hedgerows be retained with mitigation measures applied to safeguard them during the development.

7.30 No protected or notable species will be negatively impacted if appropriate precautions and mitigation measures are followed. A method statement will be required for great crested newts during operations, and for the removal of the cotoneaster, a Schedule 9 species under the Wildlife and Countryside Act. These would best be incorporated into a CEMP along with the general mitigation measures outlined in the Ecological Assessment. Although limited due to the nature of the site and the proposals, there is some potential to provide biodiversity enhancements as a result of development. This can be secured by the use of an appropriately worded condition.

7.31 The proposal would have a neutral impact upon biodiversity, therefore the proposal is considered to be in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy 2016.

8 Other Matters

8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

8.2 National Space Standards: Policy 30 of the JCS sets out that the mix of house types within a development should reflect the need to accommodate smaller households with an emphasis on the provision of small and medium sized homes with 1-3 bedrooms. The proposal would achieve this in providing a good mix of 2, 3 and 4 bedroom dwellings (exact mix to be agreed at reserved matters stage). Policy 30 also goes on to state that the internal floor areas of all new dwellings must meet the National Space Standards as a
minimum in order to provide residents with adequate space for basic furnishings, storage and activities. The proposed dwellings would be able to meet the National Space Standards.

8.3 S106 Planning Obligations: Northamptonshire CCGs / NHS have not requested any contributions towards primary healthcare at the time of writing the report. If a request is received prior to the completion of the S106, it will be incorporated into the legal agreement.

8.4 Northamptonshire County Council has requested educational contributions of £72,242 for primary education, £80,791 for secondary education and £4,735 for libraries. The County Council has asked to be re-consulted prior to the drafting of the Section 106 legal agreement for an up to date contribution figure in regards to early years education. The applicant is aware of this requirement.

8.5 In line with Policy 30 of the North Northamptonshire Joint Core Strategy, 30% affordable housing provision will be secured in the Section 106 legal agreement. The applicant is aware of this requirement.

8.6 The Strategic Access Management and Monitoring contribution for use by the Council for providing strategic access management and monitoring arrangements in relation to the Upper Nene Valley Gravel Pits Special Protection Area to mitigate any adverse significant effect arising from the development will be secured in the Section 106 legal agreement. The contribution equates to £269.44 per dwelling. This is in accordance with the North Northamptonshire Joint Core Strategy policy 4 and the Special Protection Area Supplementary Planning Document. The applicant is aware of this requirement.

8.7 The proposal is for more than 15 dwellings on a site larger than 0.42 hectares, therefore open space provision is required. The level of open space has been calculated using the emerging Local Plan which comprises documents from 2016 including an Open Space Study Assessment Report, an Open Space Study Standards Paper, a Playing Pitch Strategy Assessment Report and a Playing Pitch Strategy and Action Plan. The amount of open space required is 2065 square metres and would be secured via the Section 106 legal agreement. The applicant is aware of this requirement.

9 Conclusion / Planning Balance

9.1 In this instance the proposal is considered to make efficient use of developed land within the built up area of Raunds. Policy 6 of the North Northamptonshire Joint Core Strategy supports the delivery of development through the re-use of suitable developed land and buildings within the urban areas. Redevelopment of the site would result in environmental benefits through the removal of the existing sheds which are visually detractive whilst providing benefits to the residential amenity of the existing properties along Kelmarsh Road. The proposal is not considered to cause significant harm that would outweigh the economic, social and environmental benefits of the proposal, therefore given the current policy position, the proposed development is considered to be compliant with relevant national and local planning policy as:

- The principle of the development of this site for residential purposes is acceptable;
- The proposal would not have a harmful impact upon the character and appearance of the area;
- It would not have a significantly detrimental impact upon the amenity of neighbours;
- There are no overriding highways safety issues (subject to no objection from the Local Highway Authority);
- It would be acceptable in terms of flood risk;
- It would safeguard existing biodiversity;
- The properties would meet National Space Standards; and
- There are no other material planning considerations which have a significant bearing on the determination of this application.

10 **Recommendation**

10.1 **Recommendation 1**: That Planning Permission be GRANTED subject to there being no objection from the Local Highway Authority and the completion of a satisfactory Section 106 legal agreement by 22nd February 2021, (or other date to be agreed) which secures the obligations as set out in this report. Any Heads of Terms, which are not agreed at the time of the committee resolution, shall be delegated to the Head of Planning Services.

10.2 **Recommendation 2**: To delegate to the Head of Planning Services to REFUSE planning permission if there is a failure to complete a satisfactory Section 106 legal agreement by 22nd February 2021 (or other date to be agreed).

11 **Conditions**

1. Approval of the details of the Appearance, Layout, Scale and Landscaping of the site, (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

   **Reason**: The application is in outline only.

2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

   **Reason**: The application is in outline only.

3. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.

   **Reason**: The application is in outline only.

4. The development hereby permitted shall be carried out strictly in accordance with following plans received by the Local Planning Authority:

   - Site Location Plan – 6944 00 (11/03/2020)
   - Indicative Layout - 04 Rev B (04/11/2020)

   **Reason**: In order to clarify the terms of this consent and to ensure that the development is carried out as permitted.

5. The outline permission hereby approved grants consent for a maximum of 21 dwellings on the area outline in red on the submitted Site Location Plan (ref: 6944 00).

   **Reason**: In order to clarify the terms of this consent.

6. The details required to be submitted in accordance with Condition 1 above shall include full details of:

   - The materials to be used in the construction of the external surfaces
• Details of both hard and soft landscaping
• Details of boundary treatment
• Finished floor levels of all buildings and associated external ground levels

The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the first dwelling hereby approved and shall thereafter be retained and maintained in perpetuity.

**Reason:** To ensure the development is satisfactorily assimilated into the area in accordance with Policies 3, 4 & 8 of the North Northamptonshire Joint Core Strategy 2016.

7. Notwithstanding the submitted details as identified on drawing F19106/01 Rev D full details are to be submitted, as part of a Section 278 agreement (including, but not limited to, off site works in relation to footways, pedestrian crossings and relocation of the bus stop), to be agreed in writing by the Local Planning Authority prior to the commencement of development hereby permitted. Development shall thereafter be implemented in accordance with the approved details prior to the occupation of the first dwelling hereby permitted.

**Reason:** In the interests of highways safety.

8. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the Reports on Drainage Strategy rev B (7th May 2020) and Flood Risk Assessment rev A (01st March 2020) ref 62863 Prepared by PRP UK Ltd will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include;

i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures.
ii) Attenuation basins will accommodate 300mm residual uncertainty allowance from top water level for the 1 in 100 year plus 40% climate change storm event to top of bank.
iii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
iv) An impermeable area plan demonstrating 10% urban creep
v) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.

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

9. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls.
Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required.

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

10. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the Reports on Drainage Strategy rev B (7th May 2020) and Flood Risk Assessment rev A (01st March 2020) ref 62863 Prepared by PRP UK Ltd has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority. The report shall include:
   a) Any departure from the agreed design is keeping with the approved principles
   b) Any As-Built Drawings and accompanying photos
   c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
   d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
   e) CCTV confirmation that the system is free from defects, damage and foreign objects

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

11. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent environmental and amenity problems arising from flooding.

12. No development of any phase shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority for each that phase. The CEMP (Biodiversity) shall include the following:
   a) Risk assessment of potentially damaging construction activities.
   b) Identification of "biodiversity protection zones".
   c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
   d) The location and timing of sensitive works to avoid harm to biodiversity features.
   e) The times during construction when specialist ecologists need to be present on site to oversee works.
   f) Responsible persons and lines of communication.
   g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
   h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure that the development does not result in any harm to protected species or designated sites.
13. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) fieldwork in accordance with the agreed written scheme of investigation;
(ii) post-exavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
(iii) completion of post-exavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 199.

14. No demolition or construction work (including deliveries to or from the site) 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.

15. There shall be no burning of any material during construction, demolition or site preparation works.

Reason: To minimise the threat of pollution and disturbance to local amenity

16. During the demolition and construction phases the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site. The developer shall provide and use suitably covered skips and enclosed chutes, or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.

Reason: To ensure the protection of the local amenity throughout construction works

17. The development hereby permitted shall not be commenced until an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site has been submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate.
18. Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.

**Reason:** To ensure site remediation is carried out to the agreed protocol.

19. On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

**Reason:** To provide verification that the required remediation has been carried out to the required standards.

20. If, during development, contamination not previously considered is identified, then the LPA 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 with the LPA.

**Reason:** To ensure all contamination within the site is dealt with.

21. Prior to the first occupation of the residential units hereby permitted, measures shall be implemented to limit water use to no more than 105 litres / person / day (plus 5 litres / person / day external water use).

**Reason:** As this is an area of water stress and to accord with Policy 9 of the North Northamptonshire Joint Core Strategy.

12 **Informatives**

1. The details pursuant to conditions 7, 9, 12 and 13 are required prior to the commencement of development because it is critical to the material considerations of the scheme. The development would not be acceptable without these details being first approved.

2. Please note that an application is required to discharge any conditions that require the Local Planning Authority to consider further information, including the conditions specified above. This may take up to eight weeks and requires a fee. More information can be found at [www.east-northamptonshire.gov.uk](http://www.east-northamptonshire.gov.uk)


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

5. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
6. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
## Appendix 1 – Heads of Terms

<table>
<thead>
<tr>
<th>Developer contributions set out in SPD/requested by consultees</th>
<th>Proposed by applicant</th>
<th>Agreed Heads of Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Early Years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Request by NCC</td>
<td>As requested</td>
<td>Awaiting (to be updated once received)</td>
</tr>
<tr>
<td>None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Primary Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Request by NCC</td>
<td>As requested</td>
<td>As per request.</td>
</tr>
<tr>
<td>£72,242</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Secondary Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Request by NCC</td>
<td>As requested</td>
<td>As per request.</td>
</tr>
<tr>
<td>£80,791</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Library</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Request by NCC</td>
<td>As requested</td>
<td>As per request.</td>
</tr>
<tr>
<td>£4,735</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Affordable Housing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JCS Policy 30 sets 30%</td>
<td>As requested</td>
<td>As per request</td>
</tr>
<tr>
<td></td>
<td><strong>Open Space</strong></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>6</td>
<td>Open Space SPD sets a requirement for: Total open space requirement – 2065 square metres</td>
<td>As requested</td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Transport</td>
<td>None</td>
</tr>
<tr>
<td>9</td>
<td>The Strategic Access Management and Monitoring contribution (SPA mitigation) Total: £5,658.24</td>
<td>As requested</td>
</tr>
</tbody>
</table>

Note – contributions may be indexed linked, therefore actual sums required may vary.
### Appendix 2: Habitat Regulations Appropriate Assessment

**Habitat Regulation Assessment (HRA)**
**Screening Matrix and Appropriate Assessment Statement**

**PLEASE NOTE:** Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations, however, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

<table>
<thead>
<tr>
<th>Application reference:</th>
<th>20/00347/FUL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application address:</td>
<td>Hillside</td>
</tr>
<tr>
<td></td>
<td>Brick Kiln Road</td>
</tr>
<tr>
<td></td>
<td>Raunds</td>
</tr>
<tr>
<td></td>
<td>Northamptonshire</td>
</tr>
<tr>
<td>Application description:</td>
<td>Residential development for up to 21 dwellings and access (with all matters reserved except Access)</td>
</tr>
<tr>
<td>Status of Application:</td>
<td>Recommending Approval</td>
</tr>
<tr>
<td>Proximity to SPA:</td>
<td>Within 3km</td>
</tr>
</tbody>
</table>

**Lead Planning Officer:** Peter Baish

<table>
<thead>
<tr>
<th>Stage 1 - details of the plan or project</th>
</tr>
</thead>
<tbody>
<tr>
<td>European site potentially impacted by planning application, plan or project:</td>
</tr>
<tr>
<td>Is the planning application, project or plan directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?</td>
</tr>
<tr>
<td>Are there any other projects or plans that together with the planning application being assessed could affect the site (Applicant to provide details to allow an ‘in combination’ effect to be assessed)?</td>
</tr>
</tbody>
</table>

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avoidance and mitigation measures are in place

Stage 2 - HRA screening assessment

Test 1: the significance test – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA.

Conclusion on the need for a full Habitats Regulations Assessment (Appropriate Assessment) (has evidence shown there is a need for a full HRA?) Yes

The application is for development resulting in a net gain in residential units within 3km (linear distance) of the SPA. The HRA for the North Northamptonshire Joint Core Strategy identified that the ‘in-combination’ impact of proposals involving a net increase of one or more dwellings will have an adverse effect on the integrity of the SPA unless avoidance and mitigation measures are in place; therefore a contribution from each new dwelling is required to meet the Regulations.

The ruling by the Court of Justice of the European Union on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17) requires development relying on mitigation to no longer be considered at the screening stage but taken forward and considered at the appropriate assessment stage. Therefore as the application requires mitigation it will need to be considered at the appropriate assessment stage.

(If yes, continue to Stage 3; if no, continue to Stage 4).

Stage 3 - HRA – Appropriate Assessment

Test 2: the integrity test – If there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long term management, maintenance and funding of any solution.

A mitigation strategy is set out in the SPA SPD to avoid and mitigate likely significant effect on the Upper Nene Valley Gravel Pits SPA by securing financial contributions towards Strategic Access Management and Monitoring (SAMM) and/or other suitable infrastructure. This would reduce the adverse impact of people visiting the SPA through specific measures and monitoring.

The financial contribution is to be secured via the Section 106 legal agreement. This provides the necessary mitigation.

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

Conclusion:
Development in the area surrounding the Upper Nene Valley Gravel Pits SPA could lead to increased public access for recreation, e.g. from dog walking, which in turn can lead to disturbance of the notified bird populations and impacts to the ability of birds to use the site for feeding and roosting.
It is considered that if there are satisfactory mitigating measures put into place the development would be considered to be acceptable. The applicant has agreed to make the relevant payment. This provides the necessary mitigation.

Natural England Officer:

Summary of Natural England’s (NE) comments:

Comments received 23.03.2020

DESIGNATED SITES [EUROPEAN] – FURTHER INFORMATION REQUIRED

The proposal is within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), and therefore is expected to contribute to recreational disturbance impacts to the bird populations for which the SPA has been notified.

Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document.

Notwithstanding this, Natural England’s advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site’s conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).
Case Officer: Gavin Sylvester

Consultor: Augean South Ltd

Location: East Northants Resource Management Facility, Stamford Road, Kings Cliffe, PE6 6XX.

Proposal: Development Consent Order - Pre-Application Consultation from Augean South Ltd, for an extension in the area and life of the East Northants Resource Management Facility (ENRMF) including an extension to the west of the existing landfill site (comprising active hazardous waste and low level radioactive waste (LLW) landfill) and increasing the throughput of the waste treatment facility ("Proposed Development") at the East Northants Resource Management Facility, Stamford Road, Kings Cliffe, PE6 6XX.

This purpose of this report is to recommend that East Northamptonshire Council gives its views to Augean South Ltd, on its proposals for an extension in the area and life of the East Northants Resource Management Facility (ENRMF) including an extension to the west of the existing landfill site (comprising active hazardous waste and low level radioactive waste (LLW) landfill) and increasing the throughput of the waste treatment facility at the ENRMF, Stamford Road, Kings Cliffe.

1 Summary of Recommendation

1.1 The Committee is recommended to note the content of this report and to authorise the Head of Planning Services to respond to Augean South Ltd (ASL) Development Consent Order Pre-Application Consultation, requesting that ASL provides in its DCO application to the Secretary of State the following information:

(i) justification for the significantly increased land levels proposed by the restored landform, and;

(ii) 3D photomontages showing accurately the appearance of the proposed restored landform from the viewpoints identified in ASL Landscape and Visual Impact Assessment to allow the visual impact of the proposed restored landform to be properly assessed.

1.1 ASL operates an existing landfill site and waste treatment facility (known as the East Northants Resource Management Facility (ENRMF)) at Stamford Road, Kings Cliffe PE8 6XX. The existing ENRMF site operates under a Development Consent Order (DCO) granted in 2013 by the Secretary of State and comprises an active hazardous waste and low level radioactive waste (LLW) landfill site together with a waste treatment and recovery facility. The LLW which may be accepted at the ENRMF is waste that contains very small amounts of radioactivity (up to a maximum specific activity of 200Bq/g). The waste typically deposited is construction and demolition waste such as soils, crushed concrete, bricks and metals from decommissioning nuclear power plant buildings and infrastructure, or from manufacturing activities, science and research facilities and hospitals where radioactive materials are used.
1.2 ASL will apply to the Secretary of State for a Development Consent Order (DCO) to extend the land area of the landfill to include agricultural land immediately west of the existing site and to extend the 'life' of the ENRMF from 2026 to 2046.

1.3 The principal elements of the proposals are described by ASL as:

- The construction by excavation of new landfill void (hole) for the disposal of hazardous wastes and Low Level Radioactive Waste (LLW) to the west of the currently operated site.
- Continuation of filling of the existing ENRMF landfill with hazardous waste and LLW and the creation of new void within the current site in order to create a cohesive restoration profile with the proposed extension area.
- The waste that is disposed of directly into the landfill will continue at the present rate of up to 150,000 tonnes per annum.
- Due to improved techniques to treat, recover and reuse waste materials an increase to the throughput to the waste treatment and recovery facility up to 250,000 tonnes per annum (an increase of 50,000 tonnes per annum).
- The continued disposal of LLW which will be limited to the lower activity end of the range of wastes classified as LLW which typically has a level of radioactivity of up to 200 Bq/g.
- The operational hours of the site will not change from those already permitted, which are restricted to the hours of 07.00 and 18.00 on Mondays to Fridays and 07.00 and 13.00 on Saturdays. No such operations may be carried out on the site on Sundays or public holidays, except that on public holiday between the hours of 07.00 and 18.00, the following activities may be carried out— the delivery of up to 10 loads a day of air pollution control residues; the processing in the stabilisation plant of those residues; and the stockpiling and management of the processed residues within the soil treatment facility.
- Completion of the landfilling and restoration of the site to nature conservation purposes with public access by December 2046.

1.4 ASL's proposals at the ENRMF are classified as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 and consent, if granted, must be granted by the Secretary of State in the form of a DCO. ASL will submit the DCO application to the Planning Inspectorate (PINS) rather than to Northamptonshire County Council or the future North Northamptonshire Council.

1.5 When making an application for a DCO, an applicant has a statutory duty to consult on the proposals and must follow a specific process of pre-application consultation with interested parties. For the purposes of the consultation a Preliminary Environmental Information Report (PEIR) has been prepared by ASL setting out the details of the current site and the surrounding environment, describing the proposed development and including the technical studies that have been undertaken to date to assess the potential environmental impacts associated with the proposed development. The PEIR is attached to this report.

1.6 ASL's consultation process has been designed to engage with those local communities who may be affected by the Proposed Development within the proposed consultation area, and these are as follows:

Villages nearest to the proposal

The villages nearest to the Proposed Development whose representatives participate in
the Kings Cliffe Liaison Group and whose residents and businesses have taken an interest in previous planning applications at the ENRMF. These villages are grouped as Zone A: Apethorpe, Barrowden, Blatherwycke, Bulwick, Collyweston, Duddington with Fineshade, Easton on the Hill, Kings Cliffe, Laxton, Nassington, Southwick, Tixover, Thorhaugh, Wakerley, Wansford, Woodnewton and Yarwell. Augean will publicise the consultation events by distributing the public information leaflet to all households and businesses within Zone A as well as to special interest groups, faith groups, schools, health and welfare providers. The events will be further publicised by ASL through electronic newsletters, posters, community publications, local newspaper advertisements, news media, social media and the company website.

Outlying villages

Outlying villages whose residents and businesses have taken an interest in previous planning applications at the ENRMF. These towns and villages are grouped as Zone B: Ailsworth, Ashton, Bainton, Barnack, Benefield, Castor, Cotterstock, Deene and Deenethorpe, Edith Weston, Elton, Fotheringhay, Glapthorn, Glaston, Gretton, Harringworth, Ketton, Morcott, Normanton, North Luffenham, Oundle, Sibson cum Stibbington, Seaton, South Luffenham, Southorpe, Stamford, Sutton, Tansor, Tinwell, Ufford, Upton, Warwington, Water Newton, Weldon, Wittering and Wothorpe. ASL will publicise the consultation events by distributing multiple copies of the public information leaflets to the Town Councils, Parish Councils or Parish Meetings as well as sending electronic copies of the leaflet to the clerks. The events will be further publicised by ASL through electronic newsletters, posters, community publications, local newspaper advertisements, news media, social media and the company website.

1.7 ASL as applicant for a DCO is required to take into account any relevant responses received during its statutory pre-application consultation. The Planning Inspectorate will subsequently examine the application and will make a recommendation to the Secretary of State, who will make the decision on whether to grant or to refuse development consent.

1.8 The Local Planning Authority will play a vital role in the examination of the application and is automatically registered as an Interested Party and will be invited to submit a Local Impact Report giving its objective views on the potential impacts of the scheme and evidence about the characteristics of the area.

1.9 North Northamptonshire Unitary Authority will be the Local Authority by the time ASL’s DCO application is submitted to the Planning Inspectorate, which is expected to be submitted in Quarter 2 of 2021.

