

BOROUGH OF KETTERING

Committee	Full Planning Committee – 23/07/2014	Item No: 5.1
Report Originator	Rebecca Collins Senior Development Officer	Application No: KET/2013/0661
Wards Affected	All	
Location	A14 Junction 10 (land adj A6), Burton Latimer	
Proposal	Outline Application with EIA: Employment development of up to 109,000sqm within uses classes B1, B2, and B8, roadside and ancillary uses, associated landscaping and infrastructure	
Applicant	Roxhill Developments Ltd	

1. PURPOSE OF REPORT

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

2. RECOMMENDATION

It is recommended to APPROVE the application subject to no further significant planning matters being raised by third parties between the date of the Committee and 31st July 2014, which are not already addressed in the Committee Report or which have not been previously raised by third parties, and that the Highways Agency raise no objections. Subject to a S.106 legal agreement covering the matters set out in the report the application is APPROVED and delegated to the Head of Development Services to finalise the S.106 and the planning permission, subject to the following conditions:-

1. Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: In order to secure a satisfactory development.

2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, layout and scale of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: In order to secure a satisfactory development

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

5. Prior to development commencing a Landscape Strategy for the application site shall be submitted to and approved in writing by the Local Planning Authority. The Reserved Matters shall be submitted with a detailed scheme of hard and soft landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted, the layout, contouring and surfacing of all open space areas. The works approved shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development whichever is the sooner. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity and the significance of historic assets in accordance with Policy 12 of the NPPF and policy 13 of the North Northamptonshire Core Spatial Strategy.

6. None of the buildings hereby approved shall be occupied until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

REASON: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal public, nature conservation or historical significance in accordance with Policy 12 of the NPPF and Policy 13 of the North Northamptonshire Core Spatial Strategy.

7. No development shall take place until a plan showing details of existing and intended final ground and finished floor levels has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: To preserve the character of the area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

8. The development shall consist of B1, B2 and B8 employment uses and one petrol filling station only and no other uses within 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 with or without modification. The development floorspace shall not exceed 52,187 sqm of B8 floorspace, 32,767sqm of B2, 21,733 sqm of B1 and 1,600 sqm for the petrol filling station.

REASON: To preserve the character of the area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

9. No individual building hereby permitted shall exceed 13,935 (150,000 sq ft) external floorspace or exceed a maximum height of 15 metres. No B1(a) office use shall exceed 9,290 sqm.

REASON: To preserve the character of the area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

10. No development shall take place on land identified as Plot H on the Development Framework Plan reference P005 D received on 24/06/2014.

REASON: To define this permission for the avoidance of doubt.

11. No development shall commence on site until a materials strategy for the development has been submitted to and approved by the Local Planning Authority. The strategy shall include surfacing for any hardstanding and a palette of materials to be used in the construction of external surfaces of any of the buildings. The Reserved Matters shall include precise details of the facing and roofing materials to be used in the external surfaces of the buildings hereby permitted, in accordance with the approved materials strategy. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

12. Prior to the installation of any external lighting, full details of a lighting scheme for site and/or lighting for each parcel of development shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include a site plan(s) showing the location of all external lighting, details of the various types of lighting to be erected, the maximum ground area to be lit, the luminance of the lighting and measures to prevent light spillage from the site. No external lighting shall be installed anywhere on the site other than in complete accordance with the approved lighting scheme.

REASON: In the interests of Highway Safety and the amenity of nearby residents and to help prevent light spillage from the site in accordance Policy 7 and 11 of the NPPF and Policy 13 of the Core Spatial Strategy for North Northamptonshire.

13. Prior to the submission of the first Reserved Matters relating to appearance, landscaping, layout and scale details of a scheme for a Waste Management Facilities Strategy (WMFS) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved WMFS and its recommendations.

REASON: In the interests of general amenity and to ensure that no obstruction is caused on the adjoining highway in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

14. Reserved matters applications for each parcel of development shall be accompanied by the following::

- A Sustainability Report, demonstrating how environmental sustainability issues have been addressed during the design process and setting out how design credits under the relevant BREEAM rating (or equivalent) will be achieved
- A scheme for the secure storage of cycles
- Bin Storage (in accordance with the Waste Management Facilities Strategy as required by condition 13)
- Layout of car parks including car and lorry parking, service yards and turning facilities
- A detailed scheme indicating the positions, design, materials and type of screen walls and fences to be erected,
- Street Furniture (in accordance with condition 19)

The development shall be carried out in accordance with the approved details.

REASON: In the interest of the character of the area, general amenity and highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

15. The development shall achieve a minimum of Building Research Establishment Environment Assessment Method (BREEAM) level "very good" (or the equivalent standard which replaces BREEAM). In the event that the BREEAM standard

achieved for the actual building falls short of the "very good" standard (or the equivalent standard) a programme of remediation works shall be agreed in writing by the Local Planning Authority and carried out in accordance with a timetable to be agreed.

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

16. Within three months of work starting on a development parcel, a copy of the Interim Design Stage Assessment Certificate shall be provided to the Local Planning Authority to demonstrate that any building to be constructed will achieve the required BREEAM level.

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

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

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

18. Prior to the commencement of development a low or zero carbon (LZC) Feasibility Study to establish the most appropriate LZC energy source for the development in order achieve a target of at least 30% of the demand for energy shall be submitted to and approved by the Local Planning Authority. The study shall be carried out by an independent energy specialist and shall cover as a minimum; energy generated by LZC source per year, payback, land use, noise, whole life cost impact of potential specification in terms of carbon emissions, any available grants, all technologies appropriate to the site, energy demand of the development, reasons for excluding other technologies. If the 30% target cannot be met the study must include a technical and economic viability assessment to justify any lower percentage. Any revisions to the study shall be submitted to the local planning authority for approval.

REASON: In the interest of tackling climate change, reducing carbon emissions and creating a sustainable development in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy (2008).

19. A scheme for the delivery, implementation and maintenance of all street furniture shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans, images and where appropriate samples to be used for the design, materials, location of all street furniture, public art, benches, bins etc. All street furniture shall be installed and maintained in accordance with the approved strategy.

REASON: To protect the character of area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

20. Prior to the commencement of development a scheme for the provision of fire hydrants shall be submitted to and approved by the Local Planning Authority. The

approved scheme shall be fully implemented prior to occupation of any of the buildings hereby approved.

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

21. No reserved matters application shall be submitted unless and until a Walking and Cycling Audit has been submitted to and approved in writing by Local Planning Authority. No development shall be commenced until details of the Walking and Cycling Measures arising from the Audit, which for the avoidance of doubt shall include measures such as dropped kerbs, tactile paving and controlled pedestrian/cycle crossing(s) and signage to be carried out within the public highway and the application site that reasonably relate to the proposed development along with a programme of delivery have been submitted to and approved in writing by the local planning authority. Such Walking and Cycling Measures shall be carried out in accordance with the approved programme of delivery.

REASON: In the interests of road safety, efficiency, sustainability, and amenity in accordance with Policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

22. Prior to commencement of development a programme for archaeological works shall take place on the site, in accordance with a written scheme of investigation which shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include site-based archaeological survey works, trial fieldworks to evaluate the archaeological potential of the site and any works necessary to preserve and record archaeological remains on and from the site. The works shall only take place in accordance with the approved scheme.