1.10 ASL’s pre-application consultation is therefore an opportunity for East Northamptonshire Council to give its views on the proposed DCO application. As part of this process ENC has done its own consultation seeking views from the following internal and external consultees:

- ENC Environmental Protection Team
- ENC Tree and Landscape Officer
- ENC Conservation Officer
- ENC Planning Policy Team
- NCC Minerals and Waste Planning Team
- Kings Cliffe Parish Council
- Collyweston Parish Council
- Easton on the Hill Parish Council

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1.11 The purpose of this report is to raise awareness with Members of ASL’s proposals and the DCO process; give a summary of the potential impacts of the proposals; and to recommend that East Northamptonshire Council gives its views to ASL for them to be taken into account when submitting its application to the Secretary of State.

2.0 ASL’s Preliminary Environmental Information Report (copy in appendix to this report).

2.1 ASL says there is a clear need for a fit-for-purpose site for the landfill disposal of LLW from both the nuclear and non-nuclear industries in a central location that will contribute to the national need for capacity to address the identified shortfall. No new hazardous waste landfill facilities have been developed in the south of the country since the proposals for the currently consented activities was authorised.

2.2 The Environment Agency is the regulator with responsibility for pollution control and for ensuring the safety of the public and the environment as a result of the proposed development. The Health and Safety Executive is responsible for overseeing the safety of the site workers. The Department for Transport is responsible for safety during transportation of waste.

2.3 ASL says that detailed investigations and assessments are being carried out of the potential effects of the development on people and the environment by technical specialists in a number of different areas. The results of ASL's assessments are reported in the Preliminary Environmental Information Report (PEIR) and those findings are presented here in summarised form under the following headings:

2.4 Potential impacts on human health: ASL reports how the potential impacts associated with the continuation of the operation of the consented and extended landfill and waste treatment and recovery facility to 2046 are similar to those for the current site operations but will be present over a longer time (from 2026-2046). The full and detailed risk assessments that will be provided with the Environmental Permit applications will be scrutinised by the Environment Agency. Environmental Permits will not be issued unless the Environment Agency is satisfied that the site can be operated safely and that the health of those living and working at or near the site is protected.

2.5 Ecology and biodiversity: The restoration scheme principles for the landfill follow those agreed for the current site, which were designed in discussion with the Northants Wildlife Trust in order to match their requirements for adoption as a Local Wildlife Site and to meet several of the Northamptonshire Biodiversity Action Plan habitat creation targets. ASL say that with planned avoidance, protection and mitigation measures in place it is considered that there will be no significant adverse impacts on biodiversity throughout the operational stage of the proposed development and there will be a large positive net gain in biodiversity on completion of restoration.

2.6 Landscape and visual impacts: ASL says there will be no significant impacts on landscape features and character as a result of the proposed development during the mineral extraction, cell construction and infilling stages. The site location is generally visually enclosed. There may be partial distant views of the infilling operations in the southern part of the western extension area which might result in effects on the visual
amenity of the residents of Westhay Lodge. After the restoration stage the significance of any visual effects will be beneficial due to the restoration of the site and the establishment of woodland and scrub vegetation which will merge well with the adjacent woodland.

2.7 **Soil resources and agriculture:** As the site will be restored to nature conservation habitats it will not return the site to agricultural landuse. There will be a permanent loss of approximately 6 hectares of Grade 3a ‘best and most versatile’ agricultural land and a loss of approximately 20 hectares of lower quality Grade 3b agricultural land.

2.8 **Archaeology and cultural heritage:** There is no surviving archaeology within the existing ENRMF site as all areas of the site have been disturbed and were subject to previous investigation and recording. The preliminary conclusion is that the proposed development will have neutral, negligible or no significant effects on cultural heritage and archaeology.

2.9 **Flood risk assessment:** It is considered that based on the implementation of an effective surface water management plan the proposed development can be undertaken without increasing the risk of flooding at or in the vicinity of the site.

2.10 **Transport and traffic:** ASL reports that the assessment for the current site activities which was carried out to support the application for the current DCO, estimated that the average number of HGV vehicle movements associated with the combined activities that was assessed was 196 per day (98 movements in and 98 movements out). It was concluded in the extant DCO application that there would be no adverse impact on highway safety or capacity as a result of the operation of the landfill and treatment facility. ASL considers that provided the number of vehicle movements do not change significantly, this conclusion remains valid.

2.11 **Air quality:** The potential impacts of the proposed development on local air quality which have the potential to affect human health have been assessed by ASL. The potential impacts as a result of odour associated with the proposed development have also been assessed. The monitoring of air quality and gas in the ground at the site is undertaken routinely in accordance with the Environmental Permit to confirm that there are no significant adverse impacts. This will continue for the proposed western extension area. ASL considers that based on the proposed continuation of the current controls including those that will be specified and implemented through the Environmental Permits, and based on the nature of the current and proposed wastes accepted at the site there will be no significant impacts on air quality including impacts associated with odour as a result of the site activities.

2.12 **Amenity:** Dust emissions will continue to be controlled effectively as part of the proposed development using a range of control measures. The effectiveness of dust control will be confirmed through regular dust monitoring at locations on the boundary of the site as specified in the Environmental Permit. Based on the wheel cleaning facilities and the proposed cleaning and maintenance regime on the site and the adjacent Stamford Road, the risk of nuisance from the proposed development associated with mud and debris on the local road network is low. ASL consider there will not be an unacceptable impact on amenity as a result of the continued use of lighting as part of the proposed development.

2.13 **Noise:** Noise predictions have been made by ASL and the results of the preliminary noise assessment suggest there will be no significant or unacceptable adverse impacts at noise-sensitive premises in the vicinity as a result of the proposed operations. Noise control would be considered and regulated by the Environment Agency through an Environmental Permit.
2.14 **Socio economic impacts:** ASL says the proposed development provides the continued opportunity for a significant national and regional socioeconomic benefit by supporting the need of businesses and other activities for the safe treatment of wastes and the safe disposal of hazardous wastes and LLW. The continuation of activities at the site will result in a further significant positive contribution to the local economy and provide substantial financial support to the function of the local villages and to local community and educational activities.

3.0 **East Northamptonshire Council - Consultations**

3.1 As part of this process ENC has done its own consultation exercise and the following consultation responses have been received:

3.2 **Kings Cliffe Parish Council:**

Further to our previous parish council meeting we can confirm that we strongly object to these plans. However, should you proceed with these we would strongly insist an alternative entrance is put into place to manage the additional vehicle movement, maintenance and cleanliness of the road given the recent near misses and road repairs recently carried out.

3.3 **Northamptonshire County Council Minerals & Waste Team (incorporating the views of NCC Highways) has responded separately to ASL's consultation as follows:**

**Minerals and Waste Planning Policy:**

Northamptonshire County Council is the minerals and waste planning authority in which both the existing East Northants Resource Management Facility and the proposed new location to its west are sited. As the minerals and waste planning authority the council also has an up to date minerals and waste local plan, the Northamptonshire Minerals and Waste Local Plan (MWLP), adopted July 2017, and upon which significant weight needs to be given in determining the application.

As the adopted local plan for minerals and waste matters covering the proposed application site, the minerals and waste planning authority would therefore request that the application for the Development Consent Order references how the proposal both does and does not conform to the policies and general approach to waste disposal and to mineral extraction in the MWLP and if elements of the proposal do not conform to the MWLP how this should be addressed.

In particular the minerals and waste planning authority seeks the local plan policy justification for the following matters to be clearly set out:

- The winning and working of minerals in order to create the landfill void for disposal, particularly in respect of Policy 3 (Development criteria for mineral extraction) which paragraphs 4.60 and 4.61 on refractory minerals and clay specifically refers to. In relation to this references should also be made as to why other locations, including nearby in Peterborough in Augean's portfolio are not considered more appropriate rather than extracting a site for the sole purpose of it then being filled.
- How the amount of hazardous waste disposal meets the requirements of Policy 14 (Strategy for waste disposal) and Policy 15 (Development criteria for waste disposal) of the MWLP.
- How the amount of radioactive waste disposal meets the requirements of Policy
17 (Development criteria for radioactive waste management), Policy 14 (Strategy for waste disposal) and Policy 15 (Development criteria for waste disposal) of the MWLP.

- How the 50,000tpa increase in throughput of the waste treatment facility to 250,000tpa meets the considerations of Policy 10 (Northamptonshire's waste management capacity) and Policy 12 (Development criteria for waste management facilities) of the MWLP.
- How the combined waste importation rate limit to the waste treatment facility and landfill of 300,000tpa (an increase of 50,000tpa compared with the currently consented total input rate) meets the considerations of Policies 10 and 14 of the MWLP.
- Why when this proposal is effectively a new location to the west of the existing site that restoration to a generally domed restoration profile is considered appropriate.
- Why an amendment to the longstanding approved restoration profile of the existing ENRMF site is considered appropriate.
- Whether continuing operations by a further 20 years beyond the completion of the existing operational site (and which itself is still five years away) is appropriate and whether, as is the case with the existing permitted facility, there should be a fixed completion date.
- The current operations in relation to radioactive waste provide for funding to be made to the local communities in relation to amounts landfilled. Policy 25 (Implementation) in the MWLP supports this by including reference to proposals providing benefits to compensate the local community affected by the development. There should be consideration given as to whether this community benefit should be enhanced.

Highways:

Northamptonshire County Council as the Local Highway Authority note that the applicant intends to review traffic numbers associated with the currently consented activities at the site to determine whether there will be any significant changes to these flows as a result of the increase in size of the facility.

The applicant states that the probable average number of HGV vehicle movements associated with the combined activities that were assessed in relation to the previous consent was 196 per day (98 movements in and 98 movements out). Whilst the applicant states this figure is unlikely to change significantly as a result of this application we will need appropriate surveys and assessment to confirm this is the case.

To confirm due to the current COVID-19 pandemic obtaining traffic survey data for volumetric purposes is not permitted within Northamptonshire however we review matters frequently and seek to lift this measure once traffic levels are returned to near typical levels.

As noted by the applicant a full Transport Statement will be required to accompany the DCO application and prior we welcome a Scoping Note to agree the contents of this.

The current site access arrangements appear sub-standard. We will require confirmation of access width and radii with visibility splays shown on a scaled drawing. Vehicle tracking of the largest vehicles to enter site will also be required.

Improvements may be required for the junction of Stamford Road with the A47 subject to trip distribution information being provided.
A suitably worded condition covering collection vehicles using the site access to not travel to the South of the site access on Stamford Road towards the village of Kings Cliffe, unless they are delivering wastes collected locally will be required.

3.3 Owner of Collyweston & Easton Hornstocks Wood (adjoins the northern and eastern boundaries of the proposed application site):

Submits a copy of a letter sent to ASL objecting to the application for the following summarised reasons:

- The restoration profile of the land shows a high mounded land form (up to 21m high) with steep sides, presenting concerns over stability and drainage, and its incongruity in the landscape and overbearing impact on adjacent land.
- Increased traffic impacts and air quality.
- Odour from the current facility and the cumulative effects of the western extension to this nuisance need to be properly assessed.
- Disagreement over land ownership.

3.4 ENC Environmental Protection Team

No objection to this consultation. The ENC Environmental Protection Team has previously provided informative comments to assist Augean in assessing the impacts of the proposed development. The development would be regulated by the Environment Agency under an Environmental Permit. Air quality, noise and radiation will be controlled through the Environmental Permit.

4.0 East Northamptonshire Council - Officer Assessment

4.1 This pre-application enquiry provides East Northamptonshire Council with an opportunity to give its views to ASL on its proposals as applicant for a DCO. In turn, ASL is required to take into account any relevant responses received during its statutory pre-application consultation. A decision on the DCO application rests with the Secretary of State following examination of the application by the Planning Inspectorate. East Northamptonshire Council responded to the 2012 DCO application under ENC reference number 12/00555/EXT.

4.2 ASL's pre-application information and Preliminary Environmental Information Report contain some highly technical information on the potential impacts of the proposed development. Much of this information falls beyond the expertise of this Council. For example, impacts on biodiversity will be considered by nature conservation bodies. Impacts on the environment will be considered and regulated through Environmental Permits by the Environment Agency. Impacts on roads, highway safety and issues specific to minerals and waste planning will be considered by the County Council (whilst it exists). These consultees have had the opportunity to provide their views to ASL for consideration separately. The County Council's views are reported above.

4.3 Given the technical nature of much of the pre-application information, Officers consider that Members should focus their attention on the more subjective matter of the visual impact of the proposed 'domed' landform profile that is proposed to be created by infilling of the landfill void and its the restoration to neutral/calcareous grassland with ponds and woodland block planting. Drawings ENORTH028 and ENORTH029 (attached to this report) and taken from ASL's Landscape and Visual Impact Assessment show the Final
Restoration Plan and Restoration Cross Sections respectively. The Cross Sections through the proposed landform show that restoration of the landfill will see land levels increased in places by up to 20m above existing ground levels. This represents a significant permanent change in the topography of the site that is likely to be visible in the surrounding area. It is unclear why the proposed landform is significantly higher than existing ground level and requires justification.

4.4 ASL’s Landscape and Visual Impact Assessment (paras. 7.38 – 7.40) has assessed the impact of the proposed restoration landform as follows:

“7.38 - The restored site would be visible from various locations within the surrounding area, including a number of the representative viewpoints. The Proposed Development would create a larger restoration landform than currently permitted across the existing ENRMF site, although the restoration principles to be applied would be very similar. The views would comprise woodland blocks, scrubby planting areas and hedgerows with trees, all of which would extend across grassland slopes rising up to a level of 99m AOD”.

“7.39 - This would be similar to the views that would be available of the site if the approved restoration scheme were to be implemented, for many visual receptors to the east and southeast of the site”.

“7.40 Views of the restored site for residents at Westhay Lodge would occupy a larger proportion of the view to the northwest than would be the case with the approved restoration scheme for the existing ENRMF site. However, it is considered that the restored western extension area, specifically the southern part of this area, would visually integrate well with woodland within Fineshade Woods (The Assarts), to the rear of the restored landform. The proposed vegetation, once sufficiently developed, would be seen in conjunction with the woodland further to the northwest, in the same way as the proposed woodland and scrubby planting on the restored ENRMF site landform will be seen once the restoration works have been completed”.

4.5 Appendix A of the Landscape and Visual Impact Assessment contains Single Frame Views and Panoramic Context View photographs of the application site from 11 viewpoints. Whilst these viewpoint photographs are useful in showing the existing appearance of the site and the extent and position of the restored landform, they do not provide a visual representation of the proposed landform when seen from these viewpoints. Officers consider that 3D photomontages, showing accurately the appearance of the proposed landform from these viewpoints are necessary to allow the visual impact of the proposed restored landform to be properly assessed by the Council and other interested parties, and weighed against the need for the landform at its proposed height above existing ground level.

4.6 The Planning Inspectorate has previously advised ASL (via a Scoping Opinion) to “make effort to agree with relevant consultation bodies the need for a figure and/or pictorial 3-D rendering of the operational and reinstated development. The inclusion of which may give greater appreciation of the likely visual impacts and proposed mitigation”. Planning Officers concur with this advice.

4.7 It is therefore recommended that the Council should advise Augean that 3D photomontages showing accurately the appearance of the proposed restored landform from the 11 viewpoints in the Landscape and Visual Impact Assessment should be provided in its DCO application to Secretary of State. ASL has verbally agreed to provide the photomontages.
5 East Northamptonshire Council - Response to ASL

5.1 The Committee is recommended to note the content of this report and to authorise the Head of Planning Services to respond to ASL's Development Consent Order Pre-Application Consultation, requesting that ASL provides in its DCO application to the Secretary of State the following information:

(i) justification for the significantly increased land levels proposed by the restored landform and;

(ii) 3D photomontages showing accurately the appearance of the proposed restored landform from the viewpoints identified in ASL Landscape and Visual Impact Assessment to allow the visual impact of the proposed restored landform to be properly assessed.
PRELIMINARY ENVIRONMENTAL INFORMATION REPORT
NON TECHNICAL SUMMARY
FOR THE PROPOSED DEVELOPMENT CONSENT ORDER
APPLICATION FOR THE ALTERATION AND
CONSTRUCTION OF HAZARDOUS WASTE AND LOW
LEVEL RADIOACTIVE WASTE FACILITIES AT THE EAST
NORTHANTS RESOURCE MANAGEMENT FACILITY,
STAMFORD ROAD, NORTHAMPTONSHIRE

PINS project reference: WS010005

Report Reference: AU/KCW/LZH/1724/01/PEIRNTS
October 2020

MJCA
Technical advisers on environmental issues

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Introduction

Augean South Ltd (Augean) is the operator of the East Northants Resource Management Facility (ENRMF) in Northamptonshire (Figure NTS1). The ENRMF site is an established operational landfill site which accepts hazardous waste and low level radioactive waste (LLW). The site also includes an established waste treatment and recovery facility (Figure NTS2).

The facilities at ENRMF are an acknowledged part of the nationally significant infrastructure for the management of hazardous waste and LLW and as such it serves more than just a local need. The site receives wastes generated primarily in the centre and south of the UK. The need for specialist facilities to serve these areas of the country will continue beyond the currently consented operational period for the site which extends to 2026. The overarching purpose of this application and the proposed development is to continue to meet that established need beyond the consented life of the current site. It is important that the proposals satisfy all relevant legal, policy and regulatory considerations and that they make sure that people and the environment are properly protected in the short, medium and long term. The proposals also must be commercially viable and provide business security.

The ENRMF site is the subject of a Development Consent Order (DCO) which was granted in July 2013 and amended in June 2018. In order to secure continuity of its operations beyond the end date for the current consent of 31 December 2026, Augean is proposing to submit an application for a new DCO for an extension in the area and timescales for the operation of the site including an extension to the west of the existing site and increasing the throughput of the waste treatment and recovery facility. This document is part of a number of documents which are being provided to inform a consultation process before the application is finalised and submitted. It is anticipated that the application for the DCO will be finalised and submitted in late Spring 2021.

Augean is a leader in the specialist waste management sector. The company delivers a broad range of services across many nationally important areas for the safe and sustainable management of waste. The company specialises in the management of the UK’s more difficult to manage wastes including hazardous waste and low level radioactive waste.

Augean is carrying out an Environmental Impact Assessment (EIA) of the proposal. As part of this pre-application consultation a Preliminary Environmental Information Report (PEIR) has been prepared to explain the potentially significant
Key / Notes

- Approximate boundary of the area subject of the application for the Development Consent Order
- Boundary of Thornhaugh Landfill Site
- Approximate boundary of Collyweston Quarry
- Approximate location of a Site of Special Scientific Interest (SSSI)
- Approximate location of a Local Geological site
- Approximate location of a Local Wildlife Site
- Approximate location of a Regionally Important Geological Site
- Approximate location of a Site of Special Scientific Interest (SSSI) and a National Nature Reserve (NNR)

Figure NTS 1: The site location and designated sites in the vicinity of ENRMF
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<thead>
<tr>
<th>Key / Notes</th>
<th>Approximate route of water pipelines</th>
<th>Approximate route of an oil pipeline</th>
<th>Approximate route of overhead electricity cables</th>
<th>Redundant and closed MOD pipeline</th>
<th>Approximate location of a high pressure gas pipeline</th>
<th>Bridleways</th>
<th>Footpaths</th>
<th>Approximate route of a disused water pipeline</th>
<th>Approximate location of noise monitoring points</th>
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<td>Approximate boundary of Collyweston Quarry</td>
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<tr>
<td>The approximate area of the proposed extended waste treatment and recovery facility and storage area</td>
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Figure NTS 2: The proposed western extension area
impacts and benefits of the proposed development. The purpose of this consultation is to seek views on this information from the local community as well as prescribed statutory consultees. The PEIR presents the environmental information collected to date and provides an initial assessment of the likely significant environmental effects.

Once the assessment work is complete Augean will submit an Environmental Statement (ES) with the DCO application. The ES will report on the likely significant environmental effects of the proposals identified in the EIA, the appropriate mitigation measures to be put in place where necessary and any residual effects. There will be further opportunities for reviewing and commenting on the development proposals once the application has been submitted.

Augean has been operating at ENRMF for 16 years and has well established means of ongoing communication and consultation with the community local to the site through a site Liaison Group, circulation of periodic newsletters and regular open days. The company values the relationships that have been built with the local community and sees consultation and public engagement as a constant process. Augean intends for this pre-application consultation to be transparent, inclusive and accessible. The consultation details are set out in a Statement of Community Consultation which is available for review here https://www.augeanplc.com/enrmf-planning/

This document summarises in non-technical language the information in the PEIR. The details of where a copy of the complete report can be reviewed is provided at the end of this summary.

In the relevant sections of the PEIR the options and alternatives that have been considered during the process which led to the selection of the western extension area and the development of the current extension proposals are explained. This includes assessment of the suitability of the site location and the identification of the constraints which affect the design of the development. The consequent choices that have been made with respect to the design of the proposed operations, the containment engineering design, the restoration profile hence the void generated, the operational and management proposals and the design of the restored site are explained. The design parameters which are fixed at this stage are identified in the relevant sections of the report as are those which are subject to further refinement and where options are still being considered.

This consultation will provide an important opportunity for all consultees including the local community to engage and help inform aspects of the
design of the proposed development. Responses to the consultation will be taken into account before finalising the proposals and submitting an application for a DCO to the Secretary of State.

**Site location and description**

The application boundary for the development lies approximately 1.1km east south east of Duddington village and approximately 2km north north west of Kings Cliffe village at its closest points (Figure NTS1). The setting is generally rural with the majority of the land surrounding the site comprising open farmland or woodland.

The established ENRMF site comprises the active landfill site including restored and partially restored landfill areas together with the waste treatment and recovery facility and material stockpiles. A consented area for surface water management and a gas management compound including a flare stack is located in the north western corner of the current site. Site infrastructure including the site access, weighbridge and waste reception facilities, car parking areas, site offices, welfare facilities, storage areas, laboratories and wheel and vehicle body washing facilities are located in the south east area of the site (Figure NTS2). The site access and infrastructure will be retained for continued use with the proposed development.

The existing highway access to the ENRMF site is from Stamford Road which runs adjacent to the eastern boundary of the site from the A47 to the north. Waste delivery and collection vehicles using the site access are not permitted to travel to the south of the site access on Stamford Road towards the village of Kings Cliffe unless they are collecting wastes generated locally. Consented improvements to widen the site access are being implemented currently and will be in place within the next few months. The existing highway access to ENRMF will continue to be used for the proposed development.

The current landfill comprises 11 phases of landfilling which are being progressively extracted, engineered, filled, capped and restored. The waste treatment and recovery facility is located in the north western corner of the site and will be removed from the site prior to the development of the final phases of landfilling. The waste treatment and recovery facility comprises a series of storage silos, material feed hoppers, transfer conveyors and closed mixing vessels as well as storage areas for wastes awaiting treatment and for treated wastes awaiting removal.

The extension area lies to the west of the current landfill as shown on Figure NTS1 and Figure NTS3. The proposed western extension area currently comprises agricultural land with grassy margins. A hedgerow crosses the area
dividing it into two and there is a small area of young scrubby woodland in the south east corner of the northern area. The western extension is bordered by woodland and arable fields.

There are scattered properties within 1km of the application area. The closest properties to the application area are the properties at Westhay Cottages located approximately 25m to the east of the application boundary and 815m east of the proposed new landfill area. Westhay Farm is located approximately 75m east of the application boundary and is operated as a haulage yard and a farm with associated agricultural and commercial buildings. A cleared area in the centre of the woodlands located to the north of the existing site was used formerly by the Ministry of Defence for storage associated with the Wittering Airfield and now has permission for development as a storage and transport facility. The boundary of the operational training airfield at RAF Wittering and associated buildings and accommodation is located approximately 840m to the north north east of the application boundary at its closest point.

To the south of the application boundary is open agricultural land and the nearest property is Westhay Lodge located approximately 650m to the south of the current site boundary. The area of agricultural land to the south of the extension area is bordered to the south by woodland known as Little Wood (Figure NTS 3). To the west of the majority of the application boundary is woodland known as Fineshade Wood part of which is known as The Assarts and which is a Local Wildlife Site (Figure NTS2). A short length of the western boundary of the northern area is adjacent to agricultural fields. The northern boundary of the western extension area is formed of woodland with a field beyond in which a number of ponds have been created. The eastern boundary of the northern section of the western extension area is adjacent to Collyweston Great Wood. To the east and north east of the application area beyond Collyweston Great Wood and east of Stamford Road is an area of woodland known as Easton Hornstocks. Parts of the Collyweston Great Wood and Easton Hornstocks comprise a Site of Special Scientific Interest (SSSI) and a National Nature Reserve (NNR) (Figure NTS1).

Based on the Environment Agency Flood Map the application site is located in Flood Zone 1 which is defined as land having a less than 1 in 1,000 (ie low) annual probability of river or sea flooding.

No public rights of way cross the application area (Figure NTS2). Footpath MX15 which is located approximately 100m to the west of the boundary of the application area at its closest point runs in a north westerly and south westerly direction through The Assarts woodland and connects
into the wider public rights of way network. The Jurassic Way bridleway (NE12) is located approximately 845m to the west of the application area at its closest point (Figure NTS2).

There are a number of services in the vicinity of the western extension area including some which cross the site as shown on Figure NTS2. A mains gas pipeline runs parallel to the southern boundary of the existing ENRMF site and crosses the western extension area in an east to west direction. Overhead power lines run along the western boundary of the current landfill area before turning in a north westerly direction across the northern section of the western extension area. Two water pipelines cross the northern part of the southern section of the western extension area. There are also sections of redundant, closed out pipelines present in some parts of the site. An oil pipeline is located in the woodland to the east of the eastern boundary of the northern section of the western extension area.

The proposals

The main elements of the proposed development are summarised below:

- A proposal for a coherent landform for the restoration of the existing landfill and the proposed extension.
- The winning and working of minerals in the western extension area in order to create the new landfill void and provide extracted materials for use on site as well as the exportation of clay and overburden for use in engineering, restoration and general fill at other sites.
- The temporary stockpiling of clay, overburden and soils for use in the construction of the engineered containment system at the site and restoration of the site.
- The direct input of waste into the landfill will continue at a rate of up to 150,000 tonnes per annum (tpa).
- An increase to the waste throughput of the waste treatment and recovery facility to 250,000tpa which is an increase of 50,000tpa compared with the currently consented rate.
- A total waste importation rate limit to the site for both the landfill and the waste treatment and recovery facility and landfill of 300,000tpa which is an increase of 50,000tpa compared with the currently consented total input rate.
- The LLW which will continue to be disposed of at the ENRMF will be limited to that which typically has a level of radioactivity of up to 200 Bq/g.
- The diversion of some of the services that cross the western extension to alternative routes within the application area.
• The operational hours of the site will not change from those already permitted.
• Restoration of the whole site to generally domed profiles to create a coherent restored landform. The restored site will be planted with wildflower grassland interspersed with areas of scrub and trees. (Figure NTS4).
• Completion of the landfilling and restoration operations by December 2046. This is a provisional completion date that will be updated as part of the ongoing detailed design works and confirmed in the DCO application.

Need for the proposals

The site lies in the south eastern corner of the East Midlands region and is geographically close to the West Midlands, East of England, Greater London and South Eastern regions. Over 80% of the waste accepted at the waste treatment plant and over 95% of the waste accepted at the site for landfill disposal over the last five years originates from these five regions. The majority of the waste deposited in the landfill comprises residues from the on site treatment plant.

No new hazardous waste landfill facilities have been developed in the south of the country since the proposals for the currently consented activities was authorised. Based on the data on waste arisings there is a continuing need for the provision of a waste management facility for the treatment and disposal of hazardous waste able to serve the wastes arising in the West Midlands, East Midlands, East of England, South East and Greater London.

The ENRMF is centrally located for the wastes arising at the locations of the major LLW waste producers in the south and east of the country. The location of the site is well placed to serve the producers of LLW from the nuclear and non-nuclear industries. ENRMF will continue to provide a closer and more convenient alternative for the disposal arisings than the more distant alternative facilities in the north west. The need for a fit-for-purpose site for the landfill disposal of LLW from both the nuclear and non-nuclear industries in a central location that will contribute to the national need for capacity to address the identified shortfall. The site also serves to conserve the capacity of the highly specialised facility in the north west of the country which is designed to accept much higher activity LLW that that accepted at ENRMF.

There is a clear need also for the provision of continuity of waste treatment and recovery facilities to serve the West Midlands, East Midlands, East of England, South East and Greater London.
The continuing implementation of the hierarchy of waste management options means that the need for capacity for the treatment of hazardous and non-hazardous waste increases over time while the need for capacity for the direct landfill of waste is likely to decrease although the need for the landfill of residues will remain. The 2010 Strategy for Hazardous Waste Management and the NPS for Hazardous Waste recognise that for waste where there is no better recovery or treatment option landfill is the final end point.

The Government LLW policy recognises that for wastes that cannot be prevented, further minimised, diverted for recycling or re-used, final disposal is the end point for all LLW. The disposal of LLW is therefore the last option available to LLW producers where no other options are viable. There is a continuing need for LLW wastes which cannot be managed at a point higher in the waste hierarchy to be consigned for landfill disposal.

Environmental issues

Detailed investigations and assessments are being carried out of the potential effects of the development on people and the environment by technical specialists in a number of different areas. The preliminary results of the assessments are reported in the Preliminary Environmental Information Report (PEIR) and a summary of those findings is presented here.

The extensive control measures that form an important and integral part of the proposals to prevent or minimise the effects of the proposed development on the environment and people are described in the PEIR. In addition to a DCO, the operations at the site will be controlled through Environmental Permits which are regulated by the Environment Agency.

The Environment Agency is the regulator with responsibility for pollution control and for ensuring the safety of the public and the environment as a result of the proposed development, the Health and Safety Executive is responsible for overseeing the safety of the site workers and the Department for Transport is responsible for safety during transportation.

Potential impacts on human health

The potential for direct and indirect effects on the health of people living and working around the site has been assessed.

The nature of the activities and the wastes accepted at the site will not change significantly and, while they will take place over a larger area overall, the active area and intensity of operations at any one time will not be significantly different to the currently consented activities.
The potential impacts of non-radiological and radiological effects on people and the environment have been assessed as part of the process for granting the current DCO and Environmental Permits for the current hazardous waste and LLW landfill site and the waste treatment and recovery facility. The acceptability of the impacts associated with the non-radiological and radiological effects of the current activities at the current locations has been confirmed by the granting of these consents. The detailed risk assessments will be reviewed and extended as part of the applications for variations to the Environmental Permits for the site to extend them to include the western extension area and the proposed changes to the activities if a DCO is granted for the proposed development.

The principles of the design of the engineered containment and the leachate and gas management infrastructure of the landfill site will remain and will be extended to the proposed western extension area. The principles of the phasing of the landfilling and restoration activities will remain and will be extended to the western extension area. The methods of operation and control of the waste treatment and recovery facility will remain the same.

There are three essential elements to assessing risk associated with emissions:

- a contaminant source which has the potential to cause harm to human health or the environment;
- a receptor which in general terms is something that could be affected adversely by the contaminant such as people, a water body or an ecological system; and
- a pathway or route by which a receptor can be exposed to and affected by the contaminant.

Each of the elements can exist independently but a risk can be present only where they are linked together so that a contaminant can affect a receptor by a pathway. The identification of risk in this way is referred to as the source-pathway-receptor methodology and the linked combination of contaminant-pathway-receptor is referred to as a pollutant linkage or exposure pathway. In order to understand and assess the potential risks associated with a proposed development it is necessary to identify the potential exposure pathways associated with emissions from the facility and to assess the effects that may result from the identified exposures.

A number of possible pathways which might have the potential to expose people to contaminants which might affect their health have been identified and are assessed through risk assessments including for routine as well as unexpected events (accidents). The risk assessments demonstrate that the potential exposure pathways can be
controlled such that emissions remain below threshold limits that are set for the protection of people and the environment. The full and detailed risk assessments that will be provided with the Environmental Permit applications will be scrutinised robustly by the Environment Agency and Environmental Permits will not be issued unless the Environment Agency is satisfied that the site can be operated safely and that the health of those living and working at or near the site is protected.

The potential impacts associated with the continuation of the operation of the consented and extended landfill and waste treatment and recovery facility to 2046 are similar to those for the current site operations but will be present over a longer time.

The ENRMF will continue to be monitored and regulated through Environmental Permits to confirm that it is operating in compliance with all appropriate standards. The results of the monitoring will continue to be made available on the company web site to provide confidence that the site is being managed effectively.

Ecology and biodiversity

Numerous ecological surveys have been carried out at the site and further ecological surveys are currently being undertaken. The following aspects of the proposed western extension area have been identified as being ecologically important features:

- The habitats and plant communities that provide habitat for important species including amphibians, reptiles, badgers and invertebrates.
- The amphibian and reptile populations.
- Bats, particularly in the adjacent woodlands.
- Badgers.
- The invertebrate populations particularly species using the interface between the site and the woodland at the site margins.

The detailed design of the extension area is currently being developed taking into account the findings from the ecology surveys and initial consideration of effects. Measures to protect the ecology on site will be included in the detailed design of the development. The majority of the extension site area is agricultural land which typically has a low level of biodiversity. The restoration of the site is being designed to provide significant biodiversity gain.

The preliminary design of the proposed restoration is shown on Figure NTS4 and incorporates neutral/calcareous wildflower grassland interspersed with areas of scrub and trees which in time will extend naturally to provide more extensive woodland cover with glades and rides. The scheme also incorporates an extensive network of hedgerows with occasional trees, which would link areas of vegetation and mark field boundaries as well as delineating the route of a maintenance track along
which a new footpath would extend. Other footpath routes would provide circular walks and would link with other public rights of way in the local area.

Waterbodies will be incorporated into the design at locations at the base of the raised landfill areas once the site drainage scheme has been developed. The restoration scheme principles follow those agreed for the current site which were designed in discussion with the Northants Wildlife Trust in order to match their requirements for adoption as a Local Wildlife Site and to meet several of the Northamptonshire Biodiversity Action Plan habitat creation targets.

With the planned avoidance, protection and mitigation measures in place it is considered that there will be no significant adverse impacts on biodiversity throughout the operational stage of the proposed development and there will be a large positive net gain in biodiversity on completion of restoration.

**Landscape and visual impacts**

A landscape and visual impact assessment has been carried out. The existing visibility of the site has been determined and the effects on landscape features, landscape character and visual receptors at different stages of the proposed development have been assessed.

The assessment concludes that there will be no significant impacts on landscape features and character as a result of the proposed development during the mineral extraction, cell construction and infilling stages. The assessment concludes that there will be significant beneficial impacts as a result of the proposed restoration of the site.

The site location is generally visually enclosed. There may be partial distant views of the infilling operations in the southern part of the western extension area which might result in effects on the visual amenity of the residents of Westhay Lodge. After the restoration stage the significance of any visual effects will be beneficial due to the restoration of the site and the establishment of woodland and scrub vegetation which will merge well with the adjacent woodland.

**Soil resources and agriculture**

An assessment of the impacts on soil resources has been prepared. A survey has been undertaken to establish the quality of the soil. The soils in the main part of the western extension area are classified as Grade 3b whilst the soils in the northern part of the western extension area are classified as Grade 3a which is considered as best and most versatile agricultural land.

As the site will be restored to nature conservation habitats and it is not
proposed to return the site to agricultural land there will be a permanent loss of approximately 6 hectares of best and most versatile agricultural land and a loss of approximately 20 hectares of lower quality agricultural land although this will be given over to nature conservation. All the soils will be stripped and retained on site using procedures designed to protect the soil structure and all the soils will be replaced and reused in the site restoration.

**Archaeology and cultural heritage**

A desk based study including an assessment of archaeological potential and the potential impacts on the setting of cultural heritage assets has been undertaken. A geophysical survey has been undertaken of the proposed western extension area to identify any features of potential archaeological interest. The geophysical survey found little that can described as of archaeological interest with any certainty. Trial trenching is currently being undertaken in the western extension area to verify the findings of the geophysical survey and identify any features of archaeological interest which may be present below ground.

There is no surviving archaeology within the existing ENRMF site as all areas of the site have been disturbed and were subject to previous investigation and recording.

The preliminary conclusion is that the proposed development will have neutral, negligible or no significant effects on cultural heritage and archaeology.

**Water resources**

An initial assessment of potential impacts on geology, hydrology and hydrogeology has been carried out. A detailed site investigation has been carried out with the drilling of numerous site investigation and monitoring boreholes to establish the geology and hydrogeology of the western extension area. A swallow hole is present to the north west of the current landfill site and there is evidence of other solution features in the limestone geology (dolines). The area of the dolines has been investigated using geophysical surveys. Subject to further investigations into these areas, the extent of the proposed landfill will be adjusted to make sure that the engineered base and sides of the containment landfill will be suitably stable and that the containment system will provide suitable protection to the quality of the groundwater underlying the site. Consistent with the principles of the current site design, at least 2m of natural low permeability strata will be left in place below the base of the engineered landfill and above the limestone strata underlying the site.
Based on the proposed measures for the design of the containment engineering and the control measures that will be incorporated into the design, it is concluded that there will be no significant impact on groundwater quality or flow beneath the site or at receptors nearby as a consequence of the proposed void extension. The quality of the groundwater will be monitored routinely to confirm that the landfill is functioning as predicted by the risk assessments which will be carried out as part of the Environmental Permit application.

Surface water from areas around the site will be collected in and channelled away from and around the landfill areas in a series of ditches. During the operational period all water on site which is in contact with wastes and which has the potential to be contaminated is retained on site. Collected site surface water is used for dust suppression, in wheel washes and in the waste treatment plant in place of mains water.

Following restoration of the site the runoff from the filled, capped and restored areas will be integrated with the surrounding ditches and additional ponds will be provided in accordance with a restoration surface water management plan which will be prepared and agreed with the Environment Agency.

Flood risk assessment

A preliminary assessment of the potential impacts of the proposed development on surface water flow and flood risk near to the site has been carried out. The site is located in an area which is not considered to be at a significant risk of flooding from rivers or the sea.

The design of the proposed surface water management scheme for the site will include the necessary provisions for climate change in particular the predicted increase in frequency and intensity of rainfall storm events. It is considered that based on the implementation of an effective surface water management plan the proposed development can be undertaken without increasing the risk of flooding at or in the vicinity of the site.

Transport and traffic

The traffic numbers associated with the currently consented activities at the site are being reviewed to confirm whether there will be any significant changes in the estimated average numbers of HGVs using the site as a result of the proposed development. In the assessment for the current site activities which was carried out to support the application for the current DCO, it was estimated that the average number of HGV vehicle movements associated with the combined activities that was assessed was 196 per day (98 movements in and 98 movements out).
The combined activities include the importation of waste, the exportation of some treated wastes and the exportation of overburden and clay during the periods of mineral excavation and landfill cell development. The assumed probable number of movements is unlikely to change significantly as a result of this application but the final assessment will be based on the detailed design of the phasing of the mineral excavation works which is being carried out currently. It was concluded in the current DCO application that there would be no adverse impact on highway safety or capacity as a result of the operation of the landfill and treatment facility. It is considered that provided the number of vehicle movements do not change significantly, this conclusion remains valid.

**Noise**

A preliminary assessment of the noise impact of the proposed operations at the nearest sensitive receptors has been carried out. Due to the coronavirus pandemic it has not yet been possible to carry out representative background noise monitoring as activities in the vicinity have not yet returned to normal. In the meantime, it has been agreed with the Local Authority that background noise monitoring data obtained during 2011 can be used as an estimate of current background noise levels.

Noise predictions have been made using calculations. The results of the preliminary assessment suggest that there will be no significant or unacceptable adverse impacts at noise-sensitive premises in the vicinity as a result of the proposed operations.

**Air quality**

The potential impacts of the proposed development on local air quality which have the potential to affect human health have been assessed. The potential impacts as a result of odour associated with the proposed development have also been assessed.

The site is not located in an air quality management area which means that national air quality objectives are being met.

The monitoring of air quality and gas in the ground at the site is undertaken routinely in accordance with the Environmental Permit to confirm that there are no significant adverse impacts. This will continue for the proposed western extension area.

Based on the control measures which will continue to be implemented it is considered that the generation of fine airborne particulates as a result of the extraction and stockpiling of soils, clay and overburden will have no significant impact on air quality in the locality. It is considered that the proposed time extension and increase in throughput of the waste treatment and recovery
facility will have negligible impact on air quality in the locality. It is considered that the restoration of the site will have a negligible impact on air quality at the site.

The wastes that are accepted at the site for landfill and treatment have a low level of organic carbon which means they have a limited potential for biodegradation hence a limited potential for the generation of gases or vapours. The wastes have a limited potential to generate odour. Based on the proposed continuation of the current controls including those that will be specified and implemented through the Environmental Permits, and based on the nature of the current and proposed wastes accepted at the site it is considered that there will be no significant impacts on air quality including impacts associated with odour as a result of the site activities.

**Amenity**

The potential effects on amenity of dust, mud on the road and lighting have been assessed.

If no dust control measures were implemented there would be the potential for a negligible to moderate adverse effects associated with impacts from dust on nearby receptors. However dust emissions will continue to be controlled effectively as part of the proposed development using a range of control measures. The effectiveness of dust control will be confirmed through regular dust monitoring at locations on the boundary of the site as specified in the Environmental Permit.

Based on the wheel cleaning facilities and the proposed cleaning and maintenance regime on the site and the adjacent Stamford Road, the risk of nuisance from the proposed development associated with mud and debris on the local road network is low.

The lighting at the site is located in key areas at the main reception and office areas as well as the treatment facility for both security and health and safety considerations. Mobile lighting is used on the operational landfill area when needed. With the exception of security lighting the lighting will only be used during periods of low light and darkness when the site is operational and all lighting will be directed downwards to minimise the impact.

It is considered that there will not be an unacceptable impact on amenity as a result of the continued use of lighting as part of the proposed development.

**Socio economic impacts**

An assessment of the socio economic impacts of the proposed development has been carried out.

The proposed development provides the continued opportunity for a significant national and regional socio-economic benefit by supporting the
need of businesses and other activities for the safe treatment of wastes and the safe disposal of hazardous wastes and LLW. In addition the continuation of activities at the site will result in a further significant positive contribution to the local economy and provide substantial support to the function of the local villages and to local community and educational activities.

Based on the absence of evidence of adverse socio economic impacts and the evident beneficial impacts of the existing operations at ENRMF as set out in the PEIR, it is concluded that the proposed development will not give rise to any adverse socio-economic impacts on the local community.

The continued provision of safe, sustainable and cost effective waste management facilities will provide a beneficial socio-economic impact to local, regional and national businesses. The presence of the site and the Augean business will continue to support and make contributions to the local community.

Conclusions

The cumulative impacts of all the aspects of the collective proposals have been taken into account in the assessments of impacts on people and the environment. Based on the assessments carried out to date the findings indicate that there will be no unacceptable adverse effects on human health or the environment in the short, medium or long term.

Availability of the full reports and consultation information

The statutory consultation will take place between 26 October and 14 December 2020. Copies of the documents, plans and maps will be available from 26 October 2020 online at https://www.augeanplc.com/enrmf-planning/

A consultation pack can also be provided in hard copy on request from ENRMF@augeanconsultation.co.uk or the telephone helpline 01904 654989. Hard copies of the full PEIR document are available for review at the site by arrangement. A reasonable copying charge of £150 for the full suite of documents will apply for hard copies and £5 for an electronic copy on a memory stick.