REASON: To ensure the archaeological potential of the site is properly evaluated and recorded in accordance with Policy 12 of the NPPF and Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

23. No works shall take place on site unless and until an Ecological Management Plan has been submitted to and approved in writing by the local planning authority, the implementation of which should be overseen by a suitably experienced ecological clerk of works. The development shall not be carried out other than in accordance with the approved Ecological Management Plan.

REASON: To secure a net gain in biodiversity and enhancements to the Green Infrastructure network in accordance with Policies 5, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

24. Prior to the commencement of development, a scheme for the provision of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

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

25. Prior to the commencement of development a Green Infrastructure (GI) Strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall demonstrate how a net gain in Green Infrastructure will be achieved and will include full details of the proposals, phasing of Green Infrastructure, timing of Green Infrastructure delivery within phases and management regimes. The development shall not be carried out other than in accordance with the approved GI Strategy.

REASON: To secure a net gain in Green Infrastructure in accordance with Policy 5 and 13 (j) of the North Northamptonshire Core Spatial Strategy (2008).

26. Prior to the commencement of development, a scheme detailing the security measures/standards to be incorporated within the development with reference to the ACPO 'Secured by Design' scheme shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with these approved details.

REASON: To reduce the potential for crime in accordance with policy 13 of the Core Spatial Strategy for North Northamptonshire.

27. Due to the previous potentially contaminative use of the site and the underlying geology present throughout Northamptonshire at which the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use; it is expected that there may be unacceptable risks to future occupiers of the site without the following investigation being carried out.

Development on land affected by contamination:

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts a to d have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition d has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11(or any

model procedures revoking and replacing those model procedures with or without modification)'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition b, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition c.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 11 of the NPPF and 13 of the CSS.

28. No reserved matters application shall be submitted unless and until a detailed surface water drainage strategy for the whole site has been submitted to and approved in writing by the local planning authority. The scheme shall include:

- Detailed surface water design drawings including supporting calculations, long sections, cross sections and details of flow controls (cross sections with levels to Ordnance Datum and manufacturers discharge curve for vortex flow controls).
- Drainage phasing plan.

- Consideration of overland flood flows. Overland floodwater should be routed away from vulnerable areas (for acceptable depths and rates of flow, please refer to Environment Agency and Defra document FD2320/TR2 'Flood Risk Assessment Guidance for New Development Phase 2').

- Details of onsite SUDs and Swales.

- Details of how the scheme shall be maintained and managed after completion.

The development shall be carried out in accordance with the approved details.

The submitted Reserved Matters shall accord with the approved drainage scheme, unless otherwise agreed in writing by the local planning authority and shall be accompanied by a written statement of conformity which demonstrates compliance with the drainage scheme.

REASON: To reduce the risk of flooding on the proposed development, its future occupants and third parties in accordance with the Policy 10 of the NPPF and Policy 13 (q) of the Core Strategy for North Northamptonshire.

29. No development shall take place on any part of the application site unless and until a Construction Management Plan, including site working hours, location of on site construction compounds, measures to control the spread of mud onto the local highways network and dust suppression measures, is 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 Highway safety and residential amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

30. The development shall not commence until details of the following works (a, b and c) have been submitted to and approved in writing by the Local Planning Authority and no part of the development shall be occupied or brought into use until these works have been completed in accordance with the approved details:

a) Improvements to Junction 10 of the A14, the provision of new connecting roads, non-motorised user facilities and a roundabout ('Roundabout 3') as set out in THDA drawing number No. 10-0495 102 dated October 2013: General Arrangement A14 Junction and such amendments required by the Local Planning Authority as a result of the Stage 1 Road Safety Audit or otherwise approved by it in writing.

b) Improvements to Kettering Road, Burton Latimer and a new roundabout (Roundabout '1') as set out in THDA drawing No 10-0495 103 dated October '13: General Arrangement A6 and Kettering Road and such amendments required by the Local Planning Authority as a result of the Stage 1 Road Safety Audit or otherwise approved by it in writing.

c) Improvements to the A6 and a new site access roundabout (Roundabout '2') as set out in THDA drawing No 10-0495 103 dated October '13: General Arrangement A6 and Kettering Road and such amendments required by the Local Planning Authority as a result of the Stage 1 Road Safety Audit or otherwise approved by it in writing.

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

31. Prior to the commencement of the development hereby permitted, details of a positive means of drainage to ensure that surface water from the vehicular accesses [or private land] does not discharge onto the highway [and / or Public Right of Way] shall be submitted to and be approved in writing by the Local Planning Authority. The

approved scheme shall thereafter be installed and operational prior to the occupation of any of the buildings hereby approved and thereafter be maintained.

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

32. Prior to the commencement of development, the building(s) and any external plant shall be acoustically insulated in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and shall ensure that the background noise level at the boundary of the site or at the nearest noise sensitive dwelling does not increase. For the avoidance of doubt calculated noise levels at the measurement point should be 0dBA below the existing background level during daytime (7am - 11pm) and -3dBA during night time (11pm - 7am).

REASON: To prevent an unacceptable increase in background noise levels in accordance with policy 13 of the CSS.

Officers Report for KET/2013/0661

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

3.0 Information

Relevant Planning History

The application site has no relevant planning history but this site is located south of 'Kettering East' Sustainable Urban Extension, which has planning permission for 5,500 dwellings, employment, schools, secondary school, open space, health clinic and hotel.

Site Description

Officer's site inspection was carried out on 23/10/2013.

The application site is 48.3 hectares and lies on the south eastern edge of Kettering and to the north east of Burton Latimer. It is clearly defined and contained along its northern and western boundaries by the adjoining A14 and Kettering Road. The southern boundary extends a short distance to the south of the existing A6 road corridor. The A6 and Kettering Road both connect to Junction 10 of the A14 in the north west of the site.

The immediate land uses adjacent to the site including employment off the Kettering Road to the east of the site. Some residential to the south-east of the application site with Burton Latimer and Burton Latimer Hall Grade I Listed Building also to the south, and open countryside to the south and east of the application site.

The site landscape is dominated by two large arable fields sandwiched between the A14 and A6, with further smaller fields and land located to the south and west of the A6 in the west of the site. North of the A6, the land gently crowns towards the centre of this area, with the A14 situated in cutting, beyond a continuous hedgerow boundary and other woodland planting along this edge of the site. The A6 also sits slightly below much of the site and within a corridor with planting in between the A6 and the application site.

The site area in the west of the site and south of the A6 comprises an area of grassland and further arable farmland. Beyond this to the south there is further farmland leading up to the edge of Burton Latimer. Burton Latimer Hall lies on the Kettering Road on the northern edge of the town, approximately 400m from the application site. Mature woodland separates the main hall building and its surrounds from the site and the landscape to the north.

On the eastern side of the site is a minor road (Cranford Rd) and Blackbridge Farm. The farm lies alongside the site boundary and immediately to the south of the A14. A couple of further buildings and premises (including Windmill Cottages) lie nearby immediately to the east of the minor road. Further to the east and south east and more prominent in this rural landscape is the Burton Wold Wind Farm.