Any representations on the Proposed Application should be made by 14 December 2020 in writing to the ENRMF Project Office, 52 The Tannery, Lawrence Street, York YO10 3WH or by email: ENRMF@augeanconsultation.co.uk

Comments can also be submitted via the website or the telephone helpline 01904 654989.
Do not scale for construction purposes. If in doubt - ASK. The contractor is to check and verify all dimensions on site prior to construction.

This drawing is not to be reproduced without written permission.

**EXISTING EAST FACING ELEVATION OF MODERN BUILDING**

**PROPOSED EAST FACING ELEVATION OF MODERN BUILDING**

**PROPOSED POSITIONS OF VRV UNITS**

**LOWER GROUND FLOOR MODERN BLOCK**

- **PROPOSED ACOUSTIC SCREEN:**
  - To achieve a mass of 30kg/m²; RAL colour to be agreed; top section of screen to be angled/sloped over the VRV plant.

- **EXISTING DAIKIN OUTDOOR UNITS**

- **PROPOSED HITACHI UNITS**
  - Model: RAS12FSXNSE
  - Dimensions: 1759 x 959 x 784
  - Model: RAS14FSXNSE
  - Dimensions: 1759 x 1219 x 784
  - Model: RAS20FSXNSE
  - Dimensions: 1759 x 359 x 784
  - Model: RAS18FSXNSE
  - Dimensions: 1759 x 359 x 784

- **PROPOSED 3325mm HIGH ACOUSTIC SCREEN**, to achieve a mass of 30kg/m²; RAL colour to be agreed; top section of screen to be angled/sloped over the VRV plant.

- **LINK CORRIDOR BETWEEN MODERN & RED BRICK BUILDINGS**

- **EXISTING DAIKIN OUTDOOR UNITS**

- **EXISTING SLOPING GROUND OF PLANTING & HEDGING**

- **CONCRETE PAVING SLAB FOOTPATH**

- **EXISTING EAST FACING PITCHED ROOF OF MODERN BLOCK**

- **EXISTING CEILING VOID & SUSPENDED CEILING**

- **EXISTING UPROSS GROUND FLOOR WINDOW**

- **EXISTING LOWER GROUND FLOOR WINDOW**

- **EXISTING SLOPING GROUND OF PLANTING & HEDGING**

- **PROPOSED NOISE ABSORBER**
  - Fixed to wall 1.0m wide x 3.225m high.
EAST NORTHAMPTONSHIRE COUNCIL
CEDAR DRIVE, THRAPSTON
NORTHAMPTONSHIRE

MECHANICAL (HVAC) REFURBISHMENT
AT EAST NORTHAMPTONSHIRE HOUSE,
CEDAR DRIVE, THRAPSTON
NORTHAMPTONSHIRE

BLOCK PLAN

PROPOSED LAYOUT PLAN
Scale 1:100

PROPOSED ACOUSTIC SCREEN

EXISTING PLANTING
EXISTING PAVING
SLAB FOOTPATH

PROPOSED 4no. VRV - AIR COOLED HEAT PUMPS ON CONCRETE BASE

ENTRANCE

PROPOSED 4no. VRV - AIR COOLED HEAT PUMPS ON CONCRETE BASE

Scale bar 1:500

0 20 40

EAST NORTHAMPTONSHIRE HOUSE
EXTERNAL VRV PLANT ON CONCRETE BASE

.about 1705(h) x 1219(w) x 784(d)

61.76m

70.89m

47.42m

EXISTING PLANTING
EXISTING PAVING
SLAB FOOTPATH

PROPOSED 4no. VRV - AIR COOLED HEAT PUMPS ON CONCRETE BASE

ENTRANCE

REVISED FINAL LOCATION AND SIZE OF VRV PLANT

Revision: A

REVISED RED LINE AROUND APPLICATION SITE

Revision: B

BMO Surveying
Chartered Building Surveyors

Unit 66, Middle Mill House
Cheslyn Hay
Northampton
NN5 5LL

Tel: 01604 715225
Email: bmosurveying@btconnect.com

 Status: Revision Date

Description:

PROPOSED LAYOUT PLAN
Scale 1:100

PROPOSED ACOUSTIC SCREEN

EXISTING PLANTING
EXISTING PAVING
SLAB FOOTPATH

PROPOSED 4no. VRV - AIR COOLED HEAT PUMPS ON CONCRETE BASE

ENTRANCE

REVISED FINAL LOCATION AND SIZE OF VRV PLANT

Revision: A

REVISED RED LINE AROUND APPLICATION SITE

Revision: B

BMO Surveying
Chartered Building Surveyors

Unit 66, Middle Mill House
Cheslyn Hay
Northampton
NN5 5LL

Tel: 01604 715225
Email: bmosurveying@btconnect.com

 Status: Revision Date

Description:
The application is brought before the Planning Management Committee because it involves land owned by the Council and therefore falls outside of the Scheme of Delegation in Part 3.2 of the Council’s Constitution (2019).

1 Summary of Recommendation

1.1 Recommendation: GRANT planning permission subject to conditions.

2 The Proposal

2.1 It is proposed to install four air cooled heat pumps and an acoustic screen around them. The heat pumps are to be located on the lower ground on a paved area around 1.1m away from the adjacent offices and below the public entrance above. The site sits between a bank of land/planting and the council offices.

2.2 Acoustic fencing is proposed which would encase the units. The fencing would be 3.3m in height, 1.8m in depth and around 6.5m in length to wrap around the units. It would have a pitched roof leaning away from the adjacent office building. The four pumps themselves are significantly smaller in size compared to the casing and they vary in size from 0.96m in width to 1.6m in width as well as 1.7m in height.

3 The Site and Surroundings

3.1 The site comprises part of the East Northamptonshire Council offices which are located off Cedar Drive in Thrapston. The offices are set within a residential area but there is a leisure centre to the north.

3.2 The site itself comprises the central part of the building. This is the more modern part of the offices which differ in style to the older parts, including the stone building to the west. The central part of the offices has a modern brick appearance. The older stone part of the building to the west, outside of the site, is Grade II listed.

3.3 The building, adjacent the site of the proposed units, is finished with brick and light stone detailing. Car parking spaces occupy much of the land to the west, south and north of the building. The site of the proposed units is paved and sits between the office space and a bank of planting below an upper ground floor main entrance to the council offices.

4 Policy Considerations
### 4.1 National Policy and Guidance
- National Planning Practice Guidance (NPPG)

### 4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
- Policy 1 - Presumption in Favour of Sustainable Development
- Policy 2 - Historic Environment
- Policy 4 - Biodiversity and Geodiversity
- Policy 5 - Water Environment, Resources and Flood Risk Management
- Policy 6 - Development on Brownfield Land and Land Affected by Contamination
- Policy 8 - North Northamptonshire Place Shaping Principles
- Policy 9 - Sustainable Buildings and Allowable Solutions

### 4.3 Rural North, Oundle and Thrapston Plan (RNOTP) (2011)
- Policy 4 - Green Infrastructure
- Policy 12 - Considerate Construction
- Policy 16 - Protected Employment Sites

### 4.4 Other Documents
- Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
- Northamptonshire County Council - Local Highway Authority Parking Standards (2016)

### 5 Relevant Planning History

#### 5.1 20/00324/LBC - Upper ground floor - new fire exit door within the Atrium; Glass panels in each of the units in the atrium to be replaced with solid; Levelling of existing internal ramp; lower ground floor - internal masonry wall to be removed – PERMITTED (11.06.20)

#### 5.2 14/00061/FUL - Change of use from a residential flat to office accommodation – PERMITTED (28.02.2014)

### 6 Consultations and Representations

#### 6.1 Neighbours
No representations received.

#### 6.2 Thrapston Town Council
Comments received 02.09.20: No objection.

#### 6.3 Natural England
Comments received 20.08.20: No comments.

#### 6.4 East Northamptonshire Council – Environmental Protection
Initial comments received 02.09.20:
‘Thank you for forwarding the further information regarding the installation of four paving...’
mounted VRV air cooled heat pumps.

We have looked in depth at the additional information supplied and carried out our own basic calculations. Based on this we are unable to support the application at present due to lack of information.

The applicant should submit a noise assessment carried out by a specialist noise consultant or suitably qualified person to demonstrate that the proposed installation will not cause adverse impact to the adjacent offices. It should also take into account frequency ratings and not just broadband noise as this is often more intrusive.

Therefore we confirm that at this time Environmental Protection are unable to support this application due to lack of information”.

Subsequent comments received 02.11.20:

Environmental Protection has been consulted on this planning application for the installation of four pavement mounted air cooled heat pumps (AC units). It is proposed they are positioned on an extended paved area adjacent to offices, near to the retaining wall by the entrance to reception. The AC units will be located very close to the office façade.

Concerns were raised about noise and suggestions were made for an alternative location adjacent to the council chamber. However, we have been advised this location is unsuitable as there is a fire exit from the council chamber nearby. Given the need for air space round the AC units there would be conflict with safe egress from the council chamber in the event of fire. Although no technical information has been put forward to demonstrate this.

Further to our earlier comments about potential adverse impact from noise an acoustic assessment has been carried out in discussion with Environmental Protection. The acoustic consultant was advised of certain noise criteria the proposed AC units should meet. The assessment is based on the installation of an acoustic barrier as detailed in the Plant Noise Assessment Report (the report) and drawing no 20.444.01, Rev: E, dated May 2020. It is suggested the position of the AC units and associated barrier is reviewed by the Senior Conservation Officer to ensure there is no conflict with the existing built environment. Due to the position and height of the acoustic barrier consideration may be given as to whether it would be overbearing and/or block out natural light to the offices close by.

The acoustic assessment is based on background noise levels taken in the area where the AC units will be situated and noise levels inside the 1st floor office nearby. The ground floor office was not available during the survey due to office refurbishment. Noise was assessed using BS4142:2014 methods for the rating and assessing industrial and commercial sound. EP advised that a rating level of +0dBLA90T should be the design criteria for the AC units as this would ensure there would be no adverse noise impact. It is the noise criteria EP generally requires applicants to work to dependent upon the site context. Also comparison to existing background noise levels in the 1st floor office. The assessment also took into account calculated/predicted noise levels at the school in the ‘red brick building’.

The BS4142 assessment is based on the background noise levels and technical sound data for the proposed AC units supplied by the applicant. Noise levels were then calculated at the various receptors and a rating level predicted. The acoustic consultant has suggested and with reference to the DEFRA NNR316 publication ‘Possible options
for the identification of SOAEL and LOAEL in support of the NPSE” that there is some basis to use a plant rating level of equal to the background level +5dB. We do not support this argument as +5dB may indicate adverse impact. BS4142 in section 11 states:

- The lower the rating level to the measured background there is less likelihood of adverse impact.
- A difference of around +5dB is a likely indication of adverse impact depending on context.
- A difference of around +10dB or more is likely to be an indication of significant adverse impact depending on context.

The assessment for the three sensitive locations is presented in Tables 5.3 to 5.6 of the report. Summarised as follows:

<table>
<thead>
<tr>
<th>Exceedance</th>
<th>Ground floor ENC offices corner window</th>
<th>1st floor ENC offices corner window</th>
<th>Ground floor school windows</th>
<th>1st floor school windows</th>
</tr>
</thead>
<tbody>
<tr>
<td>LA90,15mins +0dB</td>
<td>+3</td>
<td>+7</td>
<td>-3</td>
<td>+2</td>
</tr>
<tr>
<td>LA90,15mins +5dB</td>
<td>-2</td>
<td>+2</td>
<td>-8</td>
<td>-3</td>
</tr>
</tbody>
</table>

Based on the BS4142 predicted rating levels there is a possibility of adverse noise impact to the 1st floor offices.

Based on the predicted noise levels, noise from the AC units has been compared to the measured background levels in the 1st floor office. It is assumed to be same for the ground floor. This has taken into account the attenuation provided by an open window. It must be stated the installation of the new air handling system works more effectively when windows are kept closed. However, enforcement of this is near impossible and it is not unreasonable for people to have windows open for natural ventilation.

Based on the calculated noise levels in the 1st floor offices they are predicted to below the existing background levels even with windows open. Having discussed this with the acoustic consultant there is the potential for noise from the AC units to be heard inside the offices despite being below the measured background noise levels. Particularly at lower frequencies which are more difficult to attenuate. It is unknown whether or not this would result in annoyance or complaint.

Based on the results of the acoustic assessment and the predicted noise levels an objection could not be supported although we have concerns. Should planning permission be granted the acoustic barrier detailed in sections 5.7 of the acoustic assessment and on drawing no 20.444.01, Rev: E, dated May 2020 shall be installed and maintained in perpetuity.

Although not specifically mentioned but discussed with the acoustic consultant measures need to be agreed for acoustic treatment of the brick retaining wall to minimise reflections. Furthermore, noise levels from the AC units should be assessed after
installation to ensure noise does not result in adverse impact. If adverse impact is established or significant complaint made measures should be in place to ensure further mitigation should it be required, irrespective of the predictions in the acoustic assessment. This can be dealt with by way of planning conditions and the following is suggested.

Conditions recommended.

Additional comments received 01 December 2020 (when asked if the comments received by the LPA on 2 November 2020 has considered the Noise Report and Plans received 03 November): It is the same report and drawings we commented on earlier so no further comments. (Officer comment: it is understood that the report and plans were subject of discussions between the Applicant and the Environmental Health department)

7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following considerations are relevant to the determination of this application:

Principle of Development

7.2 The development of air source heat pumps does not raise any matters of principle, subject to the detailed consideration of all other material planning considerations as set out below.

Design, Layout and Impact on the Character and Appearance of the Area

7.3 The proposed location of the units would be relatively out of view from the main areas used by the public, because they would be positioned below the main entrance walk leading to the offices; which is raised above the lower ground floor level. However, the proposed units would be visible from the main public entrance. Additionally, the units would be outside the windows of the ground floor office space.

7.4 Visitors to the council offices would be able to view the units when approaching or leaving the main entrance. Their appearance is of a functional nature and the siting is relatively ‘hidden’ when compared with alternate locations around the perimeter of the building. Whilst not obscured from view, being at the lower level away from the main entrance would mean the units would not be visually prominent for visitors to the offices. It is considered to have limited visual impact as the site is relatively hidden from public view.

7.5 It is proposed that a 3.3m tall acoustic screen be placed between the units and the office windows. The screen would wrap around the sides of the units and include a sloped ‘roof’. The acoustic fencing/enclosure would be significantly taller than the units themselves and would extend to a height above the top of the ground floor windows. The acoustic enclosure would be the most visible element of the development. However, from the perspective of people entering the offices from the main entrance, the structure would be visible but it would have the appearance of functional equipment associated within the operation of the offices. It is considered that it would not have a materially detrimental impact on the appearance of the building, particularly as viewed from the frontage.
7.6 In terms of how the units would appear from other vantage points, the external area at the lower ground floor is not a space that is open for use by staff or visitors. It is understood the area is only accessed for maintenance of the building and external landscaping. As such it is of little significance in its visual impact in this respect.

7.7 In terms of how it would be viewed from the internal space of the offices, it would dominate the outlook from three ground floor windows. The rooms that these windows serve are the IT server room, and two from an open plan office. The matter of amenity in terms of outlook is discussed later in this report. From the perspective of appearance and character however, it is considered the development is acceptable.

Heritage

7.8 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. Section 72(1) of the same act imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.

7.9 The western part of the council office is Grade II listed. The listed element of the building lies outside of the application site and the proposed units are to be located beside the modern part of the building. The units would not be visible from the listed part of the building and the proposal would have negligible effect on its setting. As such the proposal is acceptable in heritage terms.

Environmental Matters

Noise

7.10 The units would emit noise as part of their operation and the application is accompanied by an acoustic report which has been the subject of review from the Council’s Environmental Protection Officers. Comments were initially received in September 2020 and, following the provision of additional information and a re-consultation, further comments were received in November 2020. The comments express some concern as the units will increase the amount of audible noise from both the adjacent offices and the nearby school building. However, based on the assessment, the comments are not in objection. The increase in noise levels is indicated to be relatively small when considering the background noise and the limiting effect of the acoustic casing.

7.11 To give Members some background, the details submitted initially received an objection from the Environmental Protection Officer as it had not been demonstrated that the noise levels were to be at acceptable levels. Subsequently, an amended plan was submitted along with a noise report which assessed the spaces nearby that would receive noise from the units. The spaces assessed included the ground floor and first floor space in both the Council offices and the nearby school space. The assessment made within the submitted report, assessed by the Council’s Environmental Protection Officers, indicates that the noise levels experienced at each of the internal locations identified would be no more than a 3dB increase except for the first floor Council offices, which could be 7dB greater. The comments suggest a 5dB level is that over which may be unacceptable. This was based on existing ambient levels (taken in September 2020 during Covid 19 restrictions) of 46dB and background sound levels of 40dB at ENC offices. The existing noise included nearby A/C units and activity at the council offices. The background noise levels at the school building were calculated to be 39dB.
| 7.12 | The comments received express that it is 'unknown whether or not this would result in annoyance or complaint' from occupants of the first-floor offices. It is also advised that an objection could not supported and that two conditions are recommended which would help ensure the acoustic impact is at acceptable levels for nearby occupants. The first requires details of the acoustic fencing and the second requires a noise report to be submitted within three months of installation, which would enable an assessment of its actual noise impact when in place. |
| 7.13 | The submitted details demonstrate that the impact on the school space will be acceptable, when taking account the background noise for that use and space. The key space of concern is the first-floor office space due to the increase of 7dBA. The submitted report acknowledges the increase being 2dBA above that which is the upper value of the range. The comments received from the Environmental Protection team indicate this could be acceptable as it is a small amount. Additionally, the assessment has been made on the basis of lower than 'normal' background noise from the car park, roads and internally due to the lack of occupation and use of the offices and school because of the current Covid restrictions. As such, the background noise measured may be lower than if the office and schools were operating at increased levels. |
| 7.14 | The conditions recommended by Environmental Protection would provide greater detail of the acoustic fencing that would limit the noise emitting from the units. This is considered appropriate. Additionally, the condition recommended, which would require details of the noise that would be emitted by the units, would provide an actual rather than predicted assessment of the noise impact of the units. This would be beneficial and could inform if there are any further steps required to limit the noise emitting, such as the acoustic fencing. |
| 7.15 | In light of the response from the Environmental Protection Officer, it is considered that the noise impact of the development would be acceptable to both the school and the council offices. The measures to be controlled by condition would assist in ensuring the noise reaching the receptor areas is at acceptable levels. |

**Residential Amenity**

| 7.16 | The site of the proposed units is far from the residential properties that are located near to the site. There will be no material impact on their amenities. |

**Outlook and Daylight to the Council Office Windows**

| 7.17 | The acoustic fencing would be around 1m from three windows of the offices, two of which serve an open plan office and the other serves an IT server room. In terms of the existing outlook from the windows, the views currently are of a bank a short distance outside of the windows. The views and outlook are limited due to the bank and the raised walkway above. |
| 7.18 | The IT server room is not sensitive as people do not work for prolonged periods in that room. The two windows serving the office space would look directly out onto the acoustic fence. The outlook would be poor, limiting daylight and leaving only the view of the fencing. Whether this is acceptable is dependent upon the existing outlook and the outlook from which the room would continue to benefit. |
| 7.19 | The outlook from the two windows of the office would have their outlook worsened by the proximity of a 3.3m tall acoustic barrier around 1m from them. It is noted that the |
windows serve an open plan room which is served by six windows on the eastern elevation, as well as nine windows on the western elevation. The internal space would be, and is served by, a significant number of windows providing daylight and outlook to the room. Any office occupant therefore, would continue to be able to receive daylight in the room and outlook from other windows. The space near the two windows to be most affected would have a reduction in their outlook, but when taking account of the other windows serving the room, it is considered the outlook and daylight will continue to be acceptable.

8 Other Matters

8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

9 Conclusion / Planning Balance

9.1 The noise to be caused by the proposed units would have a small detrimental impact on the overall noise experienced in the adjacent offices and in particular the first floor space. There would be less of an impact on the nearby school. Whilst the units will increase noise from the nearby receptors, when taking account of existing/background noise and the levels to be deemed acceptable by the Environmental Protection Officer, the proposal is acceptable in this respect. Additionally, the impact of the units/acoustic screening on the outlook of the ground floor office space is considered acceptable when taking account of the other windows that serve the open plan office space.

9.2 The development is considered to be acceptable in visual and heritage terms as it would be sited in a relatively obscure location that would not materially harm the appearance of the building whilst noting it would be visible from the entrance walkway.

10 Recommendation

10.1 That planning permission be GRANTED subject to conditions.

11 Conditions

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

- OS Location Plan received 03 August 2020;
- Block Plan, Proposed Layout Plan ref. 20.444.03 Rev B received 08 September 2020;
- Existing and proposed east facing elevation of modern building proposed positions of VRV units ref. 20.444.01 Rev E received 03 November 2020;
<table>
<thead>
<tr>
<th>Reason: To define the terms of the planning permission.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 Prior to the first use of the air-cooled heat pumps hereby approved, details of the specification of the acoustic barrier shall have been submitted to and agreed in writing with the Local Planning Authority. The acoustic barrier shall thereafter be installed as per the agreed scheme, prior to the first use of the development hereby permitted, and maintained in accordance with manufacturers' instructions at all times and in perpetuity. Reason: To safeguard the amenities currently enjoyed by the occupants of adjacent office and school space.</td>
</tr>
<tr>
<td>3 Within three months of the first use of the development hereby permitted, an acoustic report assessing the impact shall be submitted to and approved in writing by the Local Planning Authority. The report shall address the issue of noise (including low frequency noise) from the air-cooled heat pumps to ensure that there is no loss of amenity to the commercial premises known as East Northamptonshire Council and Progress School. Should remedial works be required, within a month a scheme shall be submitted to and approved in writing by the Local Planning Authority. Any remedial that are found to be required, shall be implemented within a month of receiving approval as per the scheme to be approved. The equipment shall be maintained in a condition so that it complies with the levels and mitigation measures specified in the Plant Noise Assessment Report, Ref: 5087, dated 30 October 2020, or any other scheme agreed with the Local Planning Authority whenever it is operating. After installation of the approved plant no new plant shall be used without the written consent of the Local Planning Authority. Reason: To safeguard the working environment of the adjacent offices to acceptable levels of noise.</td>
</tr>
<tr>
<td>4 If the report cited required by Condition (3) requires measures to reduce the acoustic reflection off the brick retaining wall nearby, prior to the first use of the air-cooled heat pumps, details of acoustic treatments to the brick retaining wall, running adjacent to the air-cooled heat pumps, shall be submitted to and agreed in writing by the Local Planning Authority. The submission to the Local Planning Authority shall be within one month. The acoustic treatment shall be installed as per the agreed scheme prior to the first use of the development hereby permitted and maintained in perpetuity. Reason: To safeguard the working environment of the adjacent offices and school to acceptable levels of noise.</td>
</tr>
<tr>
<td>12 Informatives</td>
</tr>
<tr>
<td>1 The applicant should note that should complaints of noise be received, then the Environmental Protection team will investigate them under the relevant legislation and take enforcement action where necessary.</td>
</tr>
</tbody>
</table>
Ref 5087

For BMO Surveying
Unit 8E Mobbs Miller House
Christchurch Road
Northampton
NN1 5LL

East Northamptonshire Council Offices
Proposed New VRF Heat Pump Plant
Plant Noise Assessment Report

Date 30 October 2020
Author Dr Richard Lyons
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WBM

WBM (the trading name of The Walker Beak Mason Partnership) is an established independent acoustic consultancy specialising in architectural & building acoustics, environmental noise, planning issues and expert work. WBM is a member of the Association of Noise Consultants and is also a Corporate Member of the Institute of Environmental Management & Assessment. The consultants are members of the Institute of Acoustics.

This report has been prepared with all reasonable skill, care and diligence as appropriate for an acoustic consultancy practice under the terms and brief agreed with our Client. The document is the copyright of WBM and no third party may rely upon this document without the prior and express written agreement of WBM.
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1 Introduction

BMO Surveying (BMOS) has commissioned WBM to undertake baseline noise surveys and a plant noise assessment for proposed new Hitachi Sigma VRF Heat Pump Units to be installed outside the front offices of their client’s building. The client is East Northamptonshire Council (ENC) and the offices are located at East Northamptonshire House, Cedar Drive, Thrapston, Kettering NN14 4LZ.

The nearest noise sensitive receptors to this plant are the council offices at the front of the council building and the older building opposite, which is mainly occupied by Progress Schools Ltd, an independent secondary school.

The plant is to operate during the daytime only and WBM undertook noise surveys on 14 September 2020 in the vicinity of the sensitive receptors to determine the representative background noise levels at the site. It should be noted that due to Covid-19 it is considered by WBM that the baseline noise levels would be lower than the normal pre-Covid-19 baseline levels, due to much less staff working in the building, restrictions on visitors to the offices and school buildings, no activity whatsoever at the adjacent closed Sports Centre and because distant road traffic would in general be less, with consequently lower distant road traffic noise affecting the site. This was pointed out by WBM to all parties and should be borne in mind when considering the assessment of plant noise.

This report details the surveys undertaken, results, assessment and findings. To aid comprehension, a glossary of acoustic terms is presented in Appendix A.

2 Assessment Methodology

The various relevant noise guidance documents used in this assessment are detailed below.

2.1 Local Authority

BMOS advised WBM that comments received from the ENC’s Environment Health Officer (EHO), forming the basis of the work states: "The applicant should submit a noise assessment carried out by a specialist noise consultant or suitably qualified person to demonstrate that the proposed installation will not cause adverse impact to the adjacent offices. It should also take into account frequency ratings and not just broadband noise as this is often more intrusive."
On 10 September 2020 WBM had a conversation with the EHO (Diane Baish) and confirmed the points of that conversation in an email of the same date to agree the following:

“1. **WBM will attend site to measure the baseline noise levels at the nearest office windows to the proposed plant. We agreed that this should be late morning or early afternoon and you would like to be notified of the visit so you can be there also.**

2. **WBM will also measure the baseline noise levels in the first floor offices, with windows open, so that noise break-in via open windows can be considered.**

3. **The ground floor is currently undergoing refurbishment, hence the first floor [internal] measurement will be used to represent the ground floor level offices also.**

4. **WBM understand that the AHU plant has been unused for some time but will be re-commissioned and put into use again. This will add a low level of background noise to the offices. While this cannot be taken into account at this stage it may provide a small amount of masking noise in the future.**

5. **WBM will assess the plant noise break-out on the basis of the plant rating noise level equal to background and also [consider] the plant noise within the offices with windows open.**

6. **WBM will use the plant manufacturers’ data (provided by BMO Surveying) and have asked for the spectrum data for the proposed VRF plant, but it is expected that if supplied, only one octave band data is likely to be available.”**

Prior to surveys on site, WBM had a conversation with the client’s Business Transformation Manager (Lewis Gabb) who advised that the existing Air Conditioning system would be put back into operation as part of the refurbishment and, as such, windows would need to be retained closed for the system to work.

WBM also had a conversation on site with the SEHO (Mandy Dennis) and EHO (Diane Baish) covering the above points. It was apparent to WBM (Richard Lyons) that the condition of closed windows was not fixed, therefore WBM offered to assess both conditions within their report for consideration later by ENC.

In addition, it was noted to WBM that there were issues with other existing plant in the area, however, WBM were instructed not to consider this in the current scope of work.
2.2 British Standard 4142

British Standard (BS) 4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound" describes methods for assessing the likely effects of sound of an industrial and/or commercial nature on residential properties. It includes the assessment of sound from industrial and manufacturing processes, M&E plant and equipment, loading and unloading of goods and materials, and mobile plant/vehicles on the site. It can be used to assess sound from proposed, new, modified or additional industrial/commercial sources, at existing or new premises used for residential purposes.

The standard describes methods to measure and determine ambient, background and residual sound levels, and the rating levels of industrial/commercial sound. The standard also requires consideration of the level of uncertainty in the data and associated calculations.

BS 4142 is not intended to be used for the derivation or assessment of internal sound levels, or for the assessment of non-industrial/commercial sources such as recreational activities, motorsport, music and entertainment, shooting grounds, construction and demolition, domestic animals, people, and public address systems for speech. In addition, BS 4142 is not intended to be applied to other sources falling within the scope of other standards or guidance.

Sound of an industrial / commercial nature does not include sound from the passage of vehicles on public roads and railway systems.

Ambient sound is defined in BS 4142 as "totally encompassing sound in a given situation at a given time, usually composed of sound from many sources near and far". It comprises the residual sound and the specific sound when present.

Residual sound is defined in BS 4142 as "ambient sound remaining at the assessment location when the specific sound source is suppressed to such a degree that it does not contribute to the ambient sound". The background sound level is the $L_{A90,T}$ of the residual sound level, and is the underlying level of sound. Measurements of background sound level should be undertaken at the assessment location where possible or at a comparable location.
The measurement time interval should be sufficient to obtain a representative value (normally not less than 15 minutes) and the monitoring duration should reflect the range of background sound levels across the assessment period. The background sound level used for the assessment should be representative of the period being assessed.

The specific sound level is the $L_{Aeq,Tr}$ of the sound source being assessed at the assessment location over the reference time interval, $T_r$. BS 4142 advises that $T_r$ should be 1 hour during the day and 15 minutes at night.

**Table 2.1: Summary of Potential Acoustic Feature Adjustments**

<table>
<thead>
<tr>
<th>Acoustic Feature</th>
<th>Adjustment for Acoustic Feature</th>
<th>Subjective Methods</th>
<th>Objective Methods</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tonality</td>
<td>+2 dB if just perceptible</td>
<td>Third Octave Analysis</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+4 dB if clearly perceptible</td>
<td></td>
<td>Narrow Band Analysis</td>
</tr>
<tr>
<td></td>
<td>+6 dB if highly perceptible</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Impulsivity</td>
<td>+3 dB if just perceptible</td>
<td>Sliding scale of 0 to +6 dB depending on audibility of tone</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+6 dB if clearly perceptible</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>+9 dB if highly perceptible</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intermittency</td>
<td>+3 dB if intermittency is readily distinctive</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Other</td>
<td>+3 dB if neither tonal nor impulsive, but otherwise readily distinctive</td>
<td></td>
<td>n/a</td>
</tr>
</tbody>
</table>

The rating level is the specific sound level plus any adjustment for the characteristics of the sound at the assessment location (tone, impulse, intermittent or other acoustic feature).

The standard describes subjective and objective methods to establish the appropriate adjustment. The adjustments for the different features and assessment methods are summarised above in Table 2.1.

Where tonal and impulsive characters are present in the specific sound within the same reference period then these two corrections can both be taken into account. If one feature is dominant, it might be appropriate to apply a single correction.

The rating level is equal to the specific sound level if there are no features present.
The level of impact is assessed by comparing the rating level of the specific sound source with the background sound level. Typically, the greater the difference, the greater the magnitude of the impact depending on the context. Other factors that may require consideration include the absolute level of sound, the character and level of the residual sound compared to the specific sound, and the sensitivity of the receptor and scope for mitigation.

When the rating level is above the background sound level, a difference of around +5 dB is likely to indicate an adverse impact and a difference of around +10 dB or more is likely to indicate a significant adverse impact, depending on the context.

The lower the rating level with respect to the background sound level, the less likely it is that the specific sound source will have an adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

3 Site Description

East Northamptonshire House is located at Cedar Drive, Thrapston, Kettering NN14 4LZ, around 300m north of the main A14. The building forms an ‘H’ shape such that the area for the plant is surrounded on the west and south sides by offices and on the east side is the Progress Schools building around 20m away. The open north side faces the Nene Centre, Leisure centre, which under normal conditions operates between 06:30 to 20:15 hours, but was closed due to Covid-19.

The site location is shown in Appendix B and the location of the plant is outside the ground floor offices to the right of the ENC entrance, which leads up to the first floor level. There is a slow curving wide access ramp that runs from the entrance between the ENC offices and the school building. This ramp forms an effective barrier to noise in the direction of the school building. The retaining wall at the entrance to the office building is 3.7m above ground level and on average is considered to be at a level of 3.1m in front of the plant centre.
4 Baseline Noise Surveys

The aim of the surveys was to obtain baseline noise data for the assessment of new VRF heat pump plant, which is to operate only during the normal hours of the ENC offices, 08:45-17:00 hours Monday to Friday.

In the conversation with the EHO on 10 September 2020, WBM agreed in advance that daytime baseline noise levels should be carried out during the late morning or early afternoon and undertaken at the nearest office windows to the proposed plant.

4.1 Measurement Description

Sample attended daytime measurements were undertaken at Location A (ENC Offices) and at Locations B and C (School Building), in free field locations. The locations are shown in the site location plan in Appendix B and are listed in the table below that plan.

Typical internal office sound level measurements were also carried out on the first floor of the offices near the window overlooking plant. These were for use in assessing any plant noise break-in with windows open. As the ground floor level is under refurbishment the first floor levels are assumed to be representative of the ground floor also. This was agreed as acceptable with the EHO and SEHO on site.

The full survey, equipment and calibration details are presented in Appendix C.

4.2 Baseline Survey Results

The detailed results from sample attended measurements are presented in Appendix D. The average of the measured ambient sound levels, $L_{A_{eq},15mins}$, and background sound levels, $L_{A^{90},15mins}$, are presented in Table 4.1 for the ENC offices (Location A) and the school buildings (Location B&C).

Table 4.1: Measured Baseline Sound Levels (Free-Field)

<table>
<thead>
<tr>
<th>NSR Location</th>
<th>Ambient Sound Level dB $L_{A_{eq},15mins}$</th>
<th>Background Sound Level dB $L_{A^{90},15mins}$</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENC Offices (Survey Location A)</td>
<td>46</td>
<td>40</td>
</tr>
<tr>
<td>School Building (Survey Location B&amp;C)</td>
<td>48</td>
<td>39</td>
</tr>
</tbody>
</table>
At Location A, the ambient sound levels were controlled by nearby A/C units, operating occasionally, activity at the entrance to council offices on occasion and a low level of sound from road traffic in the distance. There was very little activity in the car park.

For Locations B & C, the distant road traffic sounds were still low, but higher than at Location A. There was activity break-out sounds from the school buildings and talking at the office entrance on occasion.

Again, it is noted that these noise levels are likely to be conservative given that the Covid-19 pandemic has resulted in less staff working in the ENC offices, restrictions on visitors to the offices and school buildings, there being no activity whatsoever at the adjacent closed Sports Centre and also distant road traffic would in general be less, with consequently lower levels of road traffic noise affecting the site.

While these effects might result in lower ambient sound levels they may also have caused slightly lower baseline background sound levels.

4.3 Proposed Plant Sound Limits

The representative daytime baseline background sounds are therefore:

- For the ENC Offices 40 dB L_{A90,15 minute}
- For the school buildings 39 dB L_{A90,15 minute}

These values have been used to set appropriate plant noise limits.

As noted in Section 2.1, in discussion with the EHO and SEHO it was agreed to compare the calculated plant Rating Level with a design aim of the plant Rating Level being equal to the representative Background Sound Level, but also to assess plant sound levels in the offices with windows open.

Section 2.1 also noted that the comments received from the ENC’s Environment Health Officer (EHO), forming the basis of the work states that: “The applicant should submit a noise assessment carried out by a specialist noise consultant or suitably qualified person to demonstrate that the proposed installation will not cause adverse impact to the adjacent offices. It should also take into account frequency ratings and not just broadband noise as this is often more intrusive.”
In order to assess what an “adverse impact” is, reference can be made to the Explanatory Note 3 issued alongside the Noise Policy Statement for England (NPSE), which introduces three observed effect level (OEL) definitions for the assessment of noise in England, in order to identify and rate noise impact on the community from any proposed development. These are:

NOEL (No Observed Effect Level) - this is the level below which no effect can be detected, i.e. below this level there is no detectable effect on health and quality of life due to the noise.

LOAEL (Lowest Observed Adverse Effect Level) – this is the level above which adverse effects on health and quality of life can be detected due to noise.

SOAEL (Significant Observed Adverse Effect Level) – this is the level above which significant adverse effects on health and quality of life occur due to noise.

Noise impacts that are above SOAEL should be avoided and where the impact lies somewhere between LOAEL and SOAEL, all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life. The Lowest Observable Adverse Effect Level, LOAEL is the level above which adverse effects on health and quality of life can be detected.

The EN does not define the OELs numerically, but to identify suitable noise levels for LOAEL and SOAEL, reference can be made to the Defra NANR316 publication “Possible Options for the Identification of SOAEL and LOAEL in Support of the NPSE”, December 2015 (dated Jan 2013 in the document with minor revisions 2014). This document indicates that, in relation to measured background sound levels, some councils have used NOEL, LOAEL and SOAEL thresholds as directly related to the BS4142 rating system of numerical values of -10dB, +5dB and +10dB respectively,

On this basis there is an argument to use a Plant Rating level which is equal to the Background Sound Level +5dB, rather than the Background Sound Level +0dB.

Based on the above it is suggested that the plant design aims should therefore be a range as indicated below in Table 4.2, below.
Table 4.2: Measured Baseline Sound Level and Design Rating Level Range (Free-Field)

<table>
<thead>
<tr>
<th>NSR Location</th>
<th>Background Sound Level dB $L_{A90,15mins}$</th>
<th>Plant Rating Level Range dB $L_{Ar,Tr}$*</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENC Offices (Survey Location A)</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>School Building (Survey Location B&amp;C)</td>
<td>39</td>
<td>39</td>
</tr>
</tbody>
</table>

* $Tr$ should be 1 hour during the day according to BS 4142:2014.

5 Proposed New VRF Plant and Screen

The proposed plant consists of 4 new Hitachi Sigma Modular VRF Units that are proposed to be installed to the east façade of the ENC office building, at ground level, between the east façade and the angled first floor entrance retaining wall.

The overall location is shown in Appendix B and is where Location A is indicated. The M&E Contractors (McDowall Air Conditioning (UK) Ltd (MDAC) layout is shown in Appendix E, Figure E1, taken from their drawing number 9498-M-01/RevB, dated 06/10/2020. Also shown is the layout for the plant and proposed acoustic screen in two extracts taken from BMO Surveying drawing number 20.444.01/RevE, dated 29/10/2020. These are Figures E2 and E3.

The four units are denoted A to D and the details of these units provided via BMOS are as given in Table 5.1, below. The units are to be located on a concrete base and positioned so that the rear of the units is 2m from the façade of the office building at ground level.

Table 5.1: Details of Proposed Hitachi Sigma Modular VRF Plant

<table>
<thead>
<tr>
<th>Plant Ref</th>
<th>Area Served</th>
<th>Hitachi Sigma Model Reference</th>
<th>Size (mm) $H \times W \times D$</th>
<th>Duty (kW) Heating/Cooling</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Lower Ground Floor North</td>
<td>RAS-12FSXNSE</td>
<td>1725 x 959 x 784</td>
<td>37.5 / 33.5</td>
</tr>
<tr>
<td>B</td>
<td>Ground Floor North</td>
<td>RAS-14FSXNSE</td>
<td>1725 x 1219 x 784</td>
<td>50 / 45</td>
</tr>
<tr>
<td>C</td>
<td>Ground Floor South</td>
<td>RAS-20FSXNSE</td>
<td>1725 x 1609 x 784</td>
<td>63 / 56</td>
</tr>
<tr>
<td>D</td>
<td>Lower Ground Floor South</td>
<td>RAS-18FSXNSE</td>
<td>1725 x 1219 x 784</td>
<td>56 / 50</td>
</tr>
</tbody>
</table>

As shown in appendix E the screen will be located 800mm from the back of the VRF units and 500mm from the sides of the units. Figure 5.1, below, shows the Section of the plant and screen provided by the M&E Contractor (MDAC).
Figure 5.1: Proposed Screen (MDAC)

Note that the screen is not shown completely to scale.

BMOS has advised WBM that the sloping upper section of the screen is to be 1.5m above the unit height and so will be 3.325m high in total.

5.1 Noise Data for Proposed Replacement Plant

The Hitachi noise data for the proposed plant was provided by MDAC. The data is provided in terms of octave band spectrum sound pressure levels ($\text{dB } L_{pb}$) and an overall sound pressure level ($\text{dB } L_{pa}$) at a measurement distance of 1m and at a height of 1.5m. Measurements were conducted in a semi-anechoic chamber, having a flat reflective floor surface, such that data is considered to be in a free-field environment with hemispherical propagation, as per the installed condition. Wall reflections need to be incorporated into calculations.

The specific octave band spectrum sound pressure levels is taken from the graphical data shown as dBC values in Appendix F. These have been converted to dB values and are listed in Table 5.2.

<table>
<thead>
<tr>
<th>Hitachi Model</th>
<th>Octave Band Sound Pressure Level at 1m, dB $L_{pb}$</th>
<th>Sound Pressure Level at 1m dB $L_{pa}$</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>63</td>
<td>125</td>
</tr>
<tr>
<td>RAS-12FSXNSE</td>
<td>67</td>
<td>67</td>
</tr>
<tr>
<td>RAS-14FSXNSE</td>
<td>69</td>
<td>70</td>
</tr>
<tr>
<td>RAS-20FSXNSE</td>
<td>63</td>
<td>68</td>
</tr>
<tr>
<td>RAS-18FSXNSE</td>
<td>69</td>
<td>69</td>
</tr>
</tbody>
</table>
5.2 Specific Sound Level and Method of Determination

The specific sound level, $L_{Aeq,T_n}$, is the plant sound source level being assessed at the Noise Sensitive Receiver (NSR) over the reference time interval, $T_n$, which BS 4142 (Section 2.2) advises should be 1 hour for daytime assessments.

The specific sound level has been calculated using the data set out in Section 5.1 and a calculation model has been used to predict the free field noise levels at the nearest NSRs for comparison with the free field representative baseline noise levels (Section 4.2) and plant sound limits (see Section 4.3).

The calculations are a worst-case scenario as they assume that all plant would be operating simultaneously and at their maximum normal design level. However, the proposed new units are inverter driven and will ramp up and down slowly such that sudden increases in noise do not occur. The units use a smooth drive control to deliver exactly the right refrigerant required to ensure a steady and continuous operation.

The DC scroll inverter compressor will modulate at low speeds, avoiding repeat phases of switching on and off.

The above means that, typically, the units will be operating at closer to 50% capacity rather than maximum capacity for much of the time. Noise output should therefore be much lower than the normal maximum output quoted.