A public right of way crosses the site from north to south, connecting Burton Latimer to Cranford Road. The footpath crosses the site before travelling across the A14 and progressing onwards towards Cranford Road.

Proposed Development

Outline planning permission is sought, with all matter reserved apart from access, for employment development of up to 109,000 sqm within use classes B1, B2 and B8, roadside and ancillary uses, associated landscaping and infrastructure.

The application includes within it the potential to have a 'roadside use' within 'plot A' of the development. Plot A is located to the west of the application just off Junction 10 of the A14. Previously Plot A was to include a number of road side uses including a hotel, petrol filling station and restaurant. The transport modelling originally submitted with the application failed to demonstrate sufficient capacity at Junction 10 for the development plus these additional road side uses. The application has been amended and a revised Masterplan submitted to accompany the application. The revised Masterplan indicates that Plot A will include a Petrol filling station only. The impacts on highway are further discussed in the main body of the report.

The vision for the development, as outlined in the Masterplan does include the desire for other road side uses but a further planning permission with adequate transport modelling would be required. Therefore, a condition has been added to the permission limiting the on-site uses to B1, B2 and B8, as well as the Petrol filling station.

The development will accord with the following parameters:

- a maximum floorspace of 109,000 sqm (1,173,385 sqft) for the Business Park as a whole
- a maximum floorspace for B1(a) Office uses of 9,290 sqm (100,000sqft) for the Business Park as a whole (not including ancillary Offices within B2 and B8 accommodation);
- a site-wide maximum height of up to 15m to ridge / parapet;
- a maximum floorspace for any one building of 13,936 sqm (150,000 sqft).

The application site will consist of:

- B1(a) Office (other than A2) – 9290 sqm
- B1(c) Light Industrial – 12,443 sqm
- B2 General Industrial – 32,767 sqm
- B8 Storage and Distribution – 52,187 sqm
- Other uses - 1,600 sqm (Petrol Station only)
- Landscaping
- Footpaths and Cycleways
- Dedicated Bus Route
- Onsite drainage including SUDs and Swales

Plot H forms part of the highway route corridor associated with the Junction 10A works, linking this Junction to the A6. The setting aside of this land will form part of the s.106. Plot H could come forward and be integrated into the proposed development site at a future date and has therefore been assessed by the EIA. However, this site does not currently form part of this planning application.

Any Constraints Affecting the Site

Burton Latimer Hall Grade I Listed Building
Burton Latimer Conservation Area

Public rights of way – UA011 (UA018 and UA005 are outside of the application site)

A14 Trunk Road / A6

4.0 Consultation and Customer Impact

Parish/Town Council

Barton Seagrave Parish Council – 31st October 2013

Alterations to Junction 10 on the A14 should include proposals to provide access to Kettering East. Provision should be made at junction 2 (not junction 3) to link the development to the proposed junction 10A with carriageways duelled. Cranford Road off Junction 3 should be restricted to local traffic with weight restrictions imposed beyond the garden centre. The enlargement and lowering of junction 3 is to be commended.

29th January 2014

Barton Parish Council has no objections to the proposed drainage details as submitted.

Cranford Parish Council – 28th November 2013

Cranford Parish Council objects to the proposals on the grounds that this is valuable agricultural land. The increased traffic movements will overload Junction 10 of the A14. The development will generate unacceptable levels of noise and light pollution. There is already an approved commercial development at Junction 8 which is not occupied.

Highways Agency – 3rd December 2013

The proposed development impacts the strategic road network at the A14 Junction 10. There are differences between the planning application form and the submitted TA. A Design Standards Check will need to be undertaken to address this. Further information is therefore required, until this point a Holding Direction is placed on the permission and no decision can be issued for a period of 6 months.

3rd June 2014

A Stage 1 Road Safety Audit remains outstanding from the application and therefore the Highways Agency Holding direction is extended for a further 3 months.

There are on going discussions between Officers and the Highways Agency to agree that the proposed works/s.106 would enable them to remove their objections. This is further discussed in the main body of the report.

Natural England – 28th October 2013

The development is unlikely to result in significant impacts on statutory designated sites, landscapes and species. The local authority should satisfy itself that the proposal would not have unacceptable impacts on local wildlife sites. The application may provide opportunities to incorporate features into the design which benefit local wildlife and the authority should secure measures to enhance biodiversity through condition.

5th February 2014

The proposed amendments to the application relate largely to floor space and are unlikely to have significant different impacts to the natural environment.

10th July 2014

No additional comments.

Environment Agency – 6th November 2013

Object to the proposal in the absence of an acceptable Flood Risk Assessment (FRA).

15th May 2014

On the basis of further information which has been submitted the EA withdraw their objection subject to the inclusion of conditions.

4th July 2014

No further comments.

Anglian Water - 12th November 2013

Anglian water object to the proposal on the grounds that the surface water strategy/flood risk assessment submitted with the planning application is considered unacceptable, subject to this being submitted and considered adequate they:

- Raise no concerns with regards to waste water treatment due to potential capacity at Broadholme.
- The FRA submitted with the application is unacceptable, indicating a connection to the surface water sewer, which are not present in this area therefore a connection can not be made.
- Require a condition requiring a drainage strategy for foul and surface water management strategy to be submitted and approved
- Additional notes with regards to assets and trade effluent should be applied to any subsequent approval of planning permission.

[An further response from Anglian Water will form part of the Update to Members of the Planning Committee]

National Grid – 23rd October 2013

There is national grid apparatus within the vicinity of the site, developers should be informed of their requirement to contact National Grid prior to works commencing.

North Northants Badger Group – 29th October 2013

If planning permission is granted, further survey works for badgers should take place.

Other Local Authorities/NCC**Highway Authority – 19th December 2013**

There are differences between the planning application form and the submitted TA. Some of the differences will result in more vehicle movements than were assessed so this imbalance will need to be addressed.

An amended TA is required. Several junctions which have been assessed are overcapacity and a s.106 contribution is required for works to these junctions. The TA should include assessment making reference to the proposals at Kettering East to combine Phases 1 and 2 leading to the development of 2700 homes and associated commercial development prior to works commencing on Junction 10 of the A14. The capacity of the proposed Cranford Road roundabout is insufficient to cope with the traffic from the western approach or

that the section of single carriageway between the site access and here should be a minimum of two lanes.

The development appears to encourage access by private cars in preference to other modes. A meaningful strategy to encourage bus use, linked through an appropriate Travel Plan is therefore required. Contributions to delivering a more frequent and time appropriate bus service are required via a s.106 agreement.

A revised Travel Plan is required including monitoring data with regards to travel patterns.

Further details of the proposed footway/cycleway across junction 10 are required. The proposed crossing of junction 10 for cyclist needs updating to reflect amended arrangements for junction 10. Contributions via a s.106 would be required to improving the surrounding cycleway network.

Public footpath UA11 needs safeguarding as it is not clear from the application how this will be left. This footpath will need enhancing.