The following approach / assumptions have been used in the assessment:

i) Noise break-out from the plant has been calculated assuming standard distance correction and a hemispherical propagation constant to calculate the noise levels at the NSRs.

ii) Corrections for reflections from surfaces close to the sources have been allowed for in calculations as appropriate to the NSRs.

iii) Atmospheric absorption and ground absorption have not been included.

iv) The retaining wall at the entrance to the ENC is 3.7m above ground level for the angle section near to the entrance area.
v) The curving wide access ramp that runs from this entrance, between the ENC offices and the school building, provides a retaining wall high above ground level and the plant. This ramp therefore forms an effective barrier to noise, from the plant and towards the school building. The retaining wall at the entrance to the office building is 3.7m above ground level and on average is considered to be at a level of 3.1m in front of the centre of the plant, facing the school.

vi) As shown in Figure 5.1 the proposed acoustic screen for the plant sits 800mm from the rear of the plant, but at the top slopes over to be in-line with the back of the plant. Effectively this forms a screen of 3.325m height and in line with the plant rear face.

vii) The screen comes around the side of the plant on both sides and for calculations is assumed to be in line with the front of the plant (but note comment later in Section 5.7).

viii) The new units are located at 2.4m distance from the office building to the centre of the plant.

ix) For the ENC offices the ground floor receptor height is taken to be 1.9m above ground level, which is the centre of the windows. For the first floor the centre of the lower opening light is used and this height from the ground level is 5.3m.

x) For the school, the ground floor level windows are lower than the height of the ENC upper floor windows and are estimated to be 4.2m above ground level at the plant to the vertical centre of the window. The upper first floor school windows are around 7m above the ground level at the plant to the vertical centre of the window.

xi) For calculations, the plant source location is taken to be at the centre of the units in plan and at 0.7 x height of the plant (1.725m), plus the height of the proposed AV block (100mm) as shown in Figure 5.1. Therefore, the plant source effective height is 1.3m.

xii) For calculations at the school location, the height of the plant is taken as 1.8m because of the expected reflection from the inner back of the screen.

xiii) The plant noise is likely to affect the two windows closest to the proposed plant and initial calculations indicated that the left-hand side window in the very corner of the open plan office would be subject to a slightly higher level (around 1-2 dB) than the second window. Detailed calculations are therefore shown in this report for the first (office corner) window.
5.3 Plant Acoustic Features

As set out in Section 2.2, the Rating Level, \( \text{dB } L_{A_{r},Tr} \), is the specific sound level, \( L_{A_{eq},Tr} \), value with an adjustment for characteristics of the sound applied, such as for tonality, impulsiveness or intermittency of the sound where heard at the nearest NSR locations.

The proposed plant will be new and so it is difficult to know what the subjective impressions and character of the combined plant noise sources will be at each receptor until installed, operational and commissioned. However, the main source of noise within such units are generally two fold, being the compressor unit and the propeller fan.

As mentioned in Section 5.2 the units use a smooth drive control to deliver exactly the right refrigerant required ensuring a steady and continuous operation. In addition, the DC scroll inverter compressor will modulate at low speeds, avoiding repeat phases of switching on and off. The compressor is also normally low down in the unit and therefore benefits from greater screening where employed.

For the fans the main noise source would be air movement and will be typically broadband fan noise with a broad low peak in the spectrum. Additionally, the Hitachi Sigma unit fans are mounted lower down inside the units and not at the very top of the unit.

Given the inverter control, likely steady and continuous operation and fact than the fans are mounted lower in the units it is considered appropriate to apply a correction of +2 dB for a just perceptible level of tonality.

No intermittency correction is considered necessary as the units do not regularly switch on and off, but are designed to modulate slowly to give a steady and continuous operation.

In any case, it is incumbent on the plant designers/contractors to ensure that the plant is designed and installed so that audible distinctive acoustic characteristics are negated / avoided. This includes consideration of plant vibration effects where appropriate and WBM understands that anti-vibration pads are included.

5.4 Calculation of Plant Noise Break-out

The calculation of the plant specific sound level, \( L_{A_{eq},Tr} \), and Rating Noise Level, \( L_{A_{r},Tr} \), at the NSRs has been undertaken.
As an example, the plant break-out calculation for the NSR location nearest the plant, ground floor ENC Offices, has been shown in Tables G1 to G4 of Appendix G.

These calculations are based on the plant data in Section 5.1 and assumptions in Section 5.2 to give the specific sound level at the receptor for each of the Hitachi Sigma VRF Heat Pump units.

Table 5.3 summarises the specific sound levels for each of the plant items shown in Appendix G, adds a correction for any character and compares the level to the proposed sound limits (Rating Level), discussed in Section 4.3.

Table 5.3: Summary Calculation for Ground Floor ENC Offices Corner Window (Free-Field)

<table>
<thead>
<tr>
<th>External VRF Plant</th>
<th>Plant Distance (m)</th>
<th>Plant Sound Level (dBA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lower Ground Floor South RAS-18FSXNSE (Ref D)</td>
<td>2.5</td>
<td>37</td>
</tr>
<tr>
<td>Ground Floor South RAS-20FSXNSE (Ref C)</td>
<td>2.5</td>
<td>37</td>
</tr>
<tr>
<td>Ground Floor North RAS-14FSXNSE (Ref B)</td>
<td>3.5</td>
<td>34</td>
</tr>
<tr>
<td>Lower Ground Floor North RAS-12FSXNSE (Ref A)</td>
<td>4.4</td>
<td>28</td>
</tr>
</tbody>
</table>

- **Specific Sound Level, \( L_{\text{Aeq,Tr}} \), at NSR Location (dB)**: 41
- **Correction for Character (see Section 5.3, dB)**: 2
- **Rating Level, \( L_{\text{Ar,Tr}} \), at NSR Location (dB)**: 43

<table>
<thead>
<tr>
<th>Proposed Rating Level, ( L_{\text{Ar,Tr}} ), (Table 4.2, dB)</th>
<th>Exceedance (dB)</th>
</tr>
</thead>
<tbody>
<tr>
<td>( L_{\text{A90,15mins}} + 0\text{dB} )</td>
<td>40              +3</td>
</tr>
<tr>
<td>( L_{\text{A90,15mins}} + 5\text{dB} )</td>
<td>45              -2</td>
</tr>
</tbody>
</table>

The lower the rating level with respect to the background sound level, the less likely it is that the specific sound source will have an adverse impact. According to BS 4142, where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context. Also, if the rating level is above the background sound level, a difference of around +5 dB is likely to indicate an adverse impact.

For this location, the Rating Level of the plant is between the two and is considered acceptable. Again note that the background noise levels are considered to be low due to Covid-19 and the plant Rating Level is for all plant operating at its maximum duty, whereas in reality all plant items will operate at a duty below maximum and at different times.

Table 5.4 to Table 5.6 show the summary of the results and assessment for the other three locations, ENC Offices first floor (windows above the assessed ground floor window), and the school building ground and first floor windows.
The nearest ground floor and first floor school windows are at the façade of the school building that projects out furthest. That is the section which is adjacent to the less abled car parking bay and this is around 18m from the plant. The part of the school building further down the access ramp to the ENC Offices, is set back a further 1m.

As can be seen from Table 5.5, plant noise at the ground floor windows of the school is well below the plant Rating Level limits proposed in Section 4.3. For the first floor school windows, the plant Rating Levels are similar to that for the ENC Offices at ground floor, see Table 5.6, below, and so are also considered to be acceptable.

The ENC Offices first floor is likely to have the higher plant noise levels as shown in Table 5.4, with a plant Rating Level of 7 dB above \( L_{A90,15mins} + 0\text{dB} \) and 2 dB above the \( L_{A90,15mins} + 5\text{dB} \).
Table 5.6: Summary Calculation for First Floor School Windows (Free-Field)

<table>
<thead>
<tr>
<th>External VRF Plant</th>
<th>Plant Distance (m)</th>
<th>Plant Sound Level (dBA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lower Ground Floor South RAS-18FSXNSE (Ref D)</td>
<td>18</td>
<td>35</td>
</tr>
<tr>
<td>Ground Floor South RAS-20FSXNSE (Ref C)</td>
<td>18</td>
<td>35</td>
</tr>
<tr>
<td>Ground Floor North RAS-14FSXNSE (Ref B)</td>
<td>18</td>
<td>33</td>
</tr>
<tr>
<td>Lower Ground Floor North RAS-12FSXNSE (Ref A)</td>
<td>18</td>
<td>29</td>
</tr>
</tbody>
</table>

Specific Sound Level, $L_{Aeq,Tr}$, at NSR Location (dB) 40
Correction for Character (see Section 5.3, dB) 2
Rating Level, $L_{AR,Tr}$, at NSR Location (dB) 42
Proposed Rating Level, $L_{AR,Tr}$ (Table 4.2, dB) Exceedance (dB)

<table>
<thead>
<tr>
<th>$L_{A90,15mins} + 0$dB</th>
<th>40</th>
<th>+2</th>
</tr>
</thead>
<tbody>
<tr>
<td>$L_{A90,15mins} + 5$dB</td>
<td>45</td>
<td>-3</td>
</tr>
</tbody>
</table>

It was proposed in Section 4.3 that LOAEL (Lowest Observed Adverse Effect Level) – the level above which adverse effects on health and quality of life can be detected due to noise – should be taken as $L_{A90,15mins} + 5$dB.

In respect of the NSR being an office workplace, a +2dB excess could be considered not to be significant. In fact the plant is being installed so that the existing HVAC systems can be put back into operation, which the Client (ENC) has advised would require windows not to be open in order for the air conditioning systems to work. If windows are closed then the plant noise should not be an issue and only those first floor windows closest to the plant would need to remain closed, not all windows.

5.5 Potential Internal Noise Levels in NSRs

WBM was asked to consider the effect of plant noise on the receptors if windows were open. For the offices, WBM would need to know the existing office noise levels to assess this effect and hence, measurements of the internal noise levels were undertaken while on-site, as noted in Section 4.1.

The detailed results of the internal measurements are shown in Appendix D and summarised below in Table 5.7. As internal noise levels could not be measured within the school, Table 5.7 shows typical unoccupied noise levels in school classrooms, taken from Building Bulletin 93 (BB93) “Acoustic Design of Schools: Performance Standards”, February 2015. Such unoccupied internal ambient levels can be taken to be the expected background noise levels in the absence of measured data.
Table 5.7: Measured Internal Sound Levels in ENC Offices & BB93 Levels for Schools

<table>
<thead>
<tr>
<th>NSR Location</th>
<th>Average Measured Ambient Sound Level dB $L_{Aeq,T}$</th>
<th>Average Measured Background Sound Level dB $L_{A90,T}$</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENC Offices</td>
<td>46</td>
<td>38</td>
</tr>
<tr>
<td>School Building</td>
<td>35-40</td>
<td>n/a</td>
</tr>
</tbody>
</table>

*The school building is an existing old building and the levels stated indicated are for a range of internal levels from new build to refurbished School Classrooms and are taken from BB93 2015. There are no $L_{A90,T}$ levels.*

Guidance for the assessment of the acoustic performance of open windows is limited. According to PPG24 (*Planning Policy Guidance 24: Planning and Noise*; replaced by National Planning Policy Framework), an open window will only provide somewhere in the region of 10-15 dBA of attenuation. PPG 24 used a reduction value of 13 dBA from the façade level; equivalent to 10 dBA reduction from the free field noise level. This guidance is based on BRE Digest 338 (*Insulation against external noise. BRE Digest 338, 1988*).

There are other documents relating to open window attenuation, such as the more extensive DEFRA study (*“NANR116: ‘Open/Closed Window Research’ Sound Insulation Through Ventilated Domestic”, April 2007*), which indicates that for a 50,000 mm$^2$ opening a range of 12-18 dBA attenuation between façade levels and internal levels is possible for dwellings depending upon the window frame and opening (i.e. 9-15 dBA attenuation from the free field levels). The styles of windows at ENC Offices are similar to Types E&F in the above study, which it indicates can provide 17-18 dB attenuation between façade levels and internal levels.

For the purposes of this assessment an outside to inside range of reduction from free field noise levels of 14-15 dBA can be assumed in order to assess the potential plant noise ingress via partly open windows for natural ventilation to the offices. For the school older sash windows 10-12 dBA is appropriate.

As can be seen from Table 5.8, below, with the office windows open, the plant specific noise level in the office should be 7 to 11 dB below the office background noise levels. This was also when the large open plan office only had 3 or 4 staff working and not the normal full complement of staff.
Table 5.8: Calculated Plant Sound Levels Internally (with Windows Open)

<table>
<thead>
<tr>
<th>NSR Location</th>
<th>Floor</th>
<th>Specific Plant Sound Level dB L(_{\text{Aeq,Tr}})</th>
<th>ENC Open Window Attenuation</th>
<th>Internal Plant Sound Level dB L(_{\text{Aeq,Tr}})</th>
<th>Comparison to Table 5.7 Internal Levels dB</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENC Offices</td>
<td>Ground</td>
<td>41</td>
<td>-14</td>
<td>27</td>
<td>-11</td>
</tr>
<tr>
<td></td>
<td>First</td>
<td>45</td>
<td>-14</td>
<td>31</td>
<td>-7</td>
</tr>
<tr>
<td>School Building</td>
<td>Ground</td>
<td>35</td>
<td>-10</td>
<td>25</td>
<td>-10</td>
</tr>
<tr>
<td></td>
<td>First</td>
<td>40</td>
<td>-10</td>
<td>30</td>
<td>-5</td>
</tr>
</tbody>
</table>


2 Comparison based on worst case – using measured background sound levels for the offices and new build internal ambient sound levels for schools.

For the school building with the windows open, the plant specific noise level in the internal rooms should be 5 to 10 dB below the unoccupied ambient noise level expected within a new school. In effect this level is the background level as no staff or students are present.

Therefore, if the focus is placed on the actual indoor noise levels due to the proposed new plant then, even with windows open the plant noise levels can be considered to be at NOEL (a No Observed Effect Level) for ground floors.

For the first floors, with windows open the plant noise levels can be considered to be between NOEL and LOEL (Lowest Observable Adverse Effect Level).

5.6 Summary of Plant Noise Break-out

The proposed four Hitachi Sigma VRF Heat Pumps will operate during the daytime period only, with the nearest NSRs being the ENC Offices, which the plant serves, and the Progress Schools Building opposite.

The noise break-out from the plant has been assessed in terms of the external Rating Level outside the nearest NSRs and also the specific plant noise levels within the offices and school buildings should windows be open.

There is an argument that the office windows should not be open as the air conditioning system, of which the plant is a part, will not be effective in such situations, although this requirement may be hard to control.
The Local Planning Authority requires that the proposed plant installation will not cause adverse impact to the adjacent offices in terms of noise. WBM has suggested that the Rating Level of the plant be between the $L_{A90,15\text{mins}} +0\text{dB}$ to $L_{A90,15\text{mins}} +5\text{dB}$ to meet this requirement.

For the ENC ground floor Offices and both floor levels at the school this is achieved and considered acceptable. For the first floor offices the plant Rating Level is 2dB above the upper value of the range.

It is proposed that this is acceptable on the basis that, even with windows open, the plant specific noise levels inside offices and classrooms for ground floors would be 10 to 11 dB below the background noise level and so at NOEL (a No Observed Effect Level). Also the plant specific noise levels inside offices and classrooms for first floors would be 5 to 7 dB below the background noise level and so between NOEL and LOEL (a Lowest Observable Adverse Effect Level).

Therefore, no additional mitigation should be necessary except for the proposed screen and small interventions outlined in Section 5.7.

### 5.7 Acoustic Screening Requirements

The screen proposed for the project by the M&E Contractor is shown in Figure 5.1 and Appendix E, Figures E2 & E3. For the M&E requirements, the screen is shown to be 800mm from the rear of the plant and 500mm from the side of the plant. The screen also must not be closer than 1500mm from the top of the units.

The back of the unit, 800mm from the plant, therefore rises vertically for 1.825m and then is angled towards a point 1.5m above the back of the units. As such the height of the screen in elevation is 3.325m both at the back and the sides.

The following requirements / assumptions for the screen are necessary and have been assumed when undertaking calculations of plant noise break-out:

i) The screens must be complete with no holes or gaps in any location, including at the junction with the ground floor base.

ii) As we are relying on the maximum acoustic screening effect possible, the mass of the screen, exclusive of the supporting posts, etc., should be at least 30 kg/m$^2$. 


iii) The screen sides are assumed to also come up to the full height of the screen.

iv) The screen sides should extend to 150mm past the front of the VRF units.

v) The screen should have an absorbent internal facing which must be suitable for external use, i.e. weatherproof. This is particularly important for the upper sloping and side sections of the screen. The absorbent material may be part of the screen manufacture or added later, but must have at least a Class D acoustic absorption with a sound absorption rating of at least $\geq 0.5 \alpha_w$.

vi) A short section of the retaining wall is to have external absorption as indicated in Appendix E, Figure E2. This is proposed as 1m wide x the screen height.

It is also recommended that the sloping bank in front of the plant, between plant location and the retaining wall, is covered with shrubbery and plants to avoid areas of hard reflective ground.

Note that WBM’s advice is limited to acoustic requirements and structural calculations and assessment may be required by a structural engineer for the screen.

6 Summary and Conclusions

WBM was commissioned by BMO Surveying to undertake a baseline noise survey and a plant noise assessment for four proposed new Hitachi Sigma VRF Heat Pumps that are to be installed outside the offices of their client’s building, East Northamptonshire Council (ENC) offices at East Northamptonshire House, Cedar Drive, Thrapston, Kettering NN14 4LZ.

The nearest noise sensitive receptors to the plant are the council offices and an older building opposite, which is occupied by Progress Schools Ltd, an independent secondary school.

The plant is to operate during the daytime only and baseline noise surveys were carried out by WBM on 14 September 2020 in the vicinity of the nearest noise sensitive receptors to determine the representative background noise levels at the site. It was noted that due to Covid-19 baseline noise levels were considered to be lower than the normal pre-Covid-19 baseline levels.
Based on information provided and conversations with the East Northamptonshire Council Environmental Health Team, WBM has suggested plant sound limits to be used for the assessment. These limits are that the Rating Level of the plant should be between the $L_{A90,15\text{mins}} +0\text{dB}$ and $L_{A90,15\text{mins}} +5\text{dB}$ in order to demonstrate that the plant does not cause adverse impact to the adjacent offices. The same limit was applied to the school building.

At the request of the EHO and SEHO at East Northamptonshire Council, WBM also assessed the likely internal plant noise levels with windows open for both the office and the school buildings.

The results of the assessment indicate that, for the ENC ground floor Offices and both floor levels at the school the proposed limits are achieved and considered acceptable. For the first floor offices the plant Rating Level is just 2dB above the upper value of the range.

An assessment of plant noise break-in through open windows for both floors of both buildings shows that the plant specific noise levels inside offices and classrooms for ground floors would be 10 to 11 dB below the background noise level and so at NOEL (a No Observed Effect Level). Also the plant specific noise levels inside offices and classrooms for first floors would be 5 to 7 dB below the background noise level and so between NOEL and LOEL (a Lowest Observable Adverse Effect Level).

On this basis it is proposed that the plant should be acceptable, even with windows open, provided that the screening meets the requirements set out in this report under Section 5.7.

Richard Lyons
BEng PhD CEng MIOA MCIBSE
Partner

(This document has been generated electronically and therefore bears no signature)
Appendix A: Glossary of Acoustic Terms

General Noise and Acoustics

The following section describes some of the parameters that are used to quantify noise.

Decibels dB

Noise levels are measured in decibels. The decibel is the logarithmic ratio of the sound pressure to a reference pressure (2x10\(^{-5}\) Pascals). The decibel scale gives a reasonable approximation to the human perception of relative loudness. In terms of human hearing, audible sounds range from the threshold of hearing (0 dB) to the threshold of pain (140 dB).

A-weighted Decibels dB(A)

The ‘A’-weighting filter emulates human hearing response for low levels of sound. The filter network is incorporated electronically into sound level meters. Sound pressure levels measured using an ‘A’-weighting filter have units of dB(A) which is a single figure value to represent the overall noise level for the entire frequency range.

A change of 3 dB(A) is the smallest change in noise level that is perceptible under normal listening conditions. A change of 10 dB(A) corresponds to a doubling or halving of loudness of the sound.

The background noise level in a quiet bedroom may be around 20 – 30 dB(A); normal speech conversation around 60 dB(A) at 1 m; noise from a very busy road around 70-80 dB(A) at 10m; the level near a pneumatic drill around 100 dB(A).

Façade Noise Level

Façade noise measurements are those undertaken near to reflective surfaces such as walls, usually at a distance of 1m from the surface. Façade noise levels at 1m from a reflective surface are normally around 3 dB greater than those obtained under free field conditions.

Free field Noise Level

Free field noise measurements are those undertaken away from any reflective surfaces other than the ground.

Frequency Hz

The frequency of a noise is the number of pressure variations per second, and relates to the “pitch” of the sound. Hertz (Hz) is the unit of frequency and is the same as cycles per second. Normal, healthy human hearing can detect sounds from around 20 Hz to 20 kHz.

Octave and Third-Octave Bands

Two frequencies are said to be an octave apart if the frequency of one is twice the frequency of the other. The octave bandwidth increases as the centre frequency increases. Each bandwidth is 70% of the band centre frequency.

Two frequencies are said to be a third-octave apart if the frequency of one is 1.26 times the other. The third octave bandwidth is 23% of the band centre frequency.

There are recognised octave band and third octave band centre frequencies. The octave or third-octave band sound pressure level is determined from the energy of the sound which falls within the boundaries of that particular octave of third octave band.
Appendix A (continued)

Equivalent Continuous Sound Pressure Level $L_{Aeq,T}$

The ‘A’-weighted equivalent continuous sound pressure level $L_{Aeq,T}$, is a notional steady level which has the same acoustic energy as the actual fluctuating noise over the same time period $T$. The $L_{Aeq,T}$ unit is dominated by higher noise levels, for example, the $L_{Aeq,T}$ average of two equal time periods at, for example, 70 dB(A) and 50 dB(A) is not 60 dB(A) but 67 dB(A).