11th July 2014

In relation to the land to be made available for the Cranford Road roundabout I suggest that the following be included in the S106 wording:

- To safeguard land in the ownership or under the control of the applicant for the provision of an additional carriageway for the new alignment of the A6 between the Cranford Road roundabout and 'Roundabout 2' as shown on THDA drawing no. 10-0495 103 dated October 2013.
- To safeguard land in the ownership or under the control of the applicant for the provision of a new roundabout replacing the existing or subsequent roundabout at the junction of the A6 and Cranford Road, Burton Latimer.

In terms of the review of the Transport Assessment (TA), this showed that the TA was fit for purpose and that where mitigation was required – at 4 junctions – that the sums proposed are in line with our requests. [The sums are included in Section 6.0 of this report].

The Travel Plan (TP) needs to take account of future occupiers' requirements for setting up and running TP coordination roles in conjunction with officers from Northamptonshire Highways. This was recognised by the applicant at a recent meeting so the concept of this should be captured in the S106 Agreement. Values cannot be calculated at present and would need to wait until each parcel is occupied.

The application is considered acceptable subject to the application of conditions with regards to approved highways plans, measures for the prevention of mud on the public highway and suitable on-site drainage measures to prevent flooding of the public highway. A series of planning notes are also suggested.

[The suggested planning conditions and notes have been added to this report.]

NCC – Archaeology - 12th November 2013

No objection subject to standard condition requiring an archaeological programme of works.

NCC – Minerals and Waste – 21st October 2013

Prior to development taking place the applicant should demonstrate how it meets policies CS7 and CS8 of the Northamptonshire Minerals and Waste Development Framework Core Strategy (2010)

15th July 2014

No further information required.

Northamptonshire Police – 11th November 2013

Northamptonshire Police raise no objection subject to early liaison with the police Crime Prevention Design Advisor to help establish the right level of security in order to help match the crime prevention measures to the actual and perceived risks of crime. The police suggest a number of good practice principles to be incorporated in the future design of the site.

9th July 2014

No further comments.

Fire and Rescue – 1st November 2013

No objection subject to a contribution of £145 per 100sqm of non-residential development towards local fire and rescue infrastructure costs, alternatively sprinkler systems can be installed throughout the new development.

Joint Planning Unit – 10th July 2013

Adopted CSS

The proposal will contribute to strengthening the network of settlements (Policy 1 & 9 of the CSS). It is consistent with Policy 11 c) of the CSS as it adjoins the main urban area, being closely related to Kettering (and the Kettering East SUE), and Burton Latimer, and is in a location that is capable of being accessed by a choice of means of transport.

Having reviewed the planning statement the proposal will deliver approximately 3,000 jobs (para 3.4), in a mix of B1, B2 and B8 uses. This would make a substantial contribution towards meeting job targets set for Kettering Borough in Table 6 of the CSS, which accompanies Policy 11 of 16,200 jobs, which have proved challenging to deliver over the lifetime of the plan and contribute towards meeting the requirement for B8 employment, which was identified in land supply analysis undertaken by the JPU (25th July JPC Item 6, Appendix 2). It will be important to ensure that a mix of uses are brought forward on the site to ensure that a range of employment types are provided, and whilst noting that this is an outline application, the Council may wish to consider the use of planning conditions to achieve this.

It will be important that the proposal addresses the impact of HGV parking arising from the development as referenced at para 3.99 of the CSS. Whilst this will be dealt with at reserved matters stage, the Council may wish to consider the use of a planning condition to secure these improvements.

Emerging Joint Core Strategy Review

The Joint Core Strategy Review can only be given limited weight, although it should be noted that as part of the review, additional consultation has been undertaken on strategic sites, including the application site, where the principle for the site was broadly supported. However, the NNJPU considers that the policies in the Emerging Plan, which given a clear direction of travel for the

review, are relevant in so far as they reinforce the adopted CSS approach and identify the application site as a strategic employment site.

The Emerging Plan published in August 2012 requires provision to be made for a minimum of 8858 jobs in Kettering. It identified the application site as a proposed strategic employment site (Known as A14 junction 10, Burton Latimer). This followed an assessment of alternatives through the North Northamptonshire Strategic Employment Land Assessment (SELA) and more detailed work documented in Background Papers on Strategic Housing and Employment sites (August 2012 and 2013).

The Strategic Sites Background Paper (site 2) (August 2013) identified a number of key positive factors including low landscape and environmental impact, close proximity to the trunk road network, and that the site is a high quality gateway site to Kettering. Several concerns were identified, including poor connectivity to the existing urban area, the need for extensive access infrastructure, capacity of the highway network and the loss of best and most versatile agricultural land. It is noted that significant work has been undertaken to address these issues as part of the planning application.

Through the JCS review, key principles and policy for the proposed allocation of the site have been developed, which were consulted on between August and October 2013 and a proposed policy developed. It is considered that consultation on these principles, strengthens the weight that can be attached to these and that they provide a useful checklist of issues to be addressed and it is recommended that these principles inform the conditions to be imposed on any outline permission and the content of any legal agreement.

Neighbours

One local property has asked about the status of the Junction 10 and 10a. Two objections have been received from 1 Windmill Cottages and 19 Heath Way their comments are summarised as follows:

- The proposal will impact the amenity of Windmill Cottages and local properties from noise, light, dust and fumes from heavy traffic
- The submitted information fails to make any reference to these properties.
- Will there be some sort of bund/screening in between the site and Windmill Cottages and along the boundaries of the new A6? This would help to limit noise and pollution from the development.
- The proposal to develop the margin between the new road and Old Cranford Road on which Windmill Cottages are situated would effectively make these properties part of the new commercial development to their detriment.
- It is unclear from the plans the exact type and location of the proposed development and therefore it is unclear the impact it will have.
- Is there a need for this site when Cransley Park and other available sites stand empty? This will result in the site being almost completely B8 with very low employment.
- The Carbon Footprint from this development will have a negative impact on the local area.
- This is an important green gateway into Kettering
- House prices will be negatively impacted by the development.

A representation has been received on behalf of the farmer who currently holds an agricultural tenancy relating to the land. The correspondence asks that the following is taken into account as material planning considerations:

- "This development is going to have a major impact upon the livelihood of my clients farm, taking 48 acres" (at the site of the proposed business park) "or 40% of his total farm area";
- "My client has taken specific legal advice under his tenancy agreement and some of the difficulties the landlord will face in obtaining vacant possession of part of the farm: the landlord can only (serve a notice to quit) once planning permission has been obtained, and "the following points mean that they are unlikely to obtain possession within the 2 months" (of the notice period). The points being a) requirement for possession must be in respect of land that the landlord required for building, landlord cannot comply with this because a third party (Roxhill) requires the land for building purposes. b) "The 48 acres is not all required for building purposes, some of the land will be required for landscaping and presumably within the S106 legal agreement potentially for what may be classified as for "agricultural purposes"
- "my client will have the right to serve a Demand for Arbitration... all this procedure can take months, quite possibly running to over a year to achieve. Even if the landlord was successful in persuading the arbitrator....then further notices can be served on behalf of the tenant to apply for further postponement (of notice to quit) taking up to 12 months, there is also a possibility of an appeal;
- "Whilst fully appreciating that material considerations usually must relate to the use of land, this is indeed a matter of personal hardship (referring to Case of Great Portland Estates v Westminster City Council (1985) "the human factor is always present, of course, indirectly as the background to the consideration of the character of land use. It can however, and sometimes should (be) given direct effect as an exceptional or special circumstance" (House of Lords)

5.0 Planning Policy

National Planning Policy Framework

Core Planning Principles

Planning should be plan led; proactively drive and support sustainable economic development; seek high quality design; take account of different roles and character areas; support a low carbon future; contribute to conserving and enhancing the natural environment; make effective use of Brownfield land; promote mix use developments; conserve heritage assets; actively manage growth; and deliver services to meet local needs.

Policy 1. Building a strong, competitive economy

The Government is committed to ensuring sustainable economic growth and support an economy fit for 21st Century. Investment in business should not be over-burdened by policy expectations.

Policy 2. Ensuring the vitality of town centres

Recognise town centres as the heart of the community. A sequential approach should be applied to development proposals over 2,500sqm, which are outside existing centres. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

4. Promoting Sustainable Transport

The transport system needs to be balanced in favour of sustainable transport modes giving people a real choice about how they travel.

5. Supporting high quality communications infrastructure

Advanced, high quality communications infrastructure is essential for sustainable economic growth.

7. Requiring Good Design

Good design is a key aspect of sustainable development . . . and should contribute positively to making places better for people. High quality and inclusive design should address the connections between people and places and the integration of development into the natural, built and historic environment.

10. Meeting the challenge of climate change, flooding and coastal change

Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Help increase the use and supply of renewable and low carbon energy and take account of flood risk, coastal change, water supply and changes to biodiversity and landscape.

11. Conserving and enhancing the natural environment

The planning system should contribute to and enhance the natural environment, minimise pollution.

12. Conserving and enhancing the historic environment

The significance of historic assets should be sustained and enhanced.

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1. Strengthening the network of settlements

Directs growth towards the growth towns and restricts development in the open countryside.

Policy 5. Green infrastructure

A net gain in green infrastructure will be sought.

Policy 8. Delivering economic prosperity

A net increase in jobs will be sought.

Policy 9. Distribution & location of development

New building in the open countryside outside SUE's will be strictly controlled with preference given to previously developed land and locations accessible by a choice of travel.

Policy 11. Distribution of jobs

New sites will be allocated to meet a shortfall in supply. These will be adjoining main urban areas, SUE's or in areas which have low jobs/workers balance and will be in locations that are capable of being accessed by a choice of means of transport.

Policy 13. General sustainable development principles

Ensures development meets the needs of residents and business without compromising quality for future generations.

Policy 14. Energy efficiency and sustainable construction

New development should meet the highest standards of resource and energy efficiency. Non-residential development will be compliant with a BREEAM/Eco-building assessment rating of at least 'very good'.

Local Plan

Policy 7. Protection of the open countryside

Restricts new development in the open countryside.

Policy 35. Within Towns

Encourages new development to be located within town boundaries.

Kettering Town Centre Area Action Plan

Allocates a series of potential employment sites within the Kettering Town Centre boundary.

Emerging Policies (Local Development Framework)

Emerging Joint Core Strategy

The 'Updated Draft Background Paper on Strategic Housing and Employment Sites' (August 2013) makes reference to this site and identifies it as a potential strategic allocation.

SPGs

Sustainable Design SPD

Biodiversity SPD

6.0 Financial/Resource Implications

A Section 106 agreement is required, the following table summaries the requirements of that agreement:

Section 106	Contribution Ask	Applicant offer
Highways		
- Junction 10	Improvement works to Junction 10	Agreed
- Cranford Road Roundabout	£400,000	£250,000
- Junction Improvements A6 / A510 r/a Finedon	£30,000.00	
Barton Road / Windmill Avenue signals	£40,000.00	
A509 / Station Road Mini r/a	£25,000.00	
	£120,000.00	
- Travel Plan	Framework to be agreed including contributions and set out in the s.106	Agreed
	£7,000 monitoring fee	

		£110,800	Agreed
- Local Cycleway network Land set aside for connecting A6 to Junction 10A			£55,400 Agreed
Public Transport	Provision to include bus stops, shelters and signage, together with Real Time Passenger Information. Also, a temporary bus turning head prior to construction of the Junction 10a link. A month's free travel for all new employees on the business park.		Agreed
Apprenticeship scheme	To facilitate the provision of construction skills training/apprenticeships. The form and delivery of the training to be discussed and agreed with Kettering Borough Council and appropriate training providers.		Agreed

There are ongoing discussions with the applicants with regards to the terms of the s.106 agreement, an update will be presented to Members of the Planning Committee at the meeting.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle
2. Jobs and Town Centre Impact
3. Highways
4. Landscape character and design
5. Impact on local residential amenity
6. Impact on the significance of local historic assets
7. Sustainability
8. Loss of agricultural Land
9. Environmental Impact Assessment
10. Other matters

1. Principle

The proposal lies outside of the designated settlement boundaries of Kettering and Burton Latimer with only the south-western corner of the site falling within the designated settlement boundary of Burton Latimer. The majority of the site is located within open countryside where development is restricted by Policies 1 and 9 of the Core Spatial Strategy and policy 7 of the Local Plan for Kettering Borough. Despite being located largely outside of designated settlement

boundaries, the site lies to the west of existing commercial/employment uses, to the south of the proposed Kettering East SUE and to the east of the Burton Wold Wind Farm, currently being extended with a further 9 wind turbines. The site has been assessed as part of the emerging Joint Core Strategy and identified and shortlisted as a potential strategic employment site in the latest assessment of strategic sites, which was publically consulted upon in August 2013. The site is closely related to main transport routes and the application includes proposals to improve the public transportation network and cycle network. The site lies to the south of the A14 in reasonable proximity to the Borough's Sustainable Urban Extension, Kettering East.

Policy 8 of the North Northamptonshire Core Spatial Strategy encourages a net increase of jobs to maintain the balance between homes and jobs and create a more diverse economic base. Policy 11 of the adopted Core Strategy states that 'new employment sites will be allocated to meet any identified shortfall in supply. These will be within or adjoining the main urban areas, the SUE's, or areas that presently have low jobs/workers balance and be in locations that are capable of being accessed by a choice of means of transport'.

Policy 1 of the NPPF outlines the 'Governments commitment to securing economic growth in order to create jobs and prosperity' and states that 'significant weight should be placed on the need to support sustainable economic growth'. Paragraph 21 of Policy 1 of the NPPF states that 'Local Plans should outline a clear economic vision and strategy; identify strategic sites; and plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries'.

Although, the majority of the application site is located on land outside of designated settlement boundaries, the site is located in close proximity to both Burton Latimer and Kettering, with other commercial development close by. The proposal is located on major route ways and it is proposed to have a bus route running through the development linking to Kettering and Burton Latimer. Also, new and improved public footpaths and cycleways will improve the connectivity of the site with the surrounding area. Subject to these sustainable travel improvements (to be required by condition and through the section 106) and taking into consideration the size of the application site and that it is identified in the Strategic Sites Background Paper, which has been produced to inform the allocation of employment sites in the emerging Joint Core Strategy, the principle of development is considered acceptable on this basis.