The $L_{Aeq}$ is the chosen unit of BS 7445-1:2003 “Description and Measurement of Environmental noise”.

Maximum Sound Pressure Level $L_{A_{max}}$

The $L_{A_{max}}$ value describes the overall maximum ‘A’-weighted sound pressure level over the measurement interval. Maximum levels are measured with either a fast or slow time weighted, denoted as $L_{A_{max,f}}$ or $L_{A_{max,s}}$ respectively.

Noise Rating NR

The noise rating level is a single figure index obtained from an octave band analysis of a noise. The NR level is obtained by comparing the octave band sound pressure levels to a set of reference curves and the highest NR curve that is intersected by the sound pressure levels gives the NR level.

Sound Exposure Level $L_{AE}$ or SEL

The sound exposure level is a notional level which contains the same acoustic energy in 1 second as a varying ‘A’-weighted noise level over a given period of time. It is normally used to quantify short duration noise events such as aircraft flyover or train passes.

Statistical Parameters $L_{N}$

In order to cover the time variability aspects, noise can be analysed into various statistical parameters, i.e. the sound level which is exceeded for N% of the time. The most commonly used are the $L_{A01,T}$, $L_{A10,T}$ and the $L_{A90,T}$.

$L_{A01,T}$ is the ‘A’-weighted level exceeded for 1% of the time interval $T$ and is often used to gives an indication of the upper maximum level of a fluctuating noise signal.

$L_{A10,T}$ is the ‘A’-weighted level exceeded for 10% of the time interval $T$ and is often used to describe road traffic noise. It gives an indication of the upper level of a fluctuating noise signal. For high volumes of continuous traffic, the $L_{A10,T}$ unit is typically 2–3 dB(A) above the $L_{Aeq,T}$ value over the same period.

$L_{A90,T}$ is the ‘A’-weighted level exceeded for 90% of the time interval $T$, and is often used to describe the underlying background noise level.
Appendix B: Site Location Plan & Survey Measurement Locations

(Extract from BMOS Drawing “Block Plan” Number 20.444.03, dated 03 September 2020)

<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>3m from façade of office building on new base for plant and between third and fourth windows from left hand side.</td>
</tr>
<tr>
<td>B</td>
<td>3.8m from façade of Progress Schools Building on approach to council building entrance.</td>
</tr>
<tr>
<td>C</td>
<td>3.7m from façade of Progress Schools 2-Storey Building near to council building entrance (near less abled parking space).</td>
</tr>
<tr>
<td>Internal</td>
<td>Measurements were undertaken within the offices also, at first floor level on the side of the building near to the proposed plant.</td>
</tr>
</tbody>
</table>
Appendix C: Attended Sample Survey Details

Date and Locations of Survey

Monday, 14 September 2020, between 11:30 and 13:45 hours
See Appendix B for the map and description of Locations A to C, which were free field locations.

Survey carried out by

Dr Richard Lyons

Weather Conditions

Dry, sunny, warm ~20°C, Light SSE breeze <0.5m/.

Instrumentation and Calibration

The instrumentation used (including serial number in brackets) is tabulated below. The sensitivity
of the meter was verified on site immediately before and after the survey using the field calibrator.
The measured calibration levels were as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Meter Description</th>
<th>Start Cal</th>
<th>End Cal</th>
</tr>
</thead>
<tbody>
<tr>
<td>A &amp; Offices</td>
<td>Norsonic 140 Sound Level Meter (1403137)</td>
<td>113.7 dB(A)</td>
<td>113.6 dB(A)</td>
</tr>
<tr>
<td>Internally</td>
<td>Norsonic 1251 Calibrator (31993)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B &amp; C</td>
<td>Norsonic 140 Sound Level Meter (1403136)</td>
<td>113.9 dB(A)</td>
<td>113.97 dB(A)</td>
</tr>
<tr>
<td></td>
<td>Norsonic 1251 Calibrator (31992)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The meters and calibrators are tested monthly against a Bruel and Kjaer Pistonphone, type 4220
(serial number 375806) and a Norsonic Calibrator, type 1253 (serial number 22906) with UKAS
approved laboratory certificate of calibration.

In addition, the meters and calibrators undergo traceable calibration at an external laboratory every
two years.

Survey Details

Attended sample measurements of 15 minutes duration (one was 12 minutes) were undertaken at
free field Locations A to B, shown and described in Appendix B. The microphone was at a height
of between 1.4 metres above local ground level, with windshields used throughout.

Attended sample measurements of 2 minutes duration were undertaken within the first floor offices
on the side of the building at desks near to the proposed plant. The microphone was at a height of
between 1.4 metres above floor level.

The noise climate is described in the measurement results in Appendix D.
## Appendix D: Survey Results

**External Measurements on Monday 14 September 2020**

**Weather:** Dry, sunny, warm ~20°C, Light SSE breeze <0.5m/s

<table>
<thead>
<tr>
<th>Location</th>
<th>Start Time (hh:mm)</th>
<th>Dur^a (mins)</th>
<th>Results dB</th>
<th>Comments / Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A</strong></td>
<td>11:37</td>
<td>15</td>
<td><img src="value" alt="Laeq,T" /> <img src="value" alt="Lmax,T" /> <img src="value" alt="L10,T" /> <img src="value" alt="L90,T" /></td>
<td>Existing Daikin AC units nearby, operating intermittently, though typically only 1 or 2 at a time. Occasional activity at entrance to council offices. Low level of distant road traffic. Truck in yard.</td>
</tr>
<tr>
<td><strong>A</strong></td>
<td>11:52</td>
<td>15</td>
<td><img src="value" alt="Laeq,T" /> <img src="value" alt="Lmax,T" /> <img src="value" alt="L10,T" /> <img src="value" alt="L90,T" /></td>
<td>As comments above with more passersby to/from council offices and Progress School Building.</td>
</tr>
<tr>
<td><strong>B</strong></td>
<td>12:06</td>
<td>15</td>
<td><img src="value" alt="Laeq,T" /> <img src="value" alt="Lmax,T" /> <img src="value" alt="L10,T" /> <img src="value" alt="L90,T" /></td>
<td>Distant road traffic. Activity in car park. Loud voices from inside school building including odd shouts, laughter and bangs. Staff and student movements along school path and gate noise. Council entrance doors and groups talking at building entrance.</td>
</tr>
<tr>
<td><strong>A</strong></td>
<td>12:07</td>
<td>12</td>
<td><img src="value" alt="Laeq,T" /> <img src="value" alt="Lmax,T" /> <img src="value" alt="L10,T" /> <img src="value" alt="L90,T" /></td>
<td>Existing Daikin AC units nearby, operating intermittently. Low level of distant road traffic. Voices in car park. People leaving council building/loud voices. (Sample only 12 minutes due to meter batteries running out).</td>
</tr>
<tr>
<td><strong>B</strong></td>
<td>12:21</td>
<td>15</td>
<td><img src="value" alt="Laeq,T" /> <img src="value" alt="Lmax,T" /> <img src="value" alt="L10,T" /> <img src="value" alt="L90,T" /></td>
<td>Students and staff accessing school building. Gate and door noises. Voices inside school building. Group talking at council building entrance. Distant road traffic noticeable to west. Passersby from council building.</td>
</tr>
<tr>
<td><strong>C</strong></td>
<td>12:38</td>
<td>15</td>
<td><img src="value" alt="Laeq,T" /> <img src="value" alt="Lmax,T" /> <img src="value" alt="L10,T" /> <img src="value" alt="L90,T" /></td>
<td>Distant road traffic to west. Voices from council office building; music from inside school building. Voices and people leaving the council offices. Birdsong.</td>
</tr>
<tr>
<td><strong>A</strong></td>
<td>13:08</td>
<td>15</td>
<td><img src="value" alt="Laeq,T" /> <img src="value" alt="Lmax,T" /> <img src="value" alt="L10,T" /> <img src="value" alt="L90,T" /></td>
<td>Existing Daikin AC units nearby, with two operating intermittently. Birdsong. Occasional activity in car park.</td>
</tr>
</tbody>
</table>
### Appendix D (continued)

**Internal measurements on Monday 14 September 2020**

<table>
<thead>
<tr>
<th>Start Time</th>
<th>Dur' (mins)</th>
<th>Results dB</th>
<th>Comments / Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>$L_{A_{eq,T}}$</td>
<td>$L_{A_{max,f}}$</td>
</tr>
<tr>
<td>13:35</td>
<td>2</td>
<td>50</td>
<td>68</td>
</tr>
<tr>
<td>13:39</td>
<td>2</td>
<td>42</td>
<td>57</td>
</tr>
<tr>
<td>13:43</td>
<td>2</td>
<td>41</td>
<td>61</td>
</tr>
</tbody>
</table>
Appendix E: Plant Layout Details

Figure E1: M&E Plant Drawing Showing VRF Heat Pump Units
(Extract from McDowall Air Conditioning (UK) Ltd drawing “Air Conditioning & Ventilation Layout” drawing number 9498-M-01/RevB, dated 06/10/2020)

Figure E2: Lower Ground Floor Plan of ENC Offices - Proposed Plant
(Extract from BMO Surveying drawing “Existing and Proposed East Facing Elevation of Modern Building. Proposed Positions of VRF Units” drawing number 20.444.01/Rev E, dated 29/10/2020.)

Approximate location of external weather resistant noise absorption (in green) to reduce reflection locally of plant noise back towards windows. Minimum 1m wide and height to be same as screen, 3.325m.
Appendix E (continued)

Figure E3: East Facing Façade of ENC Offices
(Extract from BMO Surveying drawing “Existing and Proposed East Facing Elevation of Modern Building. Proposed Positions of VRF Units” drawing number 20.444.01/Rev E, dated 29/10/2020.)

CONDENSING UNIT SCHEDULE

<table>
<thead>
<tr>
<th>Ref</th>
<th>Manufacturer</th>
<th>Model</th>
<th>Dims (H x W x D)</th>
</tr>
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<tbody>
<tr>
<td>A</td>
<td>HITACHI</td>
<td>RAS12FSXN5E</td>
<td>1759 x 959 x 784</td>
</tr>
<tr>
<td>B</td>
<td>HITACHI</td>
<td>RAS14FSXN5E</td>
<td>1759 x 1219 x 784</td>
</tr>
<tr>
<td>C</td>
<td>HITACHI</td>
<td>RAS20FSXN5E</td>
<td>1759 x 359 x 784</td>
</tr>
<tr>
<td>D</td>
<td>HITACHI</td>
<td>RAS18FSXN5E</td>
<td>1759 x 359 x 784</td>
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Appendix F: Octave Band Plant Noise Data

<table>
<thead>
<tr>
<th>Plant Ref</th>
<th>Hitachi Sigma Model Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>RAS-12FSXNSE</td>
</tr>
</tbody>
</table>

**RAS-12FSXNSE**

![Graph showing octave band plant noise data for RAS-12FSXNSE](image)

- **Frequency (Hz)**
- **Sound pressure level:** Global (night mode); 59 (54) dB(A)

**Approximate threshold of hearing for continuous noise:**

- Night shift

**NC Levels:**

- NC-70
- NC-60
- NC-50
- NC-40
- NC-30
- NC-20

**Notes:**
- Hi
- Approximate threshold of hearing for continuous noise
### Appendix F (continued)

<table>
<thead>
<tr>
<th>Plant Ref</th>
<th>Hitachi Sigma Model Reference</th>
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</thead>
<tbody>
<tr>
<td>B</td>
<td>RAS-14FSXNSE</td>
</tr>
</tbody>
</table>

#### RAS-14FSXNSE

**Graph:**
- **Title:** RAS-14FSXNSE
- **Y-axis:** Octave sound pressure (dB(C))
- **X-axis:** Frequency (Hz)
- **Legend:**
  - Hi
  - Night shift
  - Approximate threshold of hearing for continuous noise
- **Sound pressure level:** Global (night mode); 63 (57) dB(A)
Appendix F (continued)

<table>
<thead>
<tr>
<th>Plant Ref</th>
<th>Hitachi Sigma Model Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>RAS-20FSXNSE</td>
</tr>
</tbody>
</table>

**RAS-20FSXNSE**

- **Hi**
- **Night shift**

**Frequency (Hz)**

**Octave sound pressure (dB(C))**

- Approximate threshold of hearing for continuous noise

**Sound pressure level:** Global (night mode); 65 (59) dB(A)
Appendix F (continued)

<table>
<thead>
<tr>
<th>Plant Ref</th>
<th>Hitachi Sigma Model Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>D</td>
<td>RAS-18FSXNSE</td>
</tr>
</tbody>
</table>

**RAS-18FSXNSE**

- **Frequency (Hz)**
- **Octave sound pressure (dBA)**

- **Approximate threshold of hearing for continuous noise**

- **Sound pressure level**: Global (night mode); 65 (57) dBA
Appendix G: Example Plant Calculation

The following shows the plant break-out calculation for one of the NSR locations nearest the plant, this is the ground floor ENC Offices. There is a calculation for each item of plant covering the noise break-out to the corner window of the offices, nearest the two loudest VRF plant items.

The calculations have been undertaken using the assumptions set out in Section 5.2.

Table G1
Plant Breakout Calculation 5087
DATE: 20/10/20
PROJECT: ENC Office New AC Plant
CLIENT: BMO Surveying (for East Northants Council)
SYSTEM: Lower Ground Floor South RAS-18FSXNSE (Ref D)
NSR: ENC Offices Ground Floor

<table>
<thead>
<tr>
<th>Description</th>
<th>Frequency (Hz)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturer's Sound Pressure Level (Free Field)</td>
<td>dB Lp (1m)</td>
</tr>
<tr>
<td>Correction for reflecting surfaces (dB)</td>
<td>0</td>
</tr>
<tr>
<td>Number of same plant items</td>
<td>1</td>
</tr>
<tr>
<td>Distance attenuation (dB)</td>
<td>Distance (m) = 2.5</td>
</tr>
<tr>
<td>Screening Attenuation (dB)</td>
<td>Delta = 2.046</td>
</tr>
<tr>
<td>Lp receptor location</td>
<td>dB Lp</td>
</tr>
<tr>
<td>Lp receptor location (A weighted correction applied)</td>
<td>dB LpA</td>
</tr>
</tbody>
</table>

Specific Sound Level, $L_{Aeq,Tr}$ at NSR Location (dB) 37.0

Table G2
Plant Breakout Calculation 5087
DATE: 20/10/20
PROJECT: ENC Office New AC Plant
CLIENT: BMO Surveying (for East Northants Council)
SYSTEM: Ground Floor South RAS-20FSXNSE (Ref C)
NSR: ENC Offices Ground Floor

<table>
<thead>
<tr>
<th>Description</th>
<th>Frequency (Hz)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturer's Sound Pressure Level (Free Field)</td>
<td>dB Lp (1m)</td>
</tr>
<tr>
<td>Correction for reflecting surfaces (dB)</td>
<td>0</td>
</tr>
<tr>
<td>Number of same plant items</td>
<td>1</td>
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<td>Delta = 2.046</td>
</tr>
<tr>
<td>Lp receptor location</td>
<td>dB Lp</td>
</tr>
<tr>
<td>Lp receptor location (A weighted correction applied)</td>
<td>dB LpA</td>
</tr>
</tbody>
</table>

Specific Sound Level, $L_{Aeq,Tr}$ at NSR Location (dB) 37.0
### Table G3

<table>
<thead>
<tr>
<th>Description</th>
<th>Frequency (Hz)</th>
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</thead>
<tbody>
<tr>
<td>Manufacturer’s Sound Pressure Level (Free Field) dB Lp (1m)</td>
<td>63  70  64  57  52  44  42</td>
</tr>
</tbody>
</table>

**Determine Sound Pressure Level, Lp, at receptor:**

- Correction for reflecting surfaces (dB) 0 0 0 0 0 0 0 0 0
- Number of same plant Items 1 0 0 0 0 0 0 0 0
- Distance attenuation (dB)  Distance (m) = 3.5 11 11 11 11 11 11 11 11
- Screening Attenuation (dB) Delta = 1.663 11 14 17 20 23 24 24 24 24
- Lp receptor location  dB Lp 47 45 36 30 24 17 9 7
- Lp receptor location (A weighted correction applied)  dB LpA 21 29 27 27 24 18 10 6

**Specific Sound Level, L_{Aeq,Tr}, at NSR Location (dB)** 34.0

### Table G4

<table>
<thead>
<tr>
<th>Description</th>
<th>Frequency (Hz)</th>
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<tbody>
<tr>
<td>Manufacturer’s Sound Pressure Level (Free Field) dB Lp (1m)</td>
<td>67  67  59  58  53  45  40  38</td>
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</table>

**Determine Sound Pressure Level, Lp, at receptor:**

- Correction for reflecting surfaces (dB) 0 0 0 0 0 0 0 0 0
- Number of same plant Items 1 0 0 0 0 0 0 0 0
- Distance attenuation (dB)  Distance (m) = 4.4 13 13 13 13 13 13 13 13
- Screening Attenuation (dB) Delta = 1.663 11 14 17 20 23 24 24 24 24
- Lp receptor location  dB Lp 43 40 29 25 17 8 3 1
- Lp receptor location (A weighted correction applied)  dB LpA 17 24 20 22 17 9 4 0

**Specific Sound Level, L_{Aeq,Tr}, at NSR Location (dB)** 28.0
All plans and documents can be viewed using the link [here](#) using the Case Ref. No.

<table>
<thead>
<tr>
<th>Case Ref. No. and Page No.</th>
<th>Location</th>
<th>Updates</th>
<th>Officers Rec.</th>
</tr>
</thead>
<tbody>
<tr>
<td>20/00649/FUL</td>
<td>East Northamptonshire Council, Cedar Drive, Thrapston, Northamptonshire</td>
<td>Consultation response from East Northamptonshire Council Senior Conservation Officer, received 20.01.20: I am satisfied that this proposal would not cause any harm to the special character of the listed building. I therefore have no objections.  Officer comment: The above response does not alter the recommendation.</td>
<td>GRANT</td>
</tr>
<tr>
<td>20/01233/FUL Page 3</td>
<td>13 Windsor Road, Rushden, Northamptonshire</td>
<td>Updates</td>
<td>GRANT</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No updates</td>
<td></td>
</tr>
<tr>
<td>20/01158/FUL Page 8</td>
<td>Rockingham Motor Speedway, Mitchell Road, Corby, Northamptonshire</td>
<td>Updates</td>
<td>GRANT</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Correction to report:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>There is a correction to 7.26 which should refer to revised comments received from the LLFA, received 30.12.20, and reference in paragraph 6.20 (page 18 of the report). The LLFA have confirmed that, subject to conditions, that the impacts of surface water drainage have been adequately addressed.</td>
<td></td>
</tr>
</tbody>
</table>
Previous Use of the Site and Contamination

Further information has been sought on the previous use of the site and the location of the capped area within the site.

ENC Senior Environmental Protection Officer has advised as follows;

The approximate location of the capped area is detailed in the Environmental Setting Plan on page 32 of the Crossfield Consulting report (geotechnical report) submitted in support of this planning application, (emailed to Members 19.01.21), and a more detailed plan of the capped area.

The extent of the capped area was determined when Soot Hills waste was relocated during the construction of Rockingham Motor Speedway. The capped area is mostly under a tarmac surface and should not be impacted by the proposed development with the exception of risks from the installation of lighting columns and boundary fencing.

The original capping layer is detailed in reports held by the council as a HDPE layer (membrane) over a compacted layer of 2a/2b engineered fill (dry cohesive material – general fill). A protection layer of 200mm of crushed limestone was then placed, followed by 500mm of compacted 2a/2b material. A 1 metre layer of restoration materials was then to be placed on top of the engineered cap. However, the exact depth of this restoration layer is not known. An investigation carried out in 1999 prior to the relocation of the Soot Hills waste found the capping layer at that time followed the general sequence of 0.5 to 0.75 metres of gravelly soil on sand gravel, overlaying the HDPE liner.

The capped area contains iron and steel works waste materials such as slag and flue dust from reclamation by Corby Borough Council of the Soot Hills site located on the south side of Corby alongside St James’ Industrial Estate. The waste was analysed during the relocation exercise and was found to contain high levels of soluble sulphate, zinc and arsenic. The area was capped to prevent leaching of contaminants into controlled waters. Providing the integrity of the capping layer is retained there should be no additional risk to either the proposed development or the wider environment.

The uncapped area is relatively uncontaminated. It comprises pre 1996 tipped steelworks rubble and not significantly different to huge volumes of such material that exists over wide areas of Deene Quarry.

The Senior Environmental Protection Officer has noted there is a new boundary treatments plan PO3 dated 05/01/21 which gives the details of the palisade fencing. The plan simply states the foundation requirements should be in accordance with the manufacturer’s details and recommendations. The
lighting plan simply states there will 37 by 16 metre high lighting columns. No details of the foundations to them. The potential risks of damaging the capping layer when putting in the foundations for the boundary fence and the lighting columns has been referred back to the environmental consultant.

The proposed new use is appropriate to the location and history of the site. The proposed development would address any existing contaminant pollutant linkages.

Officer response: With regards to the lighting and fencing, the depth and location of these is adequately controlled by condition 21 within the report.