2. Jobs and Town Centre Impact

Policy 2 of the NPPF outlines that LPA's should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Main town centre uses include B1 offices. Paragraph 24 of Policy 2 goes on to say that 'main town centre uses, such as offices, should be required to be in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering out of town centre sites preference should be given to accessible sites that are well connected to the town centre. When assessing these applications an impact assessment should be required'. There are a number of B1 (office) allocated sites in the town centre including approximately 32,000 sqm of B1 offices within the Station Quarter as identified in the Town Centre Area Action Plan. There is a further 10ha of B1 office space which has been granted planning permission

at the Kettering East development site to the north of the application site. The applicants have submitted information outlining the impact of the development on the town centre and Kettering East.

In their submitted additional information, prop-seach.com has outlined that office demand recently has largely been for out of town centre sites. Supply challenges, which currently exist, need to be addressed with choice available providing immediate supply with flexible delivery options. Given that the offer of town centre sites and out of town sites is very different some occupiers will focus on the convenience of the train station and accessibility to retail. However, other companies will seek Headquarters comprising of larger buildings in out of town locations which can provide main road accessibility and car parking, and have the flexibility for offering elements such as workshop, warehouse, research and development space that can be difficult to deliver in town centre locations. This need for choice is outlined in the North Northamptonshire Strategic Sites background paper, which states 'Additional sites . . . to meet sector-specific requirements and provide the market with a choice of high quality employment sites to ensure that land availability does not prevent minimum job targets being met'. A lack of choice could put off investors and may lead to outward migration of companies seeking this type of site. The applicants state that there are currently numerous examples of existing businesses now struggling to find suitable relocation opportunities within the Borough.

The applicants have stated that this site will provide an opportunity to attract blue chip occupiers who require larger office HQ and/or Research and Development facilities in an attractive environment. It will not be suitable for smaller scale local/regional courtyard developments better suited to the East of Kettering SUE.

The proposal will make a substantial contribution towards meeting job targets set for Kettering Borough in Table 6 of the CSS, which accompanies Policy 11, and will also contribute towards meeting the local requirement for B8 employment. On the basis the site will provide choice and competition locally, that this site is close to existing settlements and would provide the opportunity to become well connected with Kettering and Burton Latimer, and that the site is opposite existing commercial development, the proposal is considered acceptable on this basis. In accordance with Policy 2 of the NPPF, this is considered to be an acceptable out of town site on this basis.

The original application for this site included 26,093.5 sqm of B8 employment space, 49,498.5 sqm of B2 and 32,695 sqm of B1. The permission has since been amended and proposes 52,187 sqm of B8, 32,767sqm of B2 and 21,733 sqm of B1. The applicants have stated that it is their intention to purpose build units on the basis of client interest. The site will be constructed with necessary roads and landscaping in advance of the individual development of plots. Once the primary infrastructure is in, individual buildings will be purpose constructed depending on the client. A break down of users and types of users has been requested from the applicants, who have previously attended a Members Briefing session at Kettering Borough Council. Although, it must be understood that the exact details of potential future occupants can be commercially sensitive the applicants have not provided a breakdown of potential future users. The applicants outlined that it is common for employers to want elements of offices within B2 or B8 development as outlined above B1 users may want some workshop element. Therefore, the increased provision for B8

land space does not mean that all jobs will be low skill or that the space to job ratios will be low. Also, improvements in technology can mean that higher skilled jobs are required in relationship with B2 and B8 uses. As the end users will be market led, the applicants state that they can not provide a breakdown of the types of jobs or numbers for the site. The applicants have however, submitted a Masterplan showing the potential layout of the site including zoning and landscaping.

The applicants have also made the decision not to submit a phasing plan for the site. Without a phasing plan it would be difficult to tie the delivery of B8 jobs to B1 and B2 jobs to ensure a fair proportion of each type of unit is delivered. The applicants have stated that there are covenants on the land, which limit the size of each individual building to a maximum of 13,935 sqm (150,000 sq ft) and a maximum overall height of 15m (49.2ft). The applicants state that these limitations, which would be conditioned, would allow only 3 B8 units at the maximum size to be constructed and would not prevent any B8 use from including within it B1 or B2 uses. As outlined above the applicant proposes to frontload a significant amount of investment into the site, rather than building the site out in phases and waiting for clients to opt for existing buildings. The advantage of this is significant up-front investment into this area with buildings only being constructed once an end user is identified, so new buildings on site would not stand empty. Also, purpose built buildings offer the opportunity for greater investment into the local area. If a condition was imposed on the application requiring a certain level of B1 and/or B2 to be constructed with the B8 this could prevent the market from influencing the timing and form of the on-site buildings resulting in buildings standing empty. Although, this approach does make it difficult to devise a phasing plan for the development, it would encourage inward investment to the benefit of the local area. The proposed levels of employment and delivery programme is therefore considered acceptable and in accordance with Policy 2 of the NPPF and Policy 9 of the CSS.

Initially the application submitted included a number of road side uses including a hotel, petrol filling station and restaurant. These were proposed to be located to the west of the application site, within Plot A, off existing Junction 10 of the A14. The provision of road side uses has been reduced to a petrol filling station only, details of which will need to be submitted and approved as part of any subsequent reserved matters application. Other road side uses have been removed from this application as the Transport Assessment failed to demonstrate that there was sufficient capacity at Junction 10 for these uses, the levels of employment proposed on site and other local background growth, including Kettering East. A condition will be applied to any subsequent permission restricting the permission to B1, B2, B8 employment (to the levels outlined above) and for a petrol filling station only.

3. Highways

The application has been designed to deliver a step change in the capacity available at Junction 10 of the A14. This is to be achieved through the creation of a Southern Link Road (SLR) to the south of the junction, designed to remove traffic from the A6 to Burton Latimer from Junction 10. The conversion of Junction 10 into a four arm junction through the use of the SLR and diversion of the A6, reducing the number of turning conflicts at the junction. Widening of the rotary and slip roads, together with full signalisation. All land required to implement the chosen highways scheme is either within the control of the

developer or is land currently designated as Highway. This means the scheme is deliverable.

Alledge Brook and Redrow homes are also required to complete mitigation measures at Junction 10. Although each developer is responsible for their own works, in reality the first developer will complete all the works and deliver a fully fit for purpose Junction 10 which will mitigate the combined effects of all developments. If Roxhill is approved, given the timescales they have indicated, they will wish to proceed with the development, it is likely that they will be the first to come forward and complete the works with Alledge Brook and Redrow proportionately contributing towards this. Discussions are on-going in this regard.

The Highways Agency previously issued a Holding Direction, preventing a decision being made on the application as it was submitted without a Stage 1 Road Safety Audit. Further information has been submitted and discussions are ongoing with the Highways Agency to remove their Direction. It is important to note the recommendation for this application, which is approval subject to the signing of a s.106 agreement. Through ongoing discussions with the Highways Agency, Roxhill and Alledge Brook, we await a plan showing all the works at Junction 10 and outlining the individual parties responsibilities for delivering the works around this Junction. The Highways Agency have confirmed that they will respond positively to the proposal once agreement on the works to J10 of the A14 has been reached. An update on this matter will be provided to Members at the Planning Committee and they will be advised how this can be dealt with.

The proposals include the realignment of the A6 in the south west corner of the site to accommodate a four-arm roundabout connecting Junction 10 of the A14, the application site and the Kettering Road / Altendiez Way roundabout. The realignment of the A6 and the creation of a new roundabout involves the realignment of Kettering Road, east of its current route. Access to the site itself will be via a new roundabout off the A6 into the southern part of the site. No additional vehicular access into the site from the local highway network will be proposed by the planning application.

The submitted Development Framework shows a further link road to the east of the application site, running through future potential Plot H, connecting the A6 to future Junction 10A off the A14. This land is to be set aside for this purpose within the section 106 agreement.

The application is accompanied by a Transport Assessment and Travel Plan. Previously the Highways Authority has raised concerns with regards to both these documents. Concerns were raised with regards to traffic flow distribution trip generation and impacts as the original transport modelling failed to include the impacts from the previously proposed roadside uses. These uses have been removed and the Highways Authority are now satisfied that the impact on Junction 10 along with Phase 1 of the Kettering East (as revised in application reference KET/2013/0695) could be mitigated by works to be agreed and a plan to be condition, subject to discussions with the Highways Agency and provided mitigation arrangements are secured by section 106 contributions.

With regards to the Travel Plan, a framework for section 106 contributions based on individual buildings contributions is to be agreed with the applicants.

A monitoring fee has already been agreed.

With regards to HGV parking a condition has been proposed requiring details of on-site parking and turning facilities to be submitted to and approved by the Local Planning Authority. The proposal is therefore considered acceptable and in accordance with policies 4 of the NPPF and 13 of the CSS.

4. Landscape character and design

A significant amount of landscaping is proposed to help soften the development and protect key views, especially from Burton Latimer. The provision of green infrastructure corridors running north-south and east west will be an improvement for local ecology as well as providing recreation corridors for the end users of the site and being the location for on-site SUDs and Swales. The submitted 'Development Framework strategy' for the site includes landscaping proposals to address key routes in and around the site. It proposes new hedgerows and woodland adjacent to the re-aligned A6 and the road link from Junction 10. Perimeter landscaping proposals will extend along the northern and eastern edges of the site, with existing trees and hedgerows along these boundaries reinforced with additional planting.

A distinctive and high quality gateway to the site is proposed to include bold blocks of shrub planting, open space, and semi-mature trees and hedgerows. This landscaping will be used to frame entrance buildings into the site and public art will be incorporated to enhance the strong gateway feature. Landscape proposals will include the realigned public footpath that would link into the spine road and maintain and improve its connections beyond the site boundary.

A boulevard is to be created along the east-west central spine road, which will provide a landscape corridor through the development and provide an attractive entrance to individual Plots. Further on Plot landscaping will be required by individual reserved matters applications.

The existing planting alongside the southern side of the A14, will be protected and enhanced and further woodland planting is proposed to the southern side of the site, in between Burton Latimer and the development to protect views from Burton Latimer to the development. Open Swales and ditches will be provided for biodiversity and drainage.

The applicants propose to appoint a landscape management company to manage the proposed landscaping, SUDs and Swales, details of which will be required by conditions/section 106.

As outlined above the maximum height of each of the individual buildings will be limited to 15 metres, the buildings are to be located adjacent to main routeways but the existing and proposed planting and landscaping will help to soften and screen the development. Despite this it is likely that some larger buildings would be visible from the A14 and also the A6. The current proposal includes the zoning of the development to address key areas within the site and also a palette of materials to help unify the development as well as improve the overall design and appearance of the site. Conditions will be applied to any subsequent approval to ensure the development does not have an unacceptable impact on the character of the surrounding area, the proposed

landscaping, SUDs and Swales are implemented and managed, footpath and cycleways links and connections are laid out and materials, signage, public art and street furniture are well designed, appropriate and help to unify the application site.

On the basis that strategic landscaping will help to unify the site, protect key views and provide important Green Infrastructure corridors for ecology and users of the site, as well as providing a key gateway into the application site, then it is considered in accordance with policies 5 and 13 of the CSS.

5. Impact on residential amenity

Policy 13(l) of the North Northamptonshire Core Spatial Strategy requires that all new development should not have an unacceptable impact on the amenities of neighbouring properties or the wider area. Windmill Cottages are located Over 150m to the east of the application site and properties in Burton Latimer are located approximately 200m south of the application site. The application submission includes a recommendation to later include Blackbridge farm, to the north east of the application site and abutting the site boundary, into the development site. As outlined above significant woodland planting is proposed along the southern boundary of the application site to protect residents closest to the application site. The A14 cuts in between Kettering and the application site, the proposal is therefore unlikely to have a significant impact on the amenity of residential properties in Kettering or for approved properties at Kettering East. Plot H is located in between the proposed development and Windmill Cottages to the west of the application site, although the application suggests this could be a future development site, Plot H does not currently form part of the permission. There is also planned landscaping in between the site and Windmill Cottages. Provided conditions are imposed including, landscaping, noise, working hours and for a construction management plan to be submitted and approved then the development is considered to be acceptable and in accordance with Policy 13 (l).

6. Impact on the significance of local historic assets

Policy 12 of the NPPF requires applicants to describe the significance of heritage assets affected by development, including the contribution to their setting'. When considering the impact on an asset or its setting, 'great weight should be given to the assets conservation. The more important the asset the greater the weight should be. When the proposed development would lead to substantial harm then consent should be refused. Where a proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal'.

The proposal is located approximately 400m to the North of the Grade I Listed Burton Latimer Hall, Dovecote and Stables; 300m from the Grade II Listed Hall Cottage, Burton Latimer; and to the north of Burton Latimer and the Burton Latimer Conservation Area. Given the proximity of the site to this Grade I Listed Burton Latimer Hall and that the development is likely to be located on farming land previously associated with Burton Latimer Hall, the proposal has the potential to impact the setting of this Grade I Listed asset. However, there is existing woodland planting surrounding the current, more limited grounds of Burton Latimer Hall, which would protect views from the Hall to the application site. The submitted Environmental Impact Assessment (EIA) identifies the need to enhance planting in between the application site and Burton Latimer

Hall to protect its more recent intimate setting. Although, the new planting proposed is within the application site not adjacent to the existing woodland around Burton Latimer Hall. This will also help to protect the significance of Hall Cottage which would have had a much smaller setting than Burton Latimer Hall. The submitted EIA states that this screening would help to protect the setting of the Burton Latimer Conservation Area. A condition is therefore required requiring a landscaping scheme for the site to be submitted to and approved in writing.

The site does contain previously recorded non-designated heritage assets comprising undated cropmarks and Modern quarrying and associated activity. The submitted EIA and response from NCC – Archaeology suggest that works can proceed subject to the imposition of conditions requiring a archaeological programme of works to be first submitted and approved, and for development to be undertaken on the basis of the approved archaeological works. The proposal is therefore considered in accordance with policy 12 of the NPPF and policy 13 of the CSS.