Landscaping

Additional landscaping is proposed within the site. A query was raised at Member briefing over the nature of the additional planting. The submitted plans show the additional landscaping to be wildflower and grass mix. This type of planting is unlikely to be deep rooting, however, if there is concern over the nature of the planting proposed Condition 17 could be amended as follows;

Prior to the first occupation of the hereby permitted development the proposed landscaping and additional planting shall be implemented in accordance with the details on plan reference: ROCK2-BED-ST-ZZ-SK-A-0016 & ROCK2-BED-ST-ZZ-SK-A-0017-P01. All planting/landscaping must not include any deep rooting plants or trees in order to protect the capping layer over the Soot Hill repository.

Reason: The landscaping of this site is required in order to protect and enhance the biodiversity of the area and to reduce the visual and environmental impacts of the development hereby permitted.

Lighting

Queries were raised at Member briefing with regards to upward lighting and leakage. Condition 16 in the report (page 29) requires any lighting to be installed in accordance with the submitted lighting specification and lighting assessment. Officers are satisfied that the proposed lighting scheme would not result in any light spill or upward glare, however, the condition could be reworded to provide more control of this as follows;

Suggested condition wording for Condition 16;

Any lighting shall be carried out in accordance with the submitted lighting specification (submitted 24.11.20) and as detailed in the Lighting Assessment by DKO dated 13.08.20 (submitted 16.09.20). There should be no upward glare from the installed lighting or light spill outside of the confines of the
site.

Reason: In the interests of public and residential amenity.

**TV Interference**

A query was raised at Member briefing with regards to the height of the proposed building and TV Interference. The proposed building would have a ridge height of 10.93m which is comparable with surrounding buildings. If there is concern over the potential for a structure of this size to create electromagnetic interference a condition could be imposed as follows:

**Suggested wording for a condition;**

*If between the commencement of development and six months of the building having been completed (the date of which shall be confirmed in writing by the occupier to the local planning authority) it is brought to the attention of the Local Planning Authority that TV or radio interference to adjacent residential properties on the Lloyds estate (to the east of Rockingham Road and bounded by Stephenson Way / Pen Green Lane) or Priors Hall estate (Phase 1 – north of Park View only) has occurred as a result of the erection of the buildings, details of measures to mitigate against such TV or radio Interference shall be submitted to the Council. These details shall be submitted by the applicant within 28 days of being advised by the Council that such problems are occurring, and subsequently approved in writing by the Local Planning Authority. The details of mitigation measures submitted shall be commensurate with the level of TV or radio Interference occurring and shall be implemented within a reasonable time period as directed by the Local Planning Authority.*

Reason: In the interests of protecting local amenity and to alleviate any adverse electromagnetic interference.

**Condition 20 – Fire Hydrants, Sprinkler Systems and Infrastructure:**

The applicant’s agent has requested that this condition be omitted as they feel this is a building control item and not something that should be conditioned during the planning application.

Officer response: - NCC Key Services have requested that the development requires additional fire hydrants and sprinkler systems in order for fires, should they occur, to be managed and have requested a condition. This was not requested or included as a condition on the recently approved building, under 19/01769/FUL or 20/00400/FUL, and is legislated under building regulations, therefore it is not considered reasonable to impose such a condition on this application and it is requested that condition
<table>
<thead>
<tr>
<th>20/00534/FUL</th>
<th><strong>Land West of Rushden Lakes, Ditchford Lane, Rushden, Northamptonshire</strong></th>
<th>DEFER</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Page 35</strong></td>
<td><strong>Updates</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Change to Recommendation</strong></td>
<td></td>
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</tr>
<tr>
<td>The council has sought independent ecology advice relating to the objection received from Natural England. The advice has now been received in the form of an “Appropriate Assessment” as required by the Conservation of Habitats &amp; Species Regulations 2017.</td>
<td></td>
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<tr>
<td>The advice concludes that two additional planning conditions are required to ensure that no adverse effect on integrity will arise, not only on the Upper Nene Valley Gravel Pits SPA/Ramsar site itself but also on the Ditchford Reserve and the proposed compensatory habitat to be created for Stanton Cross (Wellingborough East). These conditions are on the following grounds:</td>
<td></td>
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</tr>
<tr>
<td>• <strong>It is recommended that to avoid adverse effects on the SPA/Ramsar site and (particularly) Ditchford Reserve during construction of the scheme, and assuming works must take place during the October to March period, noise control measures sufficient to achieve a 10dB reduction in construction noise at Ditchford Reserve will be required and should be incorporated into a planning condition. The details of mitigation measures will need to be provided to the local planning authority before works commence. With such a condition included, a conclusion of no adverse effect on integrity can be reached.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• <strong>It is recommended that a planning condition is inserted requiring full details to be provided regarding the layout, design, surfacing and management of the informal permissive path between the proposed shared cycleway/footpath and the existing PROW to the north of the site. This will be required before that aspect of the Scheme can be constructed. The applicant must also submit details demonstrating this informal path can be established with measures in place to ensure that it does not facilitate materially easier access for recreational visitors from the new car park to the Upper Nene Valley SPA/Ramsar site. With such a condition in place the integrity of the SPA/Ramsar site would be protected from any increase in recreational pressure.</strong></td>
<td></td>
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</tr>
<tr>
<td>This application is significant in scale and has been accompanied by an Environmental Statement. Ecology is a sensitive issue in this location and the council is further advised by the independent ecologist and planning solicitor that it would not be good practice for the Council to determine the application (based on a recommendation to approve) without seeking further views from relevant parties.</td>
<td></td>
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</tbody>
</table>
Consultees.

Officers agree and have reconsulted Natural England, the Wildlife Trusts and the ecologist at Northamptonshire County Council. **The recommendation is now that the application be deferred** until a future Planning Management Committee meeting, to allow for this consultation process to conclude, and for the report to be updated accordingly. **It is recommended that the Committee does not debate the application at this meeting.**

If the Committee elects to debate this item, the following updates are relevant:

**Matters raised during Member Briefing**

Slip road length / how many vehicles can queue – the two-lane section is 46.5m in length. Based on an average sized family car (Nissan Qashqai – 4.4m long) and assuming a 0.5m gap between each one, this would allow for 9 (9.5) vehicles to queue in each of the two lanes. In its entirety the slip road is in excess of 300m long before it reaches the A45 carriageway.

Strength of lighting condition in relation to biodiversity – this is inconclusive until the reconsultation exercise referred to above has taken place.

**North Northamptonshire Badger Group Comments**

At paragraph 6.18 of the report it says these comments are awaited. Comments have now been received, advising that there are no objections to the application on the basis that a pre-construction badger activity survey is provided via condition, and that there will be a statutory 30metre and a 60 metre buffer. The applicant has agreed to the condition which will be worded as follows:

> Prior to the commencement of development a Badger Survey shall be submitted to and approved in writing by the Local Planning Authority. The Badger Survey shall assess the potential for badger activity within the site and identify any required mitigation measures. The mitigation measures shall be implemented in accordance with the approved details.

**Reason:** To ensure the potential for badger activity is fully examined and recorded.

**Changes to Conditions**

The applicant has raised queries relating to the wording of conditions 3, 4, 5, 8, 12, 13, 16 and 17. The majority of these queries relate to minor typing errors / word selection and the clarification of plan.
numbers, all of which are resolvable.

The queries on condition 3 (landscape management) relate to:

1. The omission of elements not included in the submission (play equipment), or where they are covered by other conditions (signs/lighting); and
2. Changing some elements to be “prior to installation” rather than pre-commencement

The first point is accepted and further consultation has been undertaken with the Senior Tree and Landscape Officer on the second point. The final wording of this condition should be delegated to the case officer in consultation with the Senior Tree and Landscape Officer.

The query on condition 12 (precautionary contamination condition) is whether this should apply site-wide if any contamination discovered is only in a small part of a very large site. The Senior Environmental Protection Officer agrees that the condition can be amended and following discussions with the applicant, condition 12 can be amended as follows (changes in bold):

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out on that part of the site until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure if any previously unidentified contamination is encountered during development that it is dealt with appropriately.

20/00594/FUL
Rectory Farm, Main Street, Achurch, Northamptonshire

Matters raised during Member Briefing

1. What proposal structures are permitted development? – See paragraph 3.8 of the report. A single-storey side extension on the southern elevation of the host dwelling is currently being constructed under permitted development. Also, proposed extension 3 (see paragraph 2.3 of the report) could be constructed under permitted development. Therefore, these proposed structures do not require planning permission.

2. Fixed Velux windows – see paragraph 3.12 of the committee report. A condition for fixed Velux
windows would be unnecessary and unreasonable given that the rooflights would be at a high enough level and at an oblique angle for occupants to not be able to overlook. This was proven at the site visit with Members.

**Further Comments**
Comment have been received from a local resident expressing concerns of noise, overlooking, no section plan, condition for the rooflights to be fixed shut, and a condition to prevent a mezzanine floor. These matters have been addressed in the committee report (paragraphs 3.11 and 3.12) and the original Officer report (paragraphs 7.12 to 7.20).

The impact upon residential amenity is considered to be acceptable and the request for the roof lights to be fixed shut is not considered to be necessary to make the development acceptable in planning terms.

It would be reasonable however to include a condition to prevent use of the roofspace for additional accommodation, which could result in overlooking. An additional condition is proposed, to be worded as follows:

**Condition**
No mezzanine floor or living accommodation within the roofspace of the development hereby permitted shall take place.

Reason: To safeguard the residential amenity of the neighbouring properties in accordance with Policy 8(e) of the North Northamptonshire Joint Core Strategy 2016.

An additional comment has been received from a neighbour expressing concerns of overbearing and a condition to prevent the roofspace of extension 1 (see paragraph 2.2 of the committee report) to be used for residential accommodation. The impact upon residential amenity is considered to be acceptable (see paragraphs 7.12 to 7.20 in the original Officer’s Report).

The above suggested condition would restrict living accommodation within the roofspace of the proposed development.
and 6 would be upgraded by the applicant in the manner that is shown on the plan. The proposed location and measurements for each passing place are also shown on the plan. The Local Highway Authority is satisfied that all the upgrade work can take place within the adopted highway and does not object. The applicant would enter into a Section 278 Agreement to finance the upgrades. The upgraded passing places would then become the responsibility of the Local Highway Authority for maintenance purposes. The works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contractor; who has the required and necessary public liability insurance in place.

Neighbour Comments:
An additional neighbour comment was received on 16.01.21 and are summarised as follows:

- Brooks Road is confirmed as being a gated road
- The proposal will increase the buildings on site by 243%
- Visual amenity would be affected from the north.
- The proposed buildings are tall and will be seen from the open countryside
- There are no official passing places between Raunds and Blots Barn and only three between Denford Road and the A45 bridge.
- It is not enforceable to condition that traffic can only enter and exit towards Raunds – especially when the Raunds end is flooded.
- Highways do not maintain the road to cope with existing volume of traffic. The proposed number of parking spaces suggests an additional 64 – 74 peak hour movements per day as there isn’t safe access by foot.
- Attached images of recent flooding at the Raunds end of Brooks Road (available to view on council’s website).

The Case Officer has asked the Local Highway Authority for evidence of Brooks Road being considered a ‘gated road’.

The Local Highway Authority has responded to the question regarding gated road status as follows:

"I can advise that there is not actually an official designation relating to whether a road is gated or not. There is only designation as to whether the road is publicly maintained (adopted) or not and Brooks Road is publicly maintained highway.

Basically, gated roads are usually ones which run through open farmland, or land which was open at the time they became publicly maintained highway at least. The gates would have been there solely to prevent livestock straying down the road. Many gated roads have since had gates removed and replaced by cattle grids and some have probably had the adjacent farmland totally enclosed thereby
doing away with the need for gates or cattle grids entirely. So, the fact that the road may have had gates historically doesn't have a great deal of bearing on the road today. It has not changed status in any way."

**Condition 17 – Permitted Use**

It is recommended that the reason for adding this condition is expanded to read as follows:

*Reason: To clarify the terms of this permission and to ensure that the development hereby permitted is used as proposed and not for use as a separate entity or for any other purposes which have not been considered fully as part of this application.*

**Trigger Point for Passing Place Implementation:** The Local Highway Authority advise that the requirement for the proposed passing places comes with the volume of traffic associated with the office units themselves, and not with the construction traffic associated with the site whilst the development is being built. Members may feel differently but your officers advise that a condition with a ‘prior to commencement’ trigger point would be unreasonable (not meeting with the tests for conditions) and could be easily challenged – with a potential costs award.

**Routing Agreement:** Members have suggested that a routing agreement to ensure that vehicles which are associated with the proposed development turn right when leaving the site. However, this would be very difficult to monitor and enforce and would not be of significant benefit to the scheme or its impact on road safety. Signage to encourage vehicles to drive towards Raunds could be used as an alternative and this could be added as a condition or an informative.

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**20/00347/OUT**

**Hillside, Brick Kiln Road, Raunds, Northamptonshire**

**Updates**

**Visibility Splays:**

Following a request from Cllr Wilkes, the Local Highway Authority was asked to provide further comment on whether the proposed development would provide the required visibility splays. Their response is as follows:

I can confirm the required visibility requirements in accordance with the Design Manual for Roads and Bridges is 2.4m x 120m for an access adjoining a 40mph carriageway. The applicant is demonstrating
110 metres to the East and 114 to the West respectively. The junction spacing requirements in accordance with DMRB are for the adjacent junctions to be adequately spaced so that vehicles waiting at junctions do not impede visibility. Given the quantum of development that the adjacent accesses are serving, I would suggest the chances of visibility being impaired being minimal. However, I can confirm the access does not meet current standards.

However, as previously discussed, this is a moot point as our recommendation is based on the principle of there being a net reduction in traffic movements associated with the site and the access has been positioned in the optimum location taken into account stagger distances and junction spacing.

<table>
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<th>20/01447/QRY</th>
<th>East Northants Resource Management Facility, Stamford Road, Kings Cliffe, Northamptonshire</th>
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<tbody>
<tr>
<td>Page 124</td>
<td><strong>Updates:</strong></td>
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<td><strong>Matters raised during Member Briefing:</strong></td>
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<td>The following questions arose from the briefing and the answers provided by ASL in response are below:</td>
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<td><strong>Questions:</strong></td>
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<td>1. Why is the land being raised to the extent shown by the proposed restoration landform profile drawings?</td>
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<td>2. Where will the material come from to restore the land to the proposed landform profile?</td>
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<td>3. How much material (volume and tonnage/number of Lorry loads) of material will be needed to restore the land to the proposed landform profile?</td>
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<td><strong>Answers from ASL:</strong></td>
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<td><strong>Answers to question 1: Land raising and domed restoration profile, and Restoration levels above the existing ground levels:</strong></td>
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</table>
|              | “As explained in section 4.5 of the PEIR a domed profile is necessary for the restoration profile for landfill sites and is best practice for landfill sites which accept non-inert waste. The final profile of the waste and capping layer is designed to form a stable slope which will encourage shedding of rainfall to minimise infiltration and as a consequence to minimise the generation of leachate. Leachate is the contaminated liquid formed when water infiltrates into the waste and which is collected in the base of the site from where it is collected and managed. The landfilling in the western phases of the current
landfill site (Phases 7, 8, 9 and 11) will be continuous with the landfill in the proposed adjacent phases of the western landfill area as shown in the schematic diagram on Figure 4.7 of the PEIR. This proposed design of the landfill will make the most efficient use of the area available for waste void and will result in the creation of an integrated and consistent restoration profile.

As explained in the PEIR and summarised above it is necessary for the filled site to be restored to a domed profile with side slopes which encourage rainfall runoff and to create a coherent restored landform over the whole application site including the existing ENRMF site. As explained in Section 8 of the PEIR the proposed restored landform at the current site would extend to a maximum height of 99m AOD. It is proposed that the western extension would rise up to a level of approximately 98m AOD at the northern end and drop down where the adjoining landform also drops in elevation. The restored central area then rises up to 97m AOD where it merges with the restored ENRMF site landform. Two distinct areas of landfill, one to the south west of the un-diverted water pipelines and one to the south of the gas pipeline to the southern boundary of the site would also be worked and restored to form two smaller mounded landforms, rising up to 98.5m AOD."

Answers to questions 2 and 3: Material for use in the restoration:

“Once each landfill area has been completed to the final waste levels, an engineered low permeability capping layer is placed over the waste and keyed-in to the basal and side low permeability lining system to provide a continuous low permeability containment barrier. The capping system will comprise a 300mm thick regulation layer (which is formed of fine grained materials), a 1m thick layer of clay, a drainage layer 300mm thick and at least 1m of restoration soils increased to 1.5m of soils where trees will be planted.

In order to construct the western extension void it will be necessary to win and work minerals including the extraction of soils, overburden and clay. The soils and some clay will be retained on site for use in site restoration and the construction of the low permeability engineered liner and capping layers. The remaining materials will be exported off site. The restoration layers above the capping system will therefore be formed primarily of site-won materials.

The proposed restoration scheme comprising largely neutral/calcareous grassland, tree and scrub planting and hedgerows with trees will require the use of soils with low nutrient richness typical of unimproved grasslands and natural habitats. Agricultural soils and typical top soils are inappropriate due to their relatively high nutrient status which would result in strong growth and competition by weed species to the detriment of the target species for the specific habitats. Soils can be sourced from inert waste material received through the gate but are typically highly variable giving uneven establishment and often importation of undesirable species in the soil seed banks. Use of imported soils would require
a reliable source with good characterisation to ensure that the restoration objectives are not compromised. It is proposed therefore to use predominantly on site soils and overburden materials as a soil forming material for the restoration of the site. Further description of the proposals for the soils used in the restoration of the site are provided in sections 8.13 to 8.15 of the PEIR.”

**Need for photomontages:**

In response to the Committee Report’s recommendation that 3D photomontages of the restored landform are submitted for each viewpoint in the Landscape and Visual Impact Assessment (LVIA), ASL has submitted the following response:

“Liaison has been taking place and continues with Northamptonshire County Council regarding the proposed development including with respect to the landscape and visual impact assessment. It has been agreed with Northamptonshire County Council that three photomontages from Viewpoints 3, 5 and 9 are appropriate in order to illustrate the developed site and assist in the assessment. These viewpoints are those from which it is possible to prepare a photomontage which includes a view of the site and which it is agreed provide representative views. Viewpoint 3 (at the eastern edge of Fineshade Wood) is the location with the clearest view of the western extension area currently. Viewpoint 5 is adjacent to Westhay Lodge located to the south of the site which is the closest residential receptor that will have views of the western extension area. Viewpoint 9 is located to the south east on Roman Road and is representative of long distance views of the proposed western extension from a Public Right of Way. It is not considered necessary to prepare photomontages from all the viewpoint locations as, in agreement with Northamptonshire County Council, it has been determined that the proposed locations will provide a representative selection of views to assist in the assessment of impacts.”

**Officer response to the information provided:**

Officers are not experts on the issues surrounding landfill development and landfill restoration. However, in determining a Development Consent Order application, the Secretary of State will draw upon expert advice on the justification for the restored landform proposed and its potential effects. The reasons given by ASL for the proposed restored landform and the origin of the material proposed to create it appear, on the face of it, to be cogent, however Officers remain concerned about the potential visual impact of the proposed landform. The volume of material needed to create the proposed restored landform has not been quantified.

As an update to paragraphs 4.3-4.6 of the Committee Report, Officers note ASL’s commitment to
provide three photomontages from Viewpoints 3, 5 and 9 (and no others) to illustrate the developed site and assist in the assessment of visual and landscape impact, and respond to concerns over visual impact. ASL, in consultation with NCC has agreed photomontages from these viewpoints because viewpoint 3 (at the eastern edge of Fineshade Wood) is the location with the clearest view of the western extension area currently; viewpoint 5 is adjacent to Westhay Lodge located to the south of the site which is the closest residential receptor that will have views of the western extension area; and viewpoint 9 is located to the south east on Roman Road and is representative of long distance views of the proposed western extension from a Public Right of Way.

Officers consider that the photomontages proposed will assist in assessing visual impacts of the proposed restored landform and these viewpoints broadly accord with the likely areas from which the restored landform would be visible - as shown on the Zone of Theoretical Visibility plan. However, in the interests of clarity and certainty, ASL is advised to consider what information it can provide in its DCO application to rule out the restoration landform from being visible from any other viewpoints.

The additional information submitted by the applicant therefore justifies adjustment of the recommendation as follows:

**Updated Officer Recommendation:**

The Committee is recommended to note the content of this report and the updates provided, and to authorise the Head of Planning Services to respond to ASL’s Development Consent Order Pre-Application Consultation, as follows:

1) the Council notes the justification from ASL for the significantly increased land levels proposed by the restored landform.
2) the Council welcomes the commitment from ASL to provide three photomontages from Viewpoints 3, 5 and 9 to illustrate the appearance of the proposed restored landform in the landscape and assist in a future assessment of visual and landscape impact, and advises ASL consider what information it can provide to rule out the proposed restored landform from being visible from any other viewpoints.

**Update to section 3 of the Committee Report:***

Member of Parliament, Tom Pursglove, has submitted a response from a constituent raising concerns over the proposal increasing the risk of flooding in and around the Kings Cliffe area.

**Officer response:** The representation is noted. However, a decision on the DCO application rests with
the Secretary of State following examination of the proposal by the Planning Inspectorate, and not East Northamptonshire Council. This examination process will assess all technical issues, including flood risk, taking advice from appropriate experts.

The Officer Presentation Slides have been amended in response to the updates listed above. The amendments are as follows:

- Addition of a drawing showing the currently approved restoration landform on slide 4.
- Viewpoints 3, 5 and 9 have been highlighted by yellow coloured circle on slide 7. 3D montages showing the appearance of the proposed restored landform from these viewpoints will be provided.
- Photos showing the position and extent of the proposed restored landform from viewpoints 3 and 5 are included on slides 8 and 9.
- Updated recommendation is shown on slide 10.