7. Sustainability

Policy 14 of the North Northamptonshire Core Spatial Strategy states that proposals for large, non-residential development will be compliant with a BREEAM/Eco-building assessment rating of at least 'very good'. The applicants have confirmed that they will meet or exceed Part L of the 2010 building regulations and target a BREEAM 2011 rating of very good. This will be a condition of any subsequent permission.

The application site is located approximately 700m to the west of the existing 9 wind turbines currently under construction. The Site Specific Proposals LDD Options paper makes reference to this area and identifies it as a potential area for the intensification of renewable energy uses with a view to develop this area into a Green Energy Park. The development of renewable energy technologies on this site therefore provides a local opportunity to supply green energy to the application site. If approved, subsequent reserved matters applications will be required by condition to submit energy statements for individual buildings and applications and a low carbon feasibility assessment will also be required by conditions. Within these statements it is expected that the applicants will outline that how they have explored the use of local green energy.

8. Loss of agricultural Land

Policy 11 of the NPPF states that 'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'. The application site comprises 7.2ha of grade 2 agricultural land and 26.3ha of grade 3 land (comprising of 18.1ha of grade 3a and 8.2ha of grade 3b), grade 1, 2 and 3a agricultural land is generally considered to be the best and most versatile agricultural grades of land resulting in the loss of 25.3 ha of the best and most versatile land, over half the site. The applicants have however submitted a plan showing that Kettering is generally surrounded by grade 2 and 3a agricultural land with some strips of grade 3b land towards the southwest of the A14. Moving development away from the boundaries of Kettering or separating it over smaller less versatile sites could affect the sites sustainability and deliverability. This site has been identified as a favourable site in the

Strategic Sites Background Paper. The proposal is therefore considered acceptable on this basis.

9. Environmental Impact Assessment

This planning application as submitted with an Environmental Impact Assessment (EIA). The Local Planning Authority is satisfied that the submitted EIA meets the requirements set out in the 2011 EIA Regulations. Subject to imposition of conditions and a section 106 agreement being entered into, the EIA and other additional information submitted adequately addresses any significant environmental impacts as outlined in this report.

10. Other Matters

Representation received on behalf of tenant farmer:

The Council's legal advisor has been consulted in preparing this summary for consideration of the points raised on behalf of the tenant farmer. Clearly, the fact of the existing farm tenure is evidence of the land being in agricultural use. The loss of agricultural land is a material consideration. In this case, information on land quality arises through the Environmental Impact Assessment and whether there is appropriate justification regarding the use of the most versatile (agricultural) land has been addressed section 7.7 of this report.

The agent working on behalf of the tenant farmer states that the likely loss of 40% of the farm tenancy, if the development were to proceed, would raise the question of whether the farm business would be or remain viable. At the same time if some of the land at the application site could still be farmed (for a period) it might make the percentage reduction less and that would be a factor to consider if such information were available. There is no specific evidence of the agricultural viability though hardship is mentioned, but as there are no details it is not possible to assess that impact in consideration here.

The loss of a viable farming business and change from an agricultural land use are material planning considerations to be considered in the determination of this application. As outlined above the loss of agricultural farmland is considered to be a significant material planning consideration, which is outlined in the NPPF. This matter has been addressed by the applicants through the submitted EIA and further additional information and considered in section 7.0 of this report. This report concludes that, the site has been identified as a potential employment site in the Strategic Sites Background Paper and there is sufficient remaining similar grade farmland surrounding the local area for the provision of farming. The recommendation is that the development proceeds on this basis.

The impact of the development on a viable farming business has been outlined by the tenant farmer. Land ownership constraints are generally not considered to be material planning considerations, i.e in respect of the tenancy agreement itself between the landowner and farmer. However, acknowledging the information received in the representation, the impact of the development on a viable business in this instance is considered to be a material planning consideration of limited weight. However, on the basis the land owner may terminate the tenancy agreement at a time to be determined, despite the development, some of the surrounding farmland could remain and be farmed whilst the development comes forward in stages or alternative surrounding land could be provided.

The development will generate a significant number of local jobs, supported by Policy 1 of the NPPF and Policies 8 and 11 of the CSS which can be afforded significant weight as an adopted planning policy. Finally, the proposal would help to promote business choice as outlined in the emerging Joint Core Strategy, which is a material planning considered that can be afford some limited weight.

Based on the information on behalf of the tenant farmer submitted to date, the applicant has been asked to explain how the concerns raised by on behalf of the tenant farmer have been or are to be responded to minimise the loss of land to the existing agricultural enterprise. The applicant's has stated that they are in discussions with the tenant farmers agent to reach an agreement with regards to the transfer of land. They also state that the matters raised are not planning issues but relate to the relationship between the landlord and the tenant.

In respect of the process of ending the tenancy our Legal Officer does not question the time estimates given by the representative for the tenant farmer though what is presented may be a worse case scenario. In planning terms the tenure is not a issue to warrant a refusal of planning permission in this instance, but materiality has been considered in the ways indicated above.

Fire and Rescue

Northamptonshire Fire and Rescue Service require fire hydrants to be installed either through the provision of a s.106 contribution or via planning condition. The applicants have stated that this is a requirement of Building Regulations. However, this is dependent on further consultation with Northamptonshire Fire and Rescue. To ensure public safety a condition is recommended to ensure that a suitable number of Fire Hydrants are provided across the application site in accordance with policy 13 of the CSS.

Old Cransley Iron Work

The consultee responses have questioned why further employment land is required as Cransley Park stands empty. The permission for Cransley Park was granted prior to a change in economic conditions which has affected delivery of this site. Also, a condition on the permission limits the B8 on the site to only 5,000sqm. Roxhill believe this is a deliverable site, where buildings will only be constructed based on interested parties coming forward. The additional B8 on the site will help its deliverability and will also provide opportunities for new office and headquarter development.

National Grid

The Local Planning Authority are aware of capacity issues in the local grid but there are planned upgrades associated with the development of the East of Kettering SUE and Energy Park which will assist with local grid capacity.

Conclusion

It is considered that the proposal provides a number of benefits, and is consistent with a number of policies in the adopted CSS, notably by supporting employment development, in close proximity to Kettering Growth town and the Kettering East SUE. Site assessment work and the evidence base informing the Joint Core Strategy review has identified the site as a potential strategic

employment site, with development principles prepared. Issues including connectivity to the existing urban area, the impact on historic assets and the loss of best and most versatile agricultural land have been addressed through submitted information as part of the Environmental Impact Assessment. The outstanding issues with regards to highways capacity are likely to be resolved in advance of the Committee and an update is to be provided to Members.

The application is therefore recommended for approval subject compliance with conditions and the signing of a section 106 agreement, the terms of which are outlined in section 6.0 of this report. Provided the Highways Agency raises no further concerns on the basis of ongoing discussions and no further significant planning matters are raised by third parties between the date of the Committee and 31st July 2014, which are not already addressed in the Committee Report or which have not been previously raised by third parties then the application is recommended for approval